



TEHIDY PARK

GOLF CLUB

Code of Conduct

1.0 Introduction

- 1.1 Tehidy Park Golf Club (TPGC) provides access to golf for players of all standards in a friendly and welcoming atmosphere. The needs of our members are at the heart of all that we do. Guests & visitors are welcomed, and all enjoy our course, the services of our club professional, bar and catering amenities. Our values and guiding principles represent our desire to have an open, honest, and accountable club environment and include respecting members, staff, stakeholders, and our neighbours. Our stakeholders include our retained Club Professional, Caterers and anyone working for them.
- 1.2 We are committed to the equitable and fair treatment of all members, guests, visitors, volunteers, stakeholders and our employees. We are determined to ensure that every person regardless of disability, age, gender, sex, sexual orientation, race, colour, nationality, ethnic origin or religious conviction has a genuine opportunity to participate to their full potential at all levels and in all roles within the club. In addition to the above, the Board of TPGC also have a duty of care for its employees.
- 1.3 TPGC deems that upon payment of membership or green fees, all members, guests and visitors have given their consent to be bound by both the restrictions and any sanctions imposed by this code of conduct. Members shall be liable for any breach committed whether by themselves or their guests. The intention of this code is to establish clear and acceptable behaviour expectations for TPGC members, guests, visitors, and stakeholders. The contracts of Club employees have similar provisions within their contracts of employment.
- 1.4 This Code of Conduct is not intended to restrict the rights of anyone but rather to promote and enhance our values and ensure that all members, guests and visitors can expect to be treated with respect while enjoying our golf course, clubhouse, and amenities. It deals with general responsibilities, on the course & clubhouse requirements and how breaches of the code will be dealt with.

- 1.5 This Code of Conduct covers includes all the elements, identified by England Golf, required to satisfy the principles of natural justice. These elements include:
- Any person accused of any wrongdoing should be told what they are alleged to have done and the relevant rules they have broken
 - Any breach or wrongdoing should be investigated by someone who is independent, that is not involved in the incident/s in question
 - The person accused of wrong doing should be shown the evidence against them in support of the allegation against them
 - Reasons should be given for any decisions, and any sanctions applied
 - There should be an appeal process
 - For matters relating to the rules of golf or handicapping, the process should outline the appeal options at club, county and national (England Golf) levels.

- 1.6 A copy of the R & A Rules are contained in the following link.

[The R&A - Rules Of Golf](#)

- 1.7 This Code of Conduct does not relate to any 'organisational' complaints in relation to policies, procedures or decisions made by the Board, any Committee or Sub-Committee. Such complaints should be made to the Board via the General Manager(GM) in writing.

2.0 General Responsibilities

External Compliance

- 2.1 TPGC recognises the R & A as the body responsible for the Rules of Golf and the Rules of amateur status and shall abide by these rules and any changes laid down by the R & A. TPGC Rules state that the Club will abide by England Golf requirements in relation to affiliation, equality, disciplinary proceedings, safeguarding and anti-doping. In addition, they stipulate compliance with the Cornwall Golf Union and the Cornwall Ladies County Golf Association, and with those of any successor of those bodies.
- 2.2 TPGC will comply with the CONGU Unified Handicap System, and any conditions or directions imposed within the system by England Golf, or with an updated system of handicapping as directed by Golf England and/or CONGU.
- 2.3 The Club will comply with all the aspects detailed in the Club's safeguarding policies, which have adopted England Golf's SafeGolf requirements.

Internal Compliance

- 2.4 Members must always act within the Club's rules and policies. Policies are continually being updated and developed and, along with the rules, can be found on the club website or from the GM's office. No member shall be absolved from their effect on any reports of a breach of a rule or this code on the grounds of not having received a copy of these documents.
- 2.5 Members, guests, visitors, and stakeholders should always be respectful to all those they come into contact with at TPGC. Respect diversity, different roles and

boundaries, and avoid giving offence. They should not engage in any form of sexual, racial, religious discrimination or harassment. Neither should they conduct themselves in any rude or immoral manner, including the use of profane language, gestures, insults or other such behaviour.

