



ACADEMY OF HISTORICAL ARTS

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# Disciplinary Procedure

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*Author:*

Ben KERR

Keith FARRELL

Elizabeth THACKER

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# 1 Overview of Disciplinary Procedure

If a member of the Academy of Historical Arts is found to have been in breach of the Academy's Code of Conduct then formal charges for conduct unbecoming may be levied and disciplinary proceedings may be started. Once it has been determined that an individual is to face disciplinary proceedings, the first step will be a formal verbal warning. Another such incident will result in a formal written warning, and a third incident will result in dismissal from the Academy and being barred from all of its component groups.

## 2 Stage 1 - Formal Verbal Warning

Once it has been determined that an individual has been involved in an incident that is in breach of the Academy of Historical Arts Code of Conduct and that disciplinary measures are required, if the individual to date has had no formal warnings then a formal verbal warning will be issued. The verbal warning may be issued by the Executive or Board of Trustees of Triquetra Services (Scotland), the General High Council of the Academy of Historical Arts or the local High Council or local Executive Council at a component Academy group. It should be the recognised leader of the issuing body who delivers the warning, and the warning must contain the sentence: *“This is your formal verbal warning.”*

The gist of the incident, date of issue and why the warning was issued should be noted in an email which should then be sent to *discipline@triquetra-services.org* for archiving.

### 3 Stage 2 - Formal Written Warning

Once it has been determined that an individual has been involved in an incident that is in breach of the Academy of Historical Arts Code of Conduct and that disciplinary measures are required, if the individual to date has had a formal verbal warning (but no more) then a formal written warning will be issued. The written warning may be issued by the Executive or Board of Trustees of Triquetra Services (Scotland), the General High Council of the Academy of Historical Arts or the local High Council or local Executive Council at a component Academy group. It should be the recognised leader of the issuing body who delivers the warning (the recognised secretary of the issuing body may deliver the written warning on behalf of the recognised leader), and the warning must contain the sentence: “*This is your formal written warning.*”

The written warning should explain why the conduct or incident has resulted in the warning and should seek to make the individual realise (if it has not already been realised) that actions and words have consequences both within the Academy and without.

The gist of the incident, date of issue and why the warning was issued should be noted in an email which should then be sent to [discipline@triquetra-services.org](mailto:discipline@triquetra-services.org) for archiving.

## 4 Stage 3 - Dismissal

Once it has been determined that an individual has been involved in an incident that is in breach of the Academy of Historical Arts Code of Conduct and that disciplinary measures are required, if the individual to date has had a formal written warning then a dismissal will be enacted. The dismissal may be enacted only by the Executive or Board of Trustees of Triquetra Services (Scotland), the General High Council of the Academy of Historical Arts or the local High Councils at a component Academy group. A local Executive Council may recommend a dismissal to the local High Council, but local Executive Councils do not have the power to enact a dismissal. It should be the recognised leader of the issuing body who enacts the dismissal, and the notification must contain the sentence: “*You are formally dismissed from the Academy of Historical Arts.*” Where possible notification of dismissal should be given both verbally and in writing.

The dismissal should only be used as a last resort, but should be used without remorse where the safety or health of Academy members or members of the general public is threatened, or where the Academy or Triquetra Services may suffer severe damage to its reputation, personnel or belongings through the individual’s continued membership.

Dismissal includes barring the individual from attending and participating in any meeting or event run by the Academy or any of its component groups. For this reason, the General High Council of the Academy should be made aware of the dismissal and the reasons behind it, and the General High Council should make every component group aware that the individual has been barred.

In extraordinary circumstances an individual may be unbarred, or the decision to enact a dismissal may be overturned by a more senior council. It would be advised that more senior members of the Academy be contacted for advice where possible; however, it is acknowledged that sometimes a speedy dismissal is the only way to handle a volatile situation and in such circumstances the recognised leader of the enacting body should not be delayed by seeking advice that might take a few days to materialise. The recognised leader of the enacting body should under such circumstances formally suspend the individual from all Academy events and meetings, and arrange a time at which a proper hearing can be conducted between the individual and the appropriate level of High Council.

The gist of the incident, date of issue and why the dismissal was enacted should be noted in an email which should then be sent to [discipline@triquetra-services.org](mailto:discipline@triquetra-services.org) for archiving.

Individuals who have been dismissed from the Academy are required to hand back any certification or licenses awarded or issued by the Academy, as well as any Academy equipment or property that the individual has on loan from the Academy. Due to the severity of the offenses required to progress to this stage in the dis-

ciplinary proceedings, the Academy will revoke all certification and licenses and disclaim any further affiliation or support of the individual in any further endeavours. The Academy will notify the police that the individual is no longer affiliated with the Academy nor has the support of the Academy; this may cause issues if the individual owns certain types of weapons, this problem is then left up to the individual to solve.

