

## **Fylde Netball League - Codes of Conduct and Discipline guidelines**

### **Codes of Conduct**

#### **Code of Conduct for Athletes**

England Netball (EN) has Codes of Conduct across all aspects of the sport, which is driven by its' core values of leadership, integrity, teamwork and excellence. They require the highest standards of conduct from everyone involved in Netball to ensure that their behaviour and actions meet the values and standards expected of them at all times. Any player or umpire registered with the Fylde Netball League (FNL) and therefore EN, will be deemed to have read and understood the Code and in registering with FNL, agreed to behaving in a manner which does not contravene any of part of the Code.

#### **Players and other club or team members**

##### **As an athlete I will:**

- be affiliated to EN and comply with all rules, regulations and requirements of the sport including any leagues and competitions in which I participate
- respect the rights, dignity and worth of all people involved in netball, regardless of gender, marital status, race, colour, disability, sexuality, age, occupation, religion or political opinion
- not abuse or misuse any relationship of trust, or position of power, or influence held by me within my team, club, League, County, Regional or National Association
- always conduct myself in an appropriate manner
- cooperate with my Coaches, team mates, Officials and Administrators
- never argue with an official
- control my temper; I understand that verbal, emotional and physical abuse of Officials, Coaches, Spectators or other athletes, or deliberately distracting or provoking an opponent is not acceptable or permitted behaviour in netball
- treat all athletes with respect, never bully or take unfair advantage of another athlete
- work equally hard for myself and my team, show my determination and passion to learn and do well
- display modesty in victory and graciousness in defeat
- comply with all anti-doping policies and regulations
- abide by any disciplinary sanctions that might be imposed on me

- promote this code of conduct to other athletes, especially those new to the sport of netball

**I will not:**

- consume alcoholic drinks, or illegal substances, or smoke either immediately prior to or whilst playing
- wager on any match or at any event where I am playing
- offer or attempt to offer, or accept either directly or indirectly, any consideration whatsoever with a view to influencing the result of any match
- Use Social Media technology to bring the game into disrepute or make an inappropriate comment about a fellow athlete, Coach, Official, volunteer or member of the FNL.

**Umpires**

**As an Umpire I will:**

- be affiliated to EN and comply with all rules, regulations and requirements of the sport including any leagues and competitions in which I umpire
- respect the rights, dignity and worth of all people involved in netball, regardless of gender, marital status, race, colour, disability, sexuality, age, occupation, religion or political opinion
- not abuse or misuse any relationship of trust or position of power or influence held by me within my team, club, League, County, Regional or National Association
- always conduct myself in an appropriate manner and cooperate with other officials and administrators
- exercise self control; I understand that verbal, emotional and physical abuse of coaches, spectators, athletes or other officials is not acceptable or permitted behaviour in netball
- treat all officials with respect, never bully or take unfair advantage of another official
- umpire consistently, independently and with complete impartiality and exercise reasonable care and skill to enforce the rules of the game, to apply them fairly and to effect control of the game so as to ensure the safety of the players at all times
- abide by the EN “safeguarding best practice guidelines” for children and young people
- ensure that I will maintain the level of knowledge required by attending appropriate and approved EN courses
- conform to the appropriate standard of mental and physical fitness defined by EN which will enable me to effectively control matches
- be appropriately dressed whenever I umpire
- abide by any disciplinary sanctions that might be imposed on me

- promote this code of conduct to other umpires and officials

**I will not:**

- consume alcoholic drinks or illegal substances or smoke either immediately prior to or whilst umpiring
- wager on any match or at any event where I am umpiring
- offer or attempt to offer, or accept either directly or indirectly, any consideration whatsoever with a view to influencing the result of any match
- coach during any match at which I am umpiring
- Use Social Media technology to bring the game into disrepute or make an inappropriate comment about a fellow official, coach, athlete, or member of the FNL

**What constitutes a Disciplinary Matter?**

The following points outline the main reasons that a disciplinary matter may be considered:

- Any failure to abide by the terms of any agreement related and notified to members, or the provision of facilities entered into by the Association; or
- Any refusal or neglect to comply with the rules and regulations of EN; or specific Regional or County or League regulations; or
- Any behaviour or conduct that is disgraceful or opposed to the general interests of the League or the sport of Netball (including, without limitation, gross misconduct, conduct that brings the sport into disrepute, discriminatory conduct, harassment and inappropriate behaviour); or
- Behaved in a manner that is otherwise considered unacceptable and contrary to the conduct expected of an FNL member.