- 2.6 When using social media in connection with the club, its employees or members, do so in a manner which could not be deemed offensive. Everyone should consider the impact of publicly expressing negative issues relating to the Club, its officials or employees on social media. Any such issues should be raised in line with the process outlined in this Code of Conduct for dealing with complaints and protests.
- 2.7 Under no circumstances shall an employee of the Club be reprimanded directly by a member.
- 2.8 As well as avoiding actual impropriety, members will conduct themselves in a manner which does not damage or undermine the reputation of the Club, particularly when representing it.
- 2.9 Members should be mindful of the impact on the Club when taking part in any golf related activities which might damage its reputation.
- 2.10 A person engaging in any behaviour that may be detrimental to the game of golf or TPGC maybe in breach of this code and should be reported.

3.0 On the Course Code of Conduct

- 3.1 In relation to conduct on the course, TPGC will undertake all possible measures to adhere to R&A Rule 1.2. This is in relation to Standards of Player Conduct. All players are expected to play in the Spirit of the Game. Under R&A Rule 1.2b.
- 3.2 All golfers playing at TPGC must:
- Avoid slow play, apply Ready Golf principles and allow other golfers to play through as appropriate, waving the following group through when searching for lost balls and maintaining the speed of play by keeping up with the group in front
 - Adhere to the dress code
 - Adhere to R&A and any local rules of the course
 - Demonstrate fair play both on and off the course
 - Respect the rights of other players and golf course staff. Golf course staff always have right of way when actively engaged in work on the course – do not play your ball if there is any risk to staff or equipment.
 - Respect the golf course, golf buggies and obey all signage on the golf course.
 - Always follow established golf etiquette respecting the course, such as:
 - a. Repairing pitch marks, replacing divots, raking bunkers etc.

- b. Showing the necessary respect to fellow golfers at all times, which incorporates; no shouting on the course, no misuse of equipment (e.g. throwing clubs in frustration etc.), no aggressive behaviour, or the taking of performance enhancing drugs.
- c. Conduct yourself in a sportsmanlike manner and do not knowingly cheat, disrespect employees, officials or fellow players.
- d. Mobile phones must be switched to silent on the golf course.

4.0 In the Clubhouse Code of Conduct

- 4.1 While acknowledging that adult “banter” or conduct can contribute to creating a healthy atmosphere amongst members, the following is designed to safeguard others who may find certain banter or conduct offensive, intimidating or inappropriate.
- 4.2 It will be considered a breach of this Code of Conduct if members, guests, visitors or stakeholders:
 - Use any form of discrimination, harassment or intimidation to another person
 - Consumes excessive quantities of alcohol. It is against the law to serve anyone who is drunk. It will be considered an aggravating factor if a person refuses to leave the premises when considered to be intoxicated.
 - Uses foul or abusive language. This has no place in the clubhouse and any member heard using unacceptable or offensive language will be asked to either stop or leave the premises. Where someone is noticed to be consistently using bad language after being warned this will be considered as an aggravating factor
 - Smokes or uses e-cigarettes within any of the club buildings or takes any illegal substances within the clubhouse or wider estate (the latter incurring an immediate suspension)
 - Are excessively inconsiderate towards others when using their mobile phone in the clubhouse.

5.0 Dress Code

On the course

- 5.1 TPGC is aware that clothing fashions are constantly changing for those playing golf. As a general guide, apparel sold in mainstream golfing outlets is usually acceptable. Shirts/polos, non-denim trousers/shorts/skirts, socks and golfing shoes are current requirements.

5.2 This section of the Code of Conduct, will be updated on a regular basis. If any member or visitor has any doubts they should consult with the Club Professional or GM.

5.3 The course dress code for TPGC will be advised at the time of any individual or group bookings.

In the Clubhouse

5.4 Unless otherwise advised for a specific event, 'smart casuals', including clothing worn on the course as identified above (apart from golfing shoes), is the acceptable dress code for the main bar/restaurant/patio areas of the clubhouse. Smart denim apparel has previously been defined as 'smart casuals by the Club and that remains the case. In the Spike Bar there is a 'relaxed' dress code.

