



**April 2016**

**Dear Oxfordshire Netball Members,**

As you will be aware, Oxfordshire Netball League, Cherwell League and Oxfordshire Junior Netball League have been working together to adopt the Discipline Process as prescribed by England Netball. This will allow us to be consistent and robust when dealing with any discipline issues that come to light.

This notice is a guide and summary to the England Netball Discipline and Complaints Policy. This document does not provide full details of the policy and the full guide should be consulted where possible at;

[England Netball Codes of Conduct and Disciplinary Regulations](#)

This process is not designed to take away the authority and control afforded to umpires who will remain the front line and first port of call to deal with any discipline issues on court. The process will be followed when events or behaviour have exceeded that which we could reasonably expect our umpires to deal with.

The main changes from our previous discipline regulations and sanctions are;

- The ability to impose interim suspensions while matters are under investigations
- More robust sanctions
- A clear appeal structure which avoids fanciful attempts to avoid discipline by imposing a financial cost should the appeal be unsuccessful.
- A fair and open process following basic rules of evidence and justice.

I would be grateful if you have a read through both the attached and the full policy (if you have time) prior to the Oxfordshire Netball League meeting on 13<sup>th</sup> April 2016.

Any queries or questions should be sent to me at [oxondisciplinesec@outlook.com](mailto:oxondisciplinesec@outlook.com) **prior to the meeting**. Unfortunately there will not be enough time to address individual questions and concerns during the EGM. The process will be trialled throughout the summer and I would welcome any feedback on the process to make amendments prior to Winter 2016/17 if necessary.

Kind Regards

**Natasha Park**

**Oxfordshire Disciplinary Secretary**

**IT IS ANTICIPATED THAT MOST INCIDENTS WILL BE DEALT WITH ON COURT BY THE UMPIRES AS PER THE GUIDELINES ISSUED BY DEBORAH HORNE AND IN LINE WITH THE NEW RULES INTRODUCED BY ENGLAND NETBALL FOR SEPTEMBER 2016.**

**IF THE BEHAVIOUR GOES BEYOND THAT WHICH AN UMPIRE COULD BE REASONABLY EXPECTED TO DEAL WITH THEN, THEN BELOW PROCESS WILL BE INSTIGATED. THIS ALSO APPLIES TO OFF COURT BEHAVIOUR.**



Complaint sent to Disciplinary Secretary of Oxfordshire Netball, in writing within 7 days of the Incident, outlining the full details of the Disciplinary Offence.  
oxondisciplinesec@outlook.com

Disciplinary Secretary reviews Complaint and reviews jurisdiction and Conflict of Interests to determine whether they are the Appropriate Authority to carry out the Disciplinary Procedures.

NB In certain circumstances the 7 days can be extended, see full Discipline Policy



**Is the matter appropriate for ONL Discipline Panel to Investigate?**



**YES**

Disciplinary Secretary acknowledge receipt within 2-3 days and establishes a panel of 3 Discipline officers, taking into account any conflict of interest



**NO**

Disciplinary Secretary acknowledges receipt with 2-3 days and advises complainant where the matter will be sent (eg Netball South, England Netball, Safeguarding matter)



Investigation stage

Establish Panel and appoint a Chair

Panel examine complaint and decide if further action needed within 10 working days



Reject

Outside timescales  
Not a Disciplinary offence  
No prima facie case  
Trivial/vexatious/malicious



Refer to other body for investigations



Deal informally

Eg letter of apology / mediation



Proceed to Discipline Hearing.

(interim suspension available)

## DECISION MADE TO PROCEED TO DISCIPLINE HEARING

Disciplinary Secretary **issues charge form** to respondent and complainant within 10 days of receiving panel decision to proceed to a hearing. (Discipline Notice form)

Disciplinary Secretary **establishes panel** and appoints a chair within 5 days of issuing Discipline Notice Form

Disciplinary Secretary issues **Discipline Notice Hearing Form** to all parties involved at least 20 days prior to the hearing date.



### WITHIN 5 WORKING DAYS



All parties must **identify witnesses / representatives** and inform Disciplinary Secretary



Respondent must **admit or dispute** Disciplinary Charge



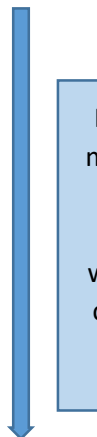
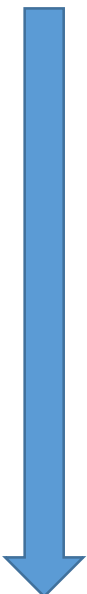
All parties must inform Disciplinary Secretary if they **object to panel members**



All parties must inform Disciplinary Secretary if they wish to **adjourn** hearing



All parties must inform Disciplinary Secretary if they wish to **attend** hearing



Respondent must **provide mitigation** within 5 working days of admitting charge



These can be accepted or rejected and a new hearing date can be set within 10 days of original hearing date.



Charge denied



At least 5 working days prior to Hearing, the Disciplinary Secretary will provide all parties with details of witnesses, copies of written statements and other documentary evidence and any representative(s) being used.