**Where should Discipline be addressed?**

Disciplinary issues should be dealt with at the most local and suitable place and should only be advanced upwards from League to County, County to Region, and Region to National if the individual circumstances warrant transfer.

The FNL have a named Disciplinary Secretary to whom any complaint must be referred within 7 days of the alleged disciplinary breach occurring

**Informal Grievance Procedures**

The overriding principle in this process is one of sensitivity and respect to both party's needs and views and to always maintain a sense of fairness and conciliation so that the problem is resolved.

Whenever minor grievance problems arise these should be dealt with by way of informal procedures. The informal stage serves to:

- protect all parties
- remind everyone of their ethical obligations as athlete, coach, official, administrator or volunteer
- give out the message that conduct always matters, that complainants, victims and accused persons receive support and care within the FNL, and that such matters are taken seriously and are being continuously monitored
- avoid formal procedures, except in appropriate cases
- keep matters within bounds and allow explanations and re-evaluation of conduct, which might be causing problems often through lack of awareness
- If those concerned cannot resolve their difficulties without intervention, it is recommended that they enlist the assistance of the FNL Committee to do the following:
  - Appoint a Committee member or members who are neutral and independent from either party as Mediator(s). Both parties must be in agreement with any appointment.
  - The appointed mediator(s) should arrange for both parties involved to meet at a mutually convenient place and time, with the mediator(s) in attendance.
  - Both parties should be afforded equal time with no limit to state their grievance, with each being urged to allow the other time to freely relate their case without interruption.
  - The mediator(S) should listen to each party. They must ensure they are provided with a full and factual account, agreed by both parties if at all possible and familiarising themselves with all relevant facts.
  - The mediator(s) will make their decision immediately following the meeting and advise both parties accordingly.
  - The mediator(s) will follow up their verbal decision delivery with a letter to both parties with 7 days of the meeting. The letter will outline any penalties to be issued if it is the mediator's decision that there has been a breach of the FNL Rules or Code of Conduct.

This type of mediation is neither simple nor always successful. However, it can result in the agreement of both parties and provide a desirable and quick conclusion to the dispute.

If an informal grievance meeting is not practical, or likely to prove disruptive, the problem should be channelled through formal disciplinary procedures.

### **Formal Disciplinary Procedures**

All members of FNL have a responsibility to ensure that they conduct themselves in such a manner as to not bring themselves, the sport of Netball, their club or FNL into disrepute.

This discipline and grievance policy applies to all clubs within FNL. It shall be considered to apply to any member at any time whilst they are taking part in any FNL game or event as a player, team official, netball official or spectator.

It is the intention of FNL to ensure that every member is provided with a fair, non-discriminatory and consistent method of dealing with issues of conduct and behaviour.

Members should report any relevant case immediately, in writing, to the committee. Formal disciplinary procedures will not be implemented automatically. The committee's main consideration shall be whether the alleged offence has any implications on the member or impact on other members and whether the alleged offence is one that makes the member unsuitable for membership to FNL.

## **1. Disciplinary and Grievance Sub Committee**

Any member/team/club affiliated to FNL, or any person in whatever capacity with an issue of conduct or behaviour concerning a member/team/club affiliated to FNL, may lodge a complaint/grievance, in writing to the committee.

Once in receipt of such a complaint, and in accordance with the provision set out in section 3, the Secretary will contact all parties concerned and request a written representation of their version of events.

Under the Data Protection Act, the member/team/club to whom the alleged complaint is against will have the right to see the contents of such a complaint in order that they can respond in writing to the Chairperson.