5.5 Members and visitors in this area should take all reasonable steps to ensure their apparel does not offend anyone else, and they should not visit those areas where the 'smart casual' dress code applies.

6.0 Breaches of this Code

6.1 This section of the Codes outlines the process to be adopted for any alleged breach of this code. It outlines reporting, assessment, notification, investigation, hearing, appeal, and third party notification processes.

Reporting a Breach of the Code

Informal resolution

6.2 Experience shows that many potential breaches of any Code of Conduct or unacceptable behaviour policy are relatively minor and are often resolved without redress to formal reporting. Resolutions in these circumstances are often reached through one-to-one communications and/or mediation. The GM can offer advice in such circumstances.

Who can make a formal report

6.3 A report of an alleged breach of this code can be made by anyone, including a competitor, member, visiting guest/s, other associated golf club members, and members of the public.

Ensuring and independent process

6.4 Every possible effort will be made to ensure there is independence throughout the reporting, assessment, notification, investigation, hearing, appeal, and third party notification stages of the process. The GM is responsible for

administering all aspects of this Code. If they are involved in the incident or a material witness to, or are alleged to have breached the Code, the Club's Director of Operations will take over this role. Any alleged breach by a Director or Officer of the Club (President, any of the Club's Captains or Vice Captains) should be made to the Chair of the Board. If the Chair is not available, a material witness or is alleged to have breached the code, an independent Director will take on the role of administering the process.

Reporting the Breach

- 6.5 Subject to the provisions of the previous paragraph, the breach should be reported to the GM. If they are not available, the report can be made to anyone in the office or one of the Board Directors.

Assessing the Alleged Breach

Initial action

- 6.6 The nature and extent of assessing and investigating alleged breaches of this code will be recorded and dealt with as quickly possible.
- 6.7 An initial assessment will be undertaken by the GM in relation to the alleged seriousness of the breach, the availability of the person making the complaint or any witnesses, obtaining available evidence, the need to report the breach to third or interested parties (e.g. the Police, Health & Safety Executive).
- 6.8 Incidents of a safeguarding nature must be referred to the Club's Safeguarding representatives and the England Golf Governance team before any disciplinary action is taken under this Code.
- 6.9 If the seriousness of the alleged breach is so serious the GM forms the view that a member/s should be suspended, they should consult with the Director of Operations (Chair of the Board in their absence).
- 6.10 The Director who is consulted by the GM in these circumstances has the authority to suspend any member for what they consider to be a serious breach of this Code. The member shall be informed of this in writing, advising that further information will be provided to them as soon as practicable. Any such action must then be approved by the Board at the earliest opportunity.
- 6.11 If the person/s, alleged to have committed any breach, is a visitor, the GM has the authority to facilitate their immediate removal from the Club and bar them until such time as the breach has been investigated.

Investigating the Alleged Breach

Information/Evidence Gathering

6.12 The GM, or appropriate Director if relevant, will be responsible for investigating the alleged breach of this Code of Conduct. This may include speaking with all the parties involved, interviewing witnesses and viewing & securing phone and/or CCTV footage.

6.13 The person investigating the alleged breach will be responsible for establishing the exact nature of any contraventions of this Code. They will make, take and retain detailed written documentation of all aspects of their investigation.

Involvement of Police or other investigative body

6.14 If the breach involves notification to/by the Police or other investigative body, any investigative actions undertaken and evidence obtained will be notified to them as soon as possible. Such bodies will have primacy in any such investigations.

6.15 Any investigation by the Club in relation to a breach of conduct will, unless there are very good reasons to the contrary, wait until any third party investigation, and any subsequent judicial proceedings have been concluded. Waiting for such an outcome will not prevent a member being suspended or visitor being barred.