## DISCIPLINE HEARING STAGE

### General Points

- The Disciplinary Hearing shall take place in private, with the Decision and any Sanction being treated as confidential by all parties until 20 Working Days after that notification to allow the Complainant or Respondent to seek leave to submit an Appeal if they are eligible.
- The Disciplinary Panel shall decide any issue by a majority and no Member of the Panel may abstain from voting.
- The Complainant or a representative of the Complainant is responsible for proving the alleged misconduct to the Disciplinary Panel.
- The standard of proof in Disciplinary Cases is the balance of probabilities.

The case against the Respondent will be presented



The Respondent or their representative will be asked to admit or deny the Disciplinary Charge and will then have the opportunity to speak, challenge the evidence presented against them, submit their own evidence, call witnesses and make representations to the Panel.



The Respondent and Complainant may be able to raise questions in cross-examination through the Chairman of the Panel; no direct questioning will be permitted.



The room will be cleared and the Panel will deliberate and determine whether, on the balance of probabilities, the Disciplinary Charge has been proved; The Hearing will reconvene and the Panel Chairman will announce whether or not the Disciplinary Charge has been proved;



If the Respondent admits the Disciplinary Charge or the Panel decides the Disciplinary Charge has been proved, the Panel will look at the Respondent's previous disciplinary record, where relevant, before any move to consider Sanctions and costs. The Panel will invite the Respondent to set out any mitigating circumstances relevant to the Charge.

If leave to Appeal has been granted by the Chair of the Disciplinary Panel, the Discipline Secretary will send all the relevant documentation, along with the payment of £250 to the Appropriate Authority one level above that of the Disciplinary Panel within 3 working days, unless the Panel is at national level.

## OXFORDSHIRE NETBALL - DISCIPLINARY SANCTIONS

Description and examples <i>(this list is not exhaustive)</i>	Discipline Issue	Minimum Sanction	Maximum Sanction
<b>Behaviour that has gone beyond that which could be reasonably addressed on court by the match umpire.</b> <ul style="list-style-type: none"> <li>• Inappropriate use of Social Media</li> <li>• Language racist / homophobic</li> <li>• Unsporting conduct</li> <li>• Foul or abusive language</li> </ul>	Serious or multiple breaches of Codes of Conduct	2 points deduction  1 match suspension of Membership and / or participation in events.	10 points deduction  12 month suspension of Membership and / or participation in events.
<ul style="list-style-type: none"> <li>• Repeated behaviour following warnings occurring over a period of time.</li> <li>• Failure to leave court when instructed to do so.</li> </ul>	Serious of multiple disobedience of the reasonable direction of a match official or administrator.	2 points deduction  1 match suspension of Membership and / or participation in events.	10 points deduction  12 month suspension of Membership and / or participation in events.
<b>Play likely to cause injury to another player or official.</b>	Dangerous play capable of compromising the safety of another person.	2 points deduction  1 match suspension of Membership and / or participation in events.	10 points deduction  12 month suspension of Membership and / or participation in events.
<b>Threatening, abusive or insulting words or behaviour.</b>	Verbal abuse of officials, coaches, participants or parents.	£25 fine and/or  2 points deduction  1 match suspension of Membership and / or participation in events.	£250 fine and/or  10 points deduction  12 month suspension of Membership and / or participation in events.
<b>Any act of physical abuse.</b>	Physical abuse of officials, coaches, participants, other players or parents.	£25 fine and/or  5 points deduction  1 month suspension of Membership and / or participation in events.	£500 fine and/or  15 points deduction  Lifetime suspension of Membership and / or participation in events.

Discipline Issue	Minimum Sanction	Maximum Sanction
<b>Failure to provide reasonable assistance in connection with a Disciplinary Case</b>	Sanctions will vary and it is not appropriate to establish a scale Sanctions shall be imposed at the absolute discretion of the disciplinary committee/	
<b>Breaching the terms of any suspension imposed under The Disciplinary Regulations</b>	12 months suspension in addition to original suspension (to be imposed consecutively)	12 months suspension in addition to original suspension (to be imposed consecutively), unless the breach is considered so severe that a longer Sanction is imposed by the England Netball Board
<b>Acting in contravention of the Equality Policy</b>	Sanctions will vary and it is not appropriate to establish a scale Sanctions shall be imposed at the absolute discretion of the disciplinary committee/Appeal committee	
<b>Misconduct relating to the abuse of a position of trust or authority</b>	Sanctions will vary and it is not appropriate to establish a scale Sanctions shall be imposed at the absolute discretion of the disciplinary committee/Appeal committee <i>If this misconduct involves an individual under 18, the issue must be referred to Safeguarding</i>	
<b>Serious or multiple breaches of the governing documents (eg Memorandum and Articles of Association or membership regulations)</b>	Caution, reprimand, warning as to future conduct Suspension of Membership and/or from participation in events for a specified period within the range of three to 12 months Monetary fine payable within 28 days	
<b>Serious or multiple breaches of the Technical Regulations not dealt with in these recommended Sanctions</b>	Caution, reprimand, warning as to future conduct  Suspension of Membership and/or from participation in events for a specified period within the range of one to six months  Monetary fine payable within 28 Days  Forfeiture of Competition prizes	