



Disciplinary Procedure

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Organisation: Traditional Shotokan Karate UK (TSKUK)

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1. Purpose

TSKUK is committed to upholding the highest standards of conduct, integrity, professionalism, safeguarding and respect across all aspects of its activities.

Disciplinary matters will be dealt with consistently, fairly, proportionately and transparently.

This procedure provides a framework for investigating and responding to alleged misconduct, breaches of policy, breaches of Codes of Conduct and other behaviour that may adversely affect individuals, affiliated clubs or the reputation of TSKUK.

2. Scope

This procedure applies to:

- The Chief Instructor.
- Senior instructors.
- Instructors.
- Coaches.
- Referees and judges.
- Club Welfare Officers.
- Volunteers and officials.
- Members and participants.
- Affiliated clubs.
- Parents, carers and guardians attending TSKUK activities.
- Any person acting on behalf of, or representing, TSKUK.

This procedure covers:

- Breaches of TSKUK Codes of Conduct.
- Breaches of TSKUK policies and procedures.
- Misconduct.
- Conduct concerns.
- Behaviour that risks harm to others.
- Behaviour that damages or risks damaging the reputation of TSKUK.
- Failure to comply with safeguarding requirements.
- Failure to cooperate with investigations.
- Conduct occurring online where it impacts TSKUK, affiliated clubs or participants.

This procedure may be used alongside safeguarding procedures where appropriate.

3. Underlying Principles

The following principles underpin the disciplinary process:

- Concerns will be addressed promptly and fairly.
 - The process will be proportionate to the nature and seriousness of the concern.
 - Individuals will be treated with dignity and respect.
 - Natural justice and procedural fairness will be followed.
 - Individuals will have the opportunity to respond to concerns raised against them.
 - Confidentiality will be maintained where appropriate.
 - Decisions will be evidence-based.
 - Safeguarding considerations take priority over disciplinary timescales where necessary.
 - Conflicts of interest will be managed appropriately.
 - Individuals raising concerns in good faith will be protected from victimisation.
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4. Immediate Protective Measures

TSKUK may implement immediate protective measures where necessary to manage risk while enquiries are ongoing.

These measures are not disciplinary sanctions and do not indicate that any allegation has been substantiated.

Measures may include:

- Temporary suspension of membership.
- Temporary suspension from duties.

- Temporary removal from events or activities.
- Restrictions on attendance.
- Restrictions on communication.
- Restrictions on contact with specific individuals.
- Increased supervision.

Protective measures should be proportionate to the identified risk.

5. Disciplinary Process

Stage 1 – Initial Concern

Concerns may be raised by:

- The Designated Safeguarding Person (DSP) or Deputy DSP.
- A Club Welfare Officer.
- An instructor or coach.
- A referee or judge.
- A volunteer or official.
- A member or participant.
- A parent or carer.
- A member of the public.
- An affiliated club.

Concerns must be documented and submitted to:

- The Chief Instructor; or
- The Designated Safeguarding Person where appropriate.

TSKUK operates on the principle that it is better to report a concern that turns out to be unfounded than to fail to report something that could cause harm or damage the organisation.

Receipt of the concern will normally be acknowledged within 5 working days.

Stage 2 – Preliminary Review

An appropriate senior person will assess the concern and determine:

- Whether the concern falls within the scope of this procedure.
- Whether immediate protective measures are required.
- Whether the matter should be referred to safeguarding procedures.

- Whether the matter should be referred to statutory agencies.
- Whether the concern appears malicious, unfounded or based on misunderstanding.
- Whether an investigation is required.

Where safeguarding concerns are identified, the Designated Safeguarding Person (DSP) must be consulted.

If the concern relates to the DSP, the Deputy Designated Safeguarding Person should be consulted instead.

If the concern relates to both the DSP and Deputy DSP, advice should be sought directly from the relevant statutory safeguarding agency, Local Authority Designated Officer (LADO), Children's Social Care, Adult Social Care, Police, or other appropriate safeguarding body, depending on the nature of the concern. Where the concern relates to a senior safeguarding officer, the Chief Instructor may appoint an independent safeguarding adviser, investigator or panel member to provide oversight of the process.

No individual should delay safeguarding action because a safeguarding officer is implicated in, or unavailable for, the matter.

Where criminal conduct may have occurred, advice should be sought from appropriate statutory agencies.

The notification should include:

- A summary of the concern or allegation.
- Sufficient information to allow the respondent to understand and respond to the concern.
- Details of the procedure being followed.
- Copies of any relevant TSKUK policies or procedures.
- Details of any temporary protective measures that have been implemented.
- Information regarding their opportunity to provide a written response and any supporting evidence.
- Relevant timescales.
- Details of any investigatory meeting or hearing, where one is considered necessary.

Where appropriate, an anonymised version of the concern, incident report, witness statements or other supporting information may be provided. TSKUK will balance the respondent's right to understand and respond to the concern against its duties of confidentiality, safeguarding and data protection.

The respondent will normally be given 10 working days to submit a written response. Requests for a reasonable extension may be considered where justified.

Where appropriate, the respondent may be invited to attend an investigatory meeting to provide further information, answer questions and respond to the concerns raised.

If no response is received within the specified timeframe, the matter may proceed on the basis of the information available.

Stage 3 – Investigation

A suitably independent investigator will be appointed.

Where possible, the investigator should:

- Have had no prior involvement in the matter.
- Have appropriate knowledge and experience.
- Be free from conflicts of interest.