Suspension or barring during an investigation

6.16 Further to paragraphs 6.8 – 6.16 & 6.14, any decision to suspend a member or bar a visitor from the Club in relation to an alleged breach of this Code will be reviewed on behalf of the Board by the GM and Director of Operations at least once a month. Any material change in this respect will be notified to the Board.

6.17 Any investigation into an alleged breach of this code should be confidential and any information should only be on a 'need to know basis.' Breaching confidentiality, could in itself be a breach of this Code of Conduct.

No evidence or wrongdoing or the person reporting withdraws their complaint

6.18 If there is no evidence to support the alleged breach or, subject to the circumstances outlined in paragraph 6.14, the person reporting it decides to withdraw or the matter is resolved to the satisfaction of all parties involved, the person conducting the investigation will confirm this in writing and update the Board, through the Director of Operations.

6.19 Notwithstanding the withdrawal of a complaint, the Board has the authority to direct that an investigation and if appropriate, a disciplinary hearing, continues. The Board would direct such actions only if it considered that the circumstances around the alleged breach are so serious that it needs to be investigated or not investigating it further would be contrary to the law or regulatory requirements or would have a detrimental impact on the reputation of the Club.

Establishing the seriousness of the Breach

6.20 Although the investigation process, and any subsequent panel hearing, will always remain the same for all alleged breaches, establishing the seriousness of the case will form part of the investigation process.

6.21 While each case will always be dealt with on its own merits, any alleged breaches will be graded according to their seriousness with Grade 1 being less serious and Grade 3, the most serious. Failing to comply with the Rules of Golf may, depending on the circumstances, fall within any of the three grading criteria. Sanctions for breaching these grades will be escalatory in nature. Once the facts of a case are established these gradings maybe changed.

Grade 1

6.22 Grade 1 breaches will typically involve:

- i. Bad language.
- ii. Improper treatment of equipment, including throwing of clubs.
- iii. Use of club other than within the intentions of the game e.g. damaging trees with clubs, breaking them etc.
- iv. Bad-mannered behaviour.
- v. Failure to complete a round without good cause when representing the club in any sanctioned tournament/interclub match.

Grade 2

6.23 Grade 2 breaches will typically involve:

- i. A second or further Grade 1 breach/s within a two-year period.
- ii. Any activity that, when considering all the circumstances, has the potential to damage the reputation of the Club.
- iii. Excessive or offensive bad language.
- iv. Spreading of disrespectful, derogatory and/or unfounded comments (Inc. Emails/social media posts) regarding fellow members or employees.
- v. Verbal abuse or threatening behaviour to another player, member, employee, visitor or stakeholder.

Grade 3

6.24 Grade 3 breaches will typically involve:

- i. A second or further Grade 2 breach/s within a two-year period.
- ii. The taking or distribution of drugs in the clubhouse or wider estate.
- iii. Serious or persistent behaviour resulting from the misuse of alcohol.
- iv. Assault.

- v. Theft and any other criminal offence.
- vi. Discriminatory word or actions of a sexual, racial or religious nature.

Time taken to investigate

- 6.25 Subject to the provisions of Sections 6.8, 6.14 & 6.15, the availability of witnesses, the collection of evidence and the amount of work required to undertake all required enquiries, the investigation should be undertaken as soon as possible and with all due diligence.
- 6.26 Any delays should be the subject of periodic reviews between the GM and the Director of Operations(or their alternates – paragraph 6.4).
- 6.27 Unless it is deemed that contacting any interested parties may be detrimental to the investigation, all those involved will be kept informed of any delays and the reasons for them.
- 6.28 All actions, decisions and supporting reasons in relation to delays will be recorded in writing.

7.0 Notification to Persons

Evidence of a breach of the Code

- 7.1 Once the person undertaking the investigation into the alleged breach/s of the Code is satisfied there is sufficient evidence to refer the matter to a Disciplinary Panel, they will arrange a hearing.
- 7.2 Unless there are good reasons to the contrary, all interested parties will be given at least 14 days' notice of a time and date of a Discipline Panel hearing. Interested parties include those accused of any wrong doing, any witnesses, and any relevant people involved in the investigation process.