The Chairperson will collate all such written representations and present them to the committee, who will convene a Disciplinary Sub Committee, which will consist of 3 Committee members, none of whom will have any relationship, which the committee might deem to constitute a conflict of interest to the parties involved in the proceedings.

This 3 person Sub Committee will convene and take action under the disciplinary procedures. Under normal operating circumstances the selection by the committee of the 3 members will take place within a reasonable timescale (up to 4 weeks) of receipt of a complaint/grievance.

## **2. Members Right to have Representation**

FNL respects the right of its members to request and be accompanied by a representative, such as another team member, friend, family member of their reasonable choosing.

In the case of a member under the age of 16 the committee will insist on the member being accompanied by a parent, carer or legal guardian.

If such a representative is to accompany a member, the member must advise the Disciplinary Sub Committee of the person's name and status in relation to both the member and the proceedings.

### **3. Procedure**

FNL Discipline and Grievance Policy follows a clearly follows a staged process:

- 1) Fact finding stage
- 2) Interview(s)
- 3) Sub Committee adjournment to review the facts and interview(s)
- 4) Sub Committee decision
- 5) Advising the member in writing of the outcome reached
- 6) Appeal opportunity/process
- 7) Monitoring of the members future conduct and behaviour

#### **Fact Finding Stage**

Where a complaint is brought before the committee or it is considered that a possible breach of FNL standards of conduct and behaviour may have occurred an initial fact finding investigation will be undertaken.

The committee will appoint a 3 person Disciplinary Sub Committee, as defined in section 1 to undertake this role.

The selection of the Disciplinary Sub Committee will be based on their status in relation to the parties bringing the complaint, and that they have the skills required to undertake the investigation.

The purpose of the Fact Finding stage of the procedure is to determine the facts surrounding the alleged misconduct. The Disciplinary Sub Committee will review the information collated by the Chairperson and may request additional written statements from all parties concerned as well as from any neutral/substantiating witnesses.

In cases of alleged gross misconduct consideration will be given to temporarily suspending a member whilst investigations are carried out. The member and their club secretary will be advised of any decision in writing

The Disciplinary Sub Committee may find that following fact finding that there is no prima facie case to answer, and that a breach of the conduct rules has not taken place. In these circumstances, the sub-committee may make a recommendation that the complainant should attempt to resolve any dispute through the informal procedures set out above, and no further action will be taken by the FNL Committee.

#### **Disciplinary Interview**

If the Disciplinary Sub Committee findings at the fact Finding stage lead them to decide that action is necessary under the disciplinary and grievance policy they will arrange to conduct an interview with the parties involved in the complaint.

The disciplinary interviews follow the same pattern, with each party being called in turn, to present evidence of events to the Disciplinary Sub Committee. The Sub-committee will then call any neutral or substantiating witnesses before adjourning to consider their findings.

Disciplinary interviews will be arranged at a neutral venue and the Disciplinary Sub Committee will endeavour, where possible, to ensure that the time and place are suitable to all parties concerned. Attendance at a disciplinary interview is compulsory and refusal to attend will result in the member/team/club being suspended/banned in their absence with no re-address

FNL Committee will be responsible for advising the parties and witnesses in writing of this meeting together including the disciplinary policy.

This formal notification will include advising the member of the following:

1. That a disciplinary interview has been arranged.
2. A brief outline of the reasons for the disciplinary interview.
3. When and where the disciplinary interview will take place.
4. The names of the 3 person Disciplinary Sub Committee and who else has been requested to attend and the capacity in which they are attending.
5. That he/she has the right to be accompanied by a representative of their reasonable choice.
6. Of possible outcomes of the disciplinary interview.

Members will be given at least 2 weeks' notice of their requirement to attend a disciplinary interview.

### **Sub-Committee Adjournment to Review the Facts and Interviews**

After the disciplinary interviews the Disciplinary Sub Committee shall take time to consider all the facts presented at both the fact-finding stage and the interviews before reaching decision.