## 5 Appealing Against Disciplinary Proceedings

An individual who is issued with any of the three stages of disciplinary proceedings from the Academy is entitled to request a hearing with body who enacted the dismissal or with a higher body to the maximum level of the Board of Directors for Triquetra Services (Scotland). At this hearing the individual is allowed to state their case and the council may reconsider the decision if the council feels that the matter has been unfairly handled.

To schedule a hearing the individual must formally in writing request a hearing and agree on a date and time at which both the individual and a majority of the council can be present. The individual has the right to be accompanied to the hearing by another member of the Academy.

The hearing will be minuted by the recognised secretary of the sitting body (or a nominated representative if the recognised secretary is unable to attend) and both the minutes and the final decision will be sent to the council members and to the individual by way of formal written letter. The minutes and final decision should be noted in an email which should then be sent to *discipline@triquetra-services.org* for archiving.

## 6 Informal Action

In many cases a breach of the Code of Conduct may be minor, and starting full disciplinary proceedings may not be the most effective manner to resolve the problem. Where appropriate any ranking member of the Academy may have an informal discussion with the individual or may send an informal note, with the aim of helping the individual to realise that such behaviour is not appropriate. The gist of the informal action should be noted in an email which should then be sent to *discipline@triquetra-services.org* for archiving.

## 7 Instructors' Right of Refusal to Teach

Instructors may be caught in situations where they cannot discharge their duties in an effective, safe or professional manner if a certain individual is present in the class. If this occurs, all Academy instructors are granted the rights to refuse to instruct that individual and to refuse to let the individual partake in the class. This decision should be reported to the General High Council as soon as possible and all other instructors advised of this refusal and why it has been invoked. At the next meeting the council may set the permanence or semi-permanence of the refusal, taking advice from the instructor who invoked the right. A permanent refusal will be reviewed annually.

All members should be aware of the fact that all instructors are volunteers and that receiving instruction is a privilege and not a right.

The gist of the refusal to teach should be noted in an email which should then be sent to *discipline@triquetra-services.org* for archiving.

## 8 Summary Dismissal From Lessons

Sometimes it may be the safest course of action for an instructor to dismiss one or more participants from a class. If a lesson participant is becoming aggressive, threatening, violent or is otherwise posing an excessive distraction or danger to other participants or to members of the general public then an instructor has the power to summarily dismiss offending participants from the lesson and from any other lesson offered at the event if necessary. As soon as practically possible at the event another instructor should be made aware of the situation, and the Local High Council should be informed swiftly once the event has ended. The Local High Council should discuss the issue and decide whether to allow the offender(s) to return to lessons, to impose a temporary suspension from combat or crafting lessons, to impose a temporary suspension from all lessons, to move immediately to Stage 3 of the disciplinary procedure and permanently dismiss the offender(s), or to inform the police and/or any other relevant authority (for example the university if the offender is a student).

If this situation occurs then the instructor will be questioned as to why the situation was allowed to reach this stage and why the problem was not spotted and dealt with earlier before it became a major issue. It is expected that instructors should be able to maintain discipline in their lessons at all times and to be aware of any issues or problems developing in their lessons.

## 9 What May Constitute a Formal Offense

A formal offense is an incident in which the individual is in clear breach of the Code of Conduct of the Academy of Historical Arts. If an incident is not technically in breach of the Code of Conduct but nonetheless causes or threatens harm, damage or loss to any other individual, entity or organisation or threatens to harm the reputation or professionalism of the Academy of Historical Arts, any of the component groups of the Academy or Triquetra Services (Scotland), then the incident constitutes a formal offense. It is acknowledged that circumstances may occur where disciplinary proceedings are required but for which legislation or rules cannot be written beforehand, and in such circumstances it is the responsibility of the recognised leader of the appropriate governing body of the organisation to make the decision as to whether or not to issue the next step of the disciplinary procedure.

Combatants within the Academy should note that with the martial training that they have received from the Academy, certain breaches of the Code of Conduct will be taken very seriously indeed as the breach could result in legal action and charges of violent behaviour. Any incident outwith the Academy that involves a combatant misusing and abusing their martial training will result in disciplinary proceedings within the Academy even if the Academy would not normally have any reason to issue disciplinary action; the Academy takes its role and responsibilities to society in a serious and professional fashion and will not stand for combatants misusing or abusing martial instruction to the detriment of or damage to others.