



Disciplinary Committee Terms of Reference

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Introduction

In accordance with the statutes for the Chartered Institute for the Management of Sport and Physical Activity (CIMSPA), the Disciplinary Committee will exercise powers on behalf of CIMSPA and the Board of Trustees under the following Terms of Reference.

Purpose

The purpose of the Disciplinary Committee is to monitor the practice of CIMSPA members, partners and the organisation itself, and ensure issues of misconduct are managed in a fair and consistent manner. The Disciplinary Committee Terms of Reference are agreed by the CIMSPA Board of Trustees, who delegate authority to the Disciplinary Committee to undertake work relating to the execution of Disciplinary Panel hearings and the imposition of disciplinary or performance sanctions, where the Disciplinary Committee concludes that conduct was below acceptable standards. The Disciplinary Committee have no executive powers other than those specifically delegated in these Terms of Reference.

Scope

The Disciplinary Committee and subsequent Disciplinary Panel are responsible for ensuring that fair, effective and consistent methods of dealing with disciplinary and performance matters are achieved. The scope also includes encouraging best practice and improvement to members' and partners' conduct, performance and delivery where it is below acceptable standards, through the issuing of sanctions along with associated outcomes and remedial action.

The scope of the Disciplinary Committee and subsequent Disciplinary Panel also includes:

- Appointing members from the Disciplinary Committee to act as a Disciplinary Panel
- Operating with strong moral principles, honesty, integrity and decency
- Representing the best interests of CIMSPA

Role and Responsibilities

The Disciplinary Committee and subsequent Disciplinary Panel's role is to:

- Hear investigation reports and findings from misconduct investigations carried out by the CIMSPA executive, relating to Tier Four complaints
- Convene a panel to hear an appeals escalation where the original appeal was heard by the CIMSPA Internal Panel
- Consider the points raised through the investigation and base their conclusion on the 'balance of probability'.
- Through Disciplinary Panel hearings, where appropriate impose sanctions along with associated outcomes and remedial action to members and partners whose conduct was below acceptable standards.
- Report on the results of Disciplinary Panel hearings to the Disciplinary Committee (responsibility of the Chair of the Disciplinary Committee).
- Provide appropriate feedback to support decisions made at Disciplinary Panels.

The Disciplinary Committee are responsible to the Board of Trustees for:

- Developing guidance and criteria that will enable them to fairly and consistently determine if sanctions, outcomes and remedial actions are required and the level and type of disciplinary and performance sanction.
- Appointing a Panel from the members of the Committee to hear all investigation reports and findings from investigations conducted by the CIMSPA executive.
- Clearly and effectively communicate conclusions and decisions to impose or not impose any disciplinary or performance sanctions, outcomes and remedial actions to members and partners following Disciplinary Panel proceedings.
- Reviewing and ensuring consistency is achieved in judicial decisions made, including disciplinary or performance sanctions, outcomes and remedial actions imposed, to ensure they are consistently and fairly applied.
- Reviewing disciplinary policies and procedures and making recommendations, where appropriate to the investigation and disciplinary process, CIMSPA executive, and to Disciplinary Panels, when required.
- Reviewing the performance of the Disciplinary Committee.
- Completing an annual review of all Disciplinary Committee / Panel activities and share with the CIMSPA Board of Trustees.

Membership

CIMSPA's Board of Trustees aim to ensure that fellow trustees, sub-committee members and CIMSPA's employees are representative of all sections of the society that they serve. CIMSPA welcomes and embraces the different perspectives, backgrounds and cultures individuals bring to the organisation and is committed to ensuring its operation reflects this, through inclusive practices that positively promote respect, dignity and equal opportunities for all.

The Disciplinary Committee will be made up of:



- One independent non-executive trustee, as chosen by the Board of Trustees (this is excluding CIMSPA's Board of Trustees' Chair) acting as the Disciplinary Committee Chair.
- One member of CIMSPA's executive team (this is excluding CIMSPA's CEO), in a non-voting capacity.
- A minimum of three and maximum of five appointed CIMSPA members that are recruited for their recent and relevant knowledge and experience in a range of different fields within the sport and physical activity sector.
 - The appointed members must collectively cover knowledge and experience in the following fields:
 - Sport
 - Physical activity and health
 - Exercise and fitness
 - Leisure operations
 - Community sport
 - Adventure activities
 - Education and Training
 - Deployment
 - One of the appointed members will be appointed by the Committee to act as Vice Chair.