Notification to those accused of breaching the Code

- 7.3 The GM or, if relevant, Director of Operations, will send a formal notification to the member/s who is alleged to have breached this Code(the Respondent/s), clearly setting out:
 - i. The rule or provision that they are alleged to have breached; and
 - ii. A summary of the facts or circumstances that led to the complaint and the specific breach; and
 - iii. A description and copies of any evidence that is being relied upon to support the breach; and
 - iv. Confirmation that these rules or provisions apply to the determination of the matter; and
 - v. The time, date and location of any meetings that have been organised to discuss or otherwise deal with the matter; and

- vi. Their rights under this Code to have a fair opportunity to make representations in their defence; and
- vii. That they can have one named person to act as a representative on their behalf and/or a friend to support them; and
- viii. Instructions on what they must do to either admit or deny the alleged breach within 7 days indicating their response; and
- ix. How they can access a copy of this Code.

8.0 The Disciplinary Hearing

Arranging the Hearing

- 8.1 Having established the need to constitute a Disciplinary Panel, the GM, or if relevant, the Director of Operations, will be responsible for making the arrangements, as per paragraph 7.1 above.

Composition of the Panel

- 8.2 The Disciplinary Panel will be made up of three individuals, who will all be independent of the complaint of incident giving rise to the matter. One member of the Disciplinary Panel will be appointed as Chair. To ensure an ongoing continuity of approach, and if appropriate in the circumstances, the Panel will consist of the Director of Operations(Chair) and two other Board Directors, ideally two of the three Club Captains. If required, the constitution of this Panel will be the same as those who sit at a Disciplinary Hearing.
- 8.3 If at any time a member of the Disciplinary Panel either declares an interest or is deemed to have an actual or potential interest by the Chair (or if it is the Chair, another member of the Disciplinary Panel) they will be replaced by another individual.

Notification to the Board and Independence

- 8.4 The person arranging the Panel will be responsible for notifying the rest of the Board that a Disciplinary Panel has been formed. The full circumstances relating to the alleged breach and those involved will not be disclosed. This is to ensure the right balance is achieved between Directors being aware of relevant issues and the need to have an appropriate level of independence in the event of an appeal.

Admitting or Denying the Breach

- 8.5 The person/s alleged to have breached the Code shall have at least 14 days from the date of the Notice of Charge to respond and either:
- i. Admit the breach; or
 - ii. Deny the breach, in which case the matter will be dealt with by a full Disciplinary Hearing.
- 8.6 If the Respondent/s admits the breach, the Disciplinary Panel may deal with decisions and sanctions as outlined in the paragraphs at Section 10 below. The

Respondent/s may make written representations in mitigation within 7 days from accepting the breach or having been deemed to admit it (see paragraph 8.8).

- 8.7 If the Respondent/s does not accept the breach, the Disciplinary Panel will move to a Disciplinary Hearing.
- 8.8 If the Respondent/s does not respond to the written notification of an alleged breach/es within 14 days, a Disciplinary Hearing will be convened, and the Panel may, depending on the circumstances of the alleged breach, treat the Respondent/s as having admitted it.
- 8.9 If there are multiple alleged breaches, the Respondent/s may admit or deny all or some of them. The Disciplinary Panel may deal with breaches that are admitted and alleged breaches that are denied separately.
- 8.9 The Disciplinary Panel may deal with any alleged breaches by way of an oral hearing either conducted in person or by audio or video conference call, or deal with the matter by way of written submissions, whichever method is most appropriate and proportionate to the issues at hand, and considering the needs and wishes of the Respondent and any other witnesses in deciding how to deal with the hearing.

9.0 Disciplinary Hearing

Notice of Hearing

- 9.1 The Disciplinary Panel will give reasonable notice of any hearing or deadline for written submissions and should consider at least one re-scheduling to take into account prior commitments.

