



## PRESTON CURLING CLUB: DISCIPLINARY POLICY & PROCESS

This policy applies to all individuals involved in the sport of curling, including coaches, players, umpires, supporters, helpers, club members, committee members, executives, and council members: this is not an exhaustive list.

The disciplinary policy has been written to govern incidents where persons involved in curling are involved in behaviour, conduct and actions that may bring the sport into disrepute. Examples of this may be misuse of authority, inappropriate behaviour, improper conduct, foul or offensive language, breaches of the Anti-Doping Rules, equipment abuse or wilful damage. Any violation may result in disciplinary action being taken against the offending person(s) by Preston Curling Club.

The consideration of disciplinary action may arise out of:

- the result of an investigation through the Complaints Policy into the conduct of a Preston Curling Club member.
- a complaint (s) received regarding the behaviour of an individual (s) that comes within the scope of this policy as defined above.

### **Lead Investigator**

The Lead Investigator will gather and review the complaint / report of an incident and decide whether there is sufficient information/evidence/justification for the appointment of a Disciplinary Panel. The Lead Investigator will support the Disciplinary Panel and will be the main point of contact for both the complainant(s) and accused person(s).

### **Disciplinary Panel**

- Formation - The Disciplinary Panel will consist of at least 2 members of the committee (all of whom must have no conflict of interest in the matter at hand). If the President is conflicted, the Vice President will stand instead and, if he is conflicted, then another member of the Council will chair the Panel. Where possible Panel members will be chosen who have relevant experience in the issues behind the complaint.
- Disciplinary Panel process - The Panel will meet to consider the complaint and any supplementary information including any statements from the defendant: these may be written but the Panel may also call on the parties involved and any witnesses to make personal appearances before them. The Panel can ask for further information, clarification of both written statements and witnesses if necessary.

### **The person or person(s) against whom the complaint has been made must:**

1. be informed of the nature of the complaint in writing.
2. be provided with a copy of any report or other information which will be considered by the Panel.
3. be invited to attend a meeting which should be held at a convenient time for them whilst also being aware that some complaints will need to be acted on expediently.
4. receive sufficient notice of the meeting.
5. be given the opportunity to put their side of the story and call witnesses.
6. be allowed to hear or see evidence supporting the complaint. Minors should not be required to give evidence in person and can provide evidence in writing. There may also be information which is confidential to the complainant or where the source has requested anonymity for fear of retribution.
7. be informed of the outcome in writing and be informed of their right to appeal.



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### When the Panel has reached a decision, it must:

1. inform the accused in writing with details of the decision and their right to appeal.
2. inform all relevant parties of the outcome in writing, and
3. make sure that any actions arising from its decision are carried out.

### Powers of the Disciplinary Panel

The powers of the Disciplinary Panel will include deciding upon the appropriate sanctions which should be recommended to the Preston Curling Club Committee. These include, but are not restricted to, the following:

- a written warning as to future conduct.
- disqualification from an event.
- a ban on representing Preston Curling Club.
- resignation from an Office-Bearer position in the Preston Curling Club Committee.
- a requirement to change current practices.
- a requirement to change the rules of Preston Curling Club.
- a financial penalty.
- a written apology to those affected.
- coaching/ Umpiring / Competing under supervision.
- ordering the defendant to undertake relevant training / CPD such as: Relevant coaching course or update.
- Sports coach UK Safeguarding & Protecting Children workshop or Positive Coaching Scotland (PCS) workshop.
- Undertaking umpiring training.
- temporary suspension - person(s) /club / group / organisation.
- permanent suspension / life-time ban - person(s) / club / group / organisation, and
- any other appropriate sanction deemed suitable by the Disciplinary Panel

A combination of the above penalties, including a combination with a fine, is allowed.

### Temporary Suspension

It may be in the best interests of all parties, or necessary due to the nature of the complaint, that the individual concerned is suspended pending the conclusion of the matter. Temporary suspension is a neutral act and will not be used punitively. Support and advice will also be provided to the individual who is suspended as it is recognised that this can be a stressful process and while termed as “neutral” may not feel like this to the individual involved.

### Reference to the DBS

The Disclosure and Barring Service (DBS) maintains the lists of people barred from working with children or with adults in England and Wales and in Northern Ireland.

Preston Curling Club will inform the DBS if the following action has been taken because an individual within the sport or a Preston Curling Club Member Club has harmed a child (or adult) or placed them at risk of harm:

- permanently dismissed or removed an individual from regulated activity/work, or
- moved an individual to another role within the club/organisation which is not regulated activity/work.

Preston Curling Club will also inform the DBS if they would have sanctioned an individual if they had not resigned or retired from their position or Membership of the club. *The ECA (and Clubs) has a legal responsibility to make a referral in the above circumstances and it is a criminal offence not to make such a referral.*



## **PRESTON CURLING CLUB: DISCIPLINARY POLICY & PROCESS**

### **APPEALS PROCEDURE**

#### **Right of Appeal**

Any appeal against a decision of Preston Curling Club Council must be made in writing to the Secretary and President of Preston Curling Club within 7 days of receipt of the decision.

#### **Appeal Panel**

The President will convene a Panel to hear the appeal. If the President is involved on either side of the appeal, it will be handled by, and overseen by, an alternative senior Member of Council who will take charge of organising the Panel.

The Panel will consist of the President or senior Member of Council and two independent people.

#### **Notice of Appeal**

The Notice of Appeal must set out the full details of the Appellant's ground(s) of appeal including:

- details of the decision which is being appealed.
- details of the ground(s) on which the decision is being appealed including the way the appellant alleges that such ground(s) apply, and
- any documents or written evidence upon which the appellant relies in support of their appeal.

#### **Panel Decision**

The Appeal Panel will either:

- dismiss the appeal and confirm the original decision, or
- uphold the appeal and remit the matter back Preston Curling Club Council, outlining the errors they have identified in the conduct of the original decision-making process, and request that a new decision is made within 48 hours.