Tenure and Elapse

CIMSPA's Disciplinary Committee members are eligible to stand as a Committee member for a term of up to three years. After the first year of the initial term, their position will be reviewed in accordance with the skills matrix, committee composition and committee diversity. At this point, the committee member may continue in their position for a further two years, with annual reviews and CPD governing their tenure to complete their initial three-year term. A maximum of three terms of three years may be served, following this format.

Once a committee member has completed their maximum term, at least four years must elapse before they are eligible to stand as a member on any committee for CIMSPA.

Positions held on the Disciplinary Committee by Board trustees will be managed in accordance with their tenure and elapse for their Board trustee position.

Quorum

The quorum necessary for the transaction of business shall be three members for both Committee and Panel meetings.



Decisions of the Committee shall be taken by resolution and recorded in the minutes of the meeting at which such a resolution is passed. Where a consensus cannot be agreed, the Chair may request a vote on a show of hands, in which case each Committee Member shall have one vote.

The Disciplinary Panel, where required, will issue the final decision regarding the type and level of disciplinary and performance sanctions, outcomes and remedial actions that are to be issued. Where a consensus cannot be agreed, the Chair may request a vote on a show of hands, in which case each Panel Member shall have one vote.

Meetings

The Disciplinary Committee shall normally meet once per year, with additional meetings scheduled on a demand-led basis. Where it is not possible or practicable to hold meetings at SportPark, Loughborough, meetings will be facilitated by electronic means or held at an alternative venue (or hybrid). Disciplinary Panels will take place on an ad-hoc basis, dependent upon the need to hear investigations carried out by the CIMSPA executive. The Chair, plus two additional members of the Committee will be required to attend the Disciplinary Panel. These meetings will be facilitated virtually.

Committee roles are voluntary, and expenses will be met, should a committee member be unable to find a sponsor to support their attendance.

Wherever possible, a minimum of 21 days written notice for each meeting shall be given to all concerned. However, on occasion the Chair of the committee may decide that a shorter timescale is better for all parties, particularly when arranging a Disciplinary Panel meeting.

Papers for the Disciplinary Committee meeting will be circulated not less than five working days before each meeting.

The minutes of each Disciplinary Committee meeting shall be made available to the committee at the earliest convenience, and shall be made available to the Board of Trustees upon request.

The Chair of the Disciplinary Committee will report to the Board of Trustees following each committee meeting on its duties and responsibilities.

Additional Information

In exceptional circumstances the Disciplinary Committee may co-opt an individual onto the Disciplinary Committee to ensure that it has the required skills or experience to meet the needs of the sub-committee, the Board and the wider organisation. Co-opted committee members will still be required to undergo an interview process prior to appointment.



If the Chair of the Disciplinary Committee is unable to attend or is not present at the start of a meeting, the meeting shall elect a Chair from the remaining members for the duration of the meeting.

Only members of the Disciplinary Committee have the right to attend committee meetings. However, CIMSPA executive staff and other non-members may be invited with the approval of the Chair to attend all or part of any meeting as and when appropriate and necessary.

Outside of the formal meeting programme, the Disciplinary Committee Chair will maintain a dialogue with key individuals involved in the company's governance, including the Chair of the Board of Trustees, the CEO, and the Head of Governance.

CIMSPA's staff team will provide secretariat to the Disciplinary Committee meetings and will record all minutes of meetings, actions, decisions made and changes to policy and procedures on behalf of the Committee and Panel. The Chair of the Disciplinary Committee will review draft documents and approve for circulation to Disciplinary Committee members and public facing copies (where applicable).

The Disciplinary Committee shall:

- Have access to sufficient resources in order to carry out its duties, including access to a secretariat for assistance as required.
- Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members.
- Give due consideration to laws and regulations, Board of Trustees Terms of Reference, Board Members' Code of Conduct and any other applicable rules as appropriate.
- Arrange for periodic reviews of its own performance, review its Terms of Reference to ensure it is operating at maximum effectiveness and recommend any changes it considers necessary to the Board of Trustees for approval.

Review

The Disciplinary Committee Terms of Reference will be reviewed by the Board of Trustees in July 2026 unless changes in policy, governance or other circumstances require a review prior to this date. They will then be reviewed biennially in accordance with the Board of Trustees' annual plan.





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