Wherever reasonably practicable, the investigator should be different from the person who conducted the preliminary review. However, this may not always be possible in a volunteer-led organisation. Any actual or perceived conflicts of interest must be considered and managed appropriately.

Where appropriate, the investigator may come from:

- Another affiliated club.
- The Senior Instructor Team.
- The Chief Instructor.
- The Designated Safeguarding Person (or Deputy DSP).
- An external independent source.

The investigator may:

- Gather evidence.
- Review documentation.
- Conduct investigatory meetings (with an independent note taker present).
- Interview relevant individuals.
- Obtain written statements.
- Seek clarification of information received.
- Establish factual findings.

Investigatory meetings are fact-finding meetings and are not disciplinary hearings.

The investigator will prepare an investigation report setting out:

- The allegations or concerns considered.
- The evidence reviewed.
- The factual findings.

- Any relevant observations.

The investigator is a fact-finding role and will not normally determine sanctions.

The investigation report is an internal document prepared for decision-making purposes and will not normally be shared in full. A summary of the findings and outcome will normally be provided to the respondent, subject to safeguarding, confidentiality and data protection considerations.

Investigations should normally be completed within 20 working days of receiving the respondent's response.

Where delays occur, updates should be provided.

Stage 4 – Outcome

The investigation report will be reviewed by the Chief Instructor or another appropriate decision-maker where a conflict of interest exists.

Where the concern involves the Chief Instructor, the matter should be determined by an appropriately appointed Senior Instructor panel.

Possible outcomes include:

- No further action.
- Advice or guidance.
- Verbal warning.
- Written warning.
- Mandatory retraining.
- Increased supervision.
- Behaviour agreement.
- Temporary suspension.
- Restrictions on attendance, communication or participation.
- Removal from a role or appointment.
- Withdrawal of instructor, referee or official status.
- Termination of membership.
- Suspension or termination of affiliation.
- Referral to statutory agencies.
- Referral to other TSKUK procedures.

The outcome will normally be communicated to the respondent in writing within 5 working days of the conclusion of the investigation.

A summary outcome may be shared with the complainant where appropriate and lawful to do so.

Stage 5 – Appeal

The respondent may appeal within 10 working days of receiving the outcome.

Appeals should identify:

- Procedural errors.
- New evidence.
- Reasons why the decision is believed to be unreasonable.

Appeals will be considered by an individual or panel not previously involved in the case where possible.

A final decision will normally be issued within 15 working days.

Where appropriate:

- A new investigator may be appointed.
- Additional enquiries may be undertaken.
- The original decision may be upheld, amended or overturned.

The appeal decision will be final.

6. Safeguarding Allegations

Where concerns involve safeguarding risks, this procedure will operate alongside the TSKUK safeguarding procedures.

Safeguarding concerns always take priority over disciplinary processes where immediate protection is required.

Referrals may be made to:

- Children's Social Care.
- Adult Social Care.
- Police.
- Local Authority Designated Officer (LADO).
- Disclosure and Barring Service (DBS).
- Other relevant agencies.

The Designated Safeguarding Person (DSP) must be consulted before a safeguarding referral is made unless:

- The concern relates to the DSP; or

- There is an immediate risk requiring direct action.

If the concern relates to the DSP, the Deputy DSP should be consulted instead.

If the concern relates to both the DSP and Deputy DSP, advice should be sought directly from the relevant statutory safeguarding agency or other appropriate safeguarding body.

Where a referral is accepted by the LADO, Police, Children's Social Care, Adult Social Care or another statutory agency, TSKUK will follow the advice and direction of that agency.

This may include:

- Delaying all or part of the disciplinary investigation.
- Suspending internal enquiries.
- Restricting contact with witnesses.
- Limiting information shared with the respondent.
- Implementing protective measures whilst external enquiries are ongoing.

Where external safeguarding or criminal investigations are ongoing, disciplinary timescales may be extended or paused. TSKUK reserves the right to implement temporary protective measures during any period of delay where this is considered necessary to safeguard individuals, protect the integrity of the investigation or protect the reputation of the organisation.

The respondent will normally be informed where a delay has occurred and will be provided with appropriate updates on the status of the process, subject to safeguarding, confidentiality, legal and data protection considerations.

The fact that disciplinary proceedings are delayed does not imply that allegations have been substantiated or dismissed.

Once external agencies confirm that internal action may proceed, TSKUK will determine whether disciplinary proceedings should resume and what further enquiries, if any, remain necessary.

7. Conflicts of Interest

Any individual involved in a disciplinary matter who has:

- A personal relationship.
- A professional relationship.
- Prior involvement.
- A potential conflict of interest.

must declare that conflict immediately.

An alternative investigator or decision-maker should be appointed where appropriate.

8. Record Keeping

All disciplinary matters will be recorded securely.

Records will be managed in accordance with:

- Data Protection Policy.
- Privacy Notice.
- Information Sharing and Record Retention Procedure.
- Safeguarding Policies.

Where safeguarding concerns are involved, safeguarding records should normally be maintained separately from general disciplinary records.

9. Monitoring and Review

This procedure will be reviewed annually or sooner if required by:

- Changes in legislation.
- Changes in safeguarding guidance.
- Organisational changes.
- Learning from investigations, complaints or disciplinary matters.

Oversight of this procedure rests with the Designated Safeguarding Person and Chief Instructor.

This procedure should be read alongside the Complaints, Grievances and Managing Allegations Policy, Safeguarding Policies, Codes of Conduct and Whistleblowing Policy.