The Oral Hearing

- 9.2 The Respondent/s may be represented by a third party at any oral hearing, whether or not that person is a member of the Club (a Representative), and the Representative may make submissions but not give evidence on behalf of the Respondent. They may also be accompanied by another Member for support (a Friend), but the Friend may not make representations on behalf of the Respondent.
- 9.3 The procedure for an oral hearing will be at the discretion of the Chair. A standard hearing procedure is set out at Appendix 1 of this document, which may be followed by the Chair of the Disciplinary Panel.
- 9.4 Regardless of the procedures followed, the Respondent/s must be given a fair opportunity to make representations and present evidence in their defence. The Respondent must also be given the opportunity to review and challenge evidence in support of the breach.
- 9.5 If the Respondent does not attend the hearing as arranged above, provided that the Disciplinary Panel is satisfied that notice of the hearing was received it may proceed and decide the case in the absence of the Respondent.

10.0 Decisions and Sanctions

- 10.1 The Disciplinary Panel may reach such decision and/or impose such sanctions as it sees fit. This may include dismissing the alleged breach/es as not being substantiated.
- 10.2 During their deliberations, the Disciplinary Panel will come to their conclusions based only on what has been presented to them and on the balance of probabilities.
- 10.3 The Disciplinary Panel will consider the seriousness of the breach/es in the three grades outlined at paragraphs 6.20 to 6.24. The decision taken by the panel in relation to sanctions must be reasonable and proportionate in all the circumstances.
- 10.4 The Disciplinary Panel will give reasons for each of its decisions.
- 10.5 As a general guide, for Grade 1 breaches, sanctions for proven breaches of this type would typically result in a written warning or reprimand in respect of the misconduct/breach. A record of such a proven breach will be kept for two years.
- 10.6 As a general guide for Grade 2 breaches, sanctions for proven breaches of this nature would typically result in a period of suspension and/or exclusion from the Club and any associated golfing and social activities for up to six months. Such a suspension may include excluding the Respondent from holding any office within the Club. Any period of suspension would require ratification from the Board of Directors. A record of such a proven breach will be kept for two years.
- 10.7 As a general guide for Grade 3 breaches, sanctions for proven breaches of this nature would typically result in expulsion from the Club for a recommended period. This sanction requires the approval of the Board of Directors.

The Decision

- 10.8 The decision of the Disciplinary Panel may be communicated to the Respondent/s orally at any oral Hearing, but must, in any event, be communicated in writing within a reasonable time of the decision being made.
- 10.9 When notified of the decision the Respondent/s must be advised on the Appeal Process outlined in Section 12 below.

Expulsion from the Club

- 10.10 Any expulsion from the Club must be ratified by the Board of Directors. If the Disciplinary Panel takes the decision that expulsion from the Club is the appropriate sanction, that will take place with immediate effect. The Board will be notified without undue delay. If subsequently, the Board does not ratify the decision to expel the member/s, another independent Disciplinary Panel will be convened.
- 10.11 Any expulsion will remain in place until after any appeal process the Respondent/s pursues.

11.0 Matters Involving Young Persons Or Adults At Risk

- 11.1 Where any breach of this Code involves a Young Person and/or Adult at Risk of Harm as a Respondent/s or witness, the person investigating any alleged breach of this Code and any Disciplinary Panel that is convened must be mindful of the needs of the person in question and take these into account when deciding the format of proceedings, whether any action is taken against such a Young Person or an Adult at Risk of Harm or whether any provisions in this Code should be varied.
- 11.2 The person investigating any alleged breach of this Code and any Disciplinary Panel convened should inform the Club Welfare Officer or, in their absence, the County Welfare Officer or the England Golf Safeguarding team of the circumstances surrounding the Young Person and/or the Adult at Risk of Harm before taking any action under this Code.
- 11.3 Written permission should be obtained from any parent / carer of a Young Person or Adult at Risk of Harm where such person is asked to provide evidence and / or attend a hearing. Where a Young Person or Adult at Risk of Harm is asked to attend a hearing, they shall be afforded the opportunity to do so accompanied by any parent / carer and the Disciplinary Panel shall make sure that the Young Person or Adult at Risk of Harm fully understands the process taking place.
- 11.4 For the avoidance of doubt, the refusal of the parent, Young Person or Adult at Risk of Harm to co-operate shall not preclude Club from taking disciplinary action against the Young Person or Adult at Risk of Harm.