### **Sub-Committee Decision**

The Disciplinary Sub Committee are selected and fully supported by FNL committee. They have been given the authority to conduct the disciplinary process and impose any of the following actions:

1. No further action.
2. A verbal warning.
3. A written warning.
4. A final written warning (note this action can be taken without a previous verbal or written warning having been issued).
5. Suspension of the member/team/club from FNL for a defined period.
6. Complete ban of member/team/club from FNL.

Their decision will also take into account whether the member/team/club conduct/behaviour is found to constitute misconduct or gross misconduct and whether there are current warnings in existence and the seriousness of the offence being considered. Any warnings being verbal or written will have a date period attached to them.

### **Advising the Member in writing of the Outcome Reached**

The Chairperson will normally advise the member and their club/team secretary of the outcome of the disciplinary interview within 2 weeks of the date of the last interview.

In all cases, including a verbal warning, the member and their team/club secretary will receive written confirmation from the Chairperson. This will advise the member/team/club of the disciplinary action and the reason for it. In addition the member will be warned that any further breach of the same incident/behaviour could result in further disciplinary action.

The written confirmation will also remind the member/team/club of their right of appeal.

In the case of suspension, the written confirmation will include the start and end date of the suspension.

In the case of a complete ban, the written confirmation will state the date on which the ban will take effect.

### **Appeals Process**

A member/team/club has a right of appeal against the decision reached by the Disciplinary Sub Committee if they believe that:

1. Not all the facts were available at the time the Disciplinary Sub Committee reached their decision.
2. The Disciplinary Sub Committee did not apply the disciplinary procedure correctly.

A member/team/club that wishes to appeal against a decision must advise the Chairperson in writing, stating their reason(s), for appeal within 7 days of the date they were informed of the Disciplinary Sub Committee decision.

A 3 person Appeals Committee will hear an appeal, where possible, within 2 weeks of the Chairperson receiving notification of the appeal. The Appeals Committee will consist of persons who had no part in the original decision reached but must be affiliated to EN and FNL and will be appointed by draw at the pre-season meeting.

After the appeal hearing the Appeals Committee will revoke, reduce or uphold the decision reached by the Disciplinary Sub Committee.

This decision will be final. The result of the appeal will be confirmed in writing, within 7 days by the Appeals Committee to the FNL committee and the member/team/club involved.

In any appeal against a decision made by the Disciplinary Sub-committee, the decision will

not take effect until the appeal has been heard and determined by the Appeal Committee.

### **Monitoring of the Members Future Conduct and Behaviour**

After 12 months, or any other such period that the Disciplinary Sub Committee deems to be reasonable, the warning will normally be disregarded for disciplinary purposes if sufficient improvement in conduct has occurred.

The member/team/club will be advised accordingly in writing.

If a warning is current and sufficient improvement has not occurred, further disciplinary action will normally be implemented.

### **Examples of Misconduct**

The following are examples of issues covered by this policy and which may lead to disciplinary action.

Misconduct occurs when conduct does not reach the required standard expected by FNL. In particular when a member/team/club:

- Brings the game into disrepute
- Shows unbecoming conduct towards other players
- Shows unbecoming conduct towards the umpire
- Not adhering to the code of conduct for players
- Not adhering to the code of conduct for umpires
- Not adhering to the code of conduct for officials.

This list is not exhaustive and other issues may be dealt with under the heading of 'misconduct'.

### **Examples of Gross Misconduct**

The following are examples of issues covered by this policy and which may lead to disciplinary action.

Gross misconduct occurs when conduct does not reach the required standards expected by FNL of its members/teams/clubs.

Where the items of misconduct, identified above, are serious then gross misconduct can apply. They may be:

- Uses unsuitable language
- Acts of discrimination
- Violent or threatening conduct
- Seriously contravenes the rules of the game
- Acts of dishonesty
- Makes any false declarations

This list is not exhaustive and other issues may be dealt with under the heading of 'gross misconduct'.