12.0 Appeals

Appeals in relation to Golf or Handicap Infringements

- 12.1 Decisions which relate to the Rules of Golf or to handicapping infringements fall within the England Golf Disciplinary Framework and are subject to a right of appeal to the Cornwall Golf Union.
- 12.2 If the Respondent/s wishes to appeal a decision of the Disciplinary Panel, they (the Appellant) must lodge the appeal to the GM or, if relevant, the Director of Operations, in writing (an Appeal Request) within 14 days of the date of the Disciplinary Panel's original decision being notified to the Respondent.
- 12.3 The Appeal Request must set out one or more of the grounds of appeal below and any further evidence on which the Appellant wishes to rely, together with reasons why the ground of appeal(s) applies. The grounds of appeal are as follows:
- i. The decision was based on error of fact or could not have been reasonably reached by a Disciplinary Panel when faced with the evidence before it;
 - ii. Serious procedural or other irregularity in the proceedings before the Disciplinary Panel;

- iii. Significant and relevant new evidence has become available which was not available before the conclusion of the hearing but, had it been available, may have caused the Disciplinary Panel to reach a materially different decision; and/or
 - iv. The sanction imposed was manifestly unreasonable in the light of the facts before the Disciplinary Panel.
- 12.4 Following receipt of a Notice of Appeal, the GM shall consider whether the Notice of Appeal is valid, that is received in time and sets out a valid ground or grounds of appeal (but not whether any grounds of appeal have been made out). If the Disciplinary Secretary considers that the Notice of Appeal is valid, he will forward it to the County Secretary of the Cornwall Golf Union. If the Disciplinary Secretary considers that the Notice of Appeal is not valid, he will return it to the Respondent and explain why it is not valid.
- 12.5 The Cornwall Golf Union Disciplinary Regulations will apply thereafter to any appeal, unless England Golf has determined that it should hear the matter, in which case the England Golf Disciplinary Regulations will apply.
- 12.6 There will be no further right of appeal.

Appeals in Relation to Internal Club Matters

- 12.7 If the Respondent wishes to appeal a decision of the Disciplinary Panel in relation to any other matters, they (the Appellant) must lodge the appeal to the Director of People and Values, in writing (an Appeal Request) within 14 days of the date of the Disciplinary Panel's original decision being notified to the Respondent.
- 12.8 The Appeal Request must set out one or more of the grounds of appeal below and any further evidence on which the Appellant wishes to rely, together with reasons why the ground of appeal(s) applies. The grounds of appeal are as follows:
- The decision was based on error of fact or could not have been reasonably reached by a Disciplinary Panel when faced with the evidence before it
 - Serious procedural or other irregularity in the proceedings before the Disciplinary Panel
 - Significant and relevant new evidence has become available which was not available before the conclusion of the hearing but, had it been available, may have caused the Disciplinary Panel to reach a materially different decision, and/or
 - The sanction imposed was manifestly unreasonable in the light of the facts before the Disciplinary Panel.
- 12.9 Following receipt of a Notice of Appeal, the Director of People and Values shall consider whether the Notice of Appeal is valid, that is received in time and sets out a valid ground or grounds of appeal (but not whether any grounds of appeal have been made out).

- 12.10 If the Director of people and Values considers that the Notice of Appeal is not valid, they will return it to the Respondent and explain why it is not valid.
- 12.11 If the Director of People and Values considers that the notice of appeal is valid, they will consider whether at least one ground of appeal has been established, in which case they will appoint an Appeal Panel comprising three Board members who have had no prior involvement and have no actual or potential interest in the matter. If the Director of People and Values does not consider that a ground of appeal has been established they will inform the Respondent with reasons. The Director of People and Values can sit on this Panel and it should, if possible, be chaired by the Chair of the Board, or in their absence an independent Board Director.
- 12.12 The Appeal Panel shall determine whether an appeal of a Disciplinary Panel decision shall be by way of review only or a full re-hearing of all the evidence presented to the Disciplinary Panel, with due consideration being given to any requests made by any relevant party.
- 12.13 An Appeal Hearing may deal with an appeal on the basis of written submissions from the Appellant or by way of an oral hearing. If any party requests an oral hearing, then this will be facilitated unless exceptional circumstances mean that an oral hearing is impracticable.
- 12.14 The procedure for an Appeal Hearing shall be flexible and shall be at the discretion of the Appeal Panel, who may make such decisions as necessary to ensure the orderly and effective conduct of the hearing, subject to the overriding requirement of fairness.
- 12.15 The standard hearing procedure for disciplinary hearings set out at Appendix 1 may also be followed by the Appeal Panel at their discretion.
- 12.16 The Appeal Panel shall have the power to:
- i. Dismiss the appeal;
 - ii. Remit the matter for a re-hearing by the Disciplinary Panel;
 - iii. Remit the matter for a re-hearing by a new Disciplinary Panel made up of different individuals than those originally appointed;
 - iv. Substitute an alternative finding;
 - v. Reduce or increase the original sanction; and/or
 - vi. Make such further order as they consider appropriate.
- 12.17 The decision of the Appeal Panel may be communicated at any hearing, but must, in any event, be communicated in writing within 7 days of the hearing or deliberation of written submissions taking place.

13.0 Legal or Professional Advice

- 13.1 In the event of a member/s indicating they will seek or take legal advice in relation to an alleged breach of this code, the Club can seek similar advice.

14.0 Notification to Third Parties

14.1 If required or appropriate, TPGC will update third parties of any proven breaches of this Code of Conduct and any sanctions imposed .

15.0 Updating this Code of Conduct

15.1 The Director of Operational Support is responsible on behalf of the Board for reviewing this Code at least once a year and updating as necessary.

APPENDIX 1

STANDARD DISCIPLINARY HEARING PROCEDURE

- 1** If deemed to be required, prior to any hearing, the Disciplinary Panel will set appropriate deadlines for the submission of any written evidence / representations requested from the GM or the Respondent.
- 2** The hearing will be convened by the Disciplinary Panel at a time suitable to the parties and communicated to the parties by the GM.
- 3** The case against the Respondent will be presented by the GM, together with relevant evidence, including witness evidence, if appropriate.
- 4** The Respondent will be granted the opportunity to present its case, challenge the evidence presented against them, submit their own evidence, call witnesses and make representations to the Disciplinary Panel. The evidence of further witnesses not notified in accordance with the Regulations will be admitted only at the discretion of the Chair of the Disciplinary Panel.
- 5** A Representative representing a Respondent at a hearing may present and sum up their case, but they may not answer questions put to the Respondent.
- 6** Before being called, witnesses will not be allowed in the room while evidence is being given. This does not apply in relation to the Complainant or Respondent.
- 7** Questions may be put by the Disciplinary Panel to the Respondent and each witness on conclusion of their evidence.
- 8** The Respondent will have the opportunity to raise questions in cross-examination.
- 9** The Disciplinary Panel may limit cross-examination as it deems appropriate.
- 10** The Respondent and the GM will be allowed to make a closing statement to the Disciplinary Panel.
- 11** The room will be cleared and the Disciplinary Panel will deliberate and determine whether, on the balance of probabilities, the disciplinary charge has been proven.
- 12** The hearing will reconvene and the Chair of the Disciplinary Panel can communicate its decision to the parties at the end of a hearing. Any decision and reasons for them will be notified in writing.
- 13** Where a breach is proven the Respondent will have the opportunity to present arguments in mitigation.
- 14** The Disciplinary Panel will review the Respondent's previous disciplinary record, where relevant, to consider sanctions.
- 15** The room will again be cleared and the Disciplinary Panel will determine the appropriate sanction.
- 16** A record will be kept of all disciplinary proceedings and hearings and decisions.