

# CODE OF CONDUCT

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## Policy

Aberdeenshire Cricket Club is committed to providing an environment that is free of discrimination, harassment and intimidation for members, employees, and guests.

Members, guests, and visitors are all reminded that an acceptable standard of behaviour is expected in all areas of the Club. The following code of conduct will apply to all members, guests, participants, officials and spectators at the Club and our matches. Members will be liable for any breach committed whether by themselves or their guests.

The Code of Conduct is designed to ensure a safe, responsible, and enjoyable atmosphere on and around the Club facilities, taking into consideration our reputation within the community and the wider area. It is designed with the aims and objectives of Aberdeenshire Cricket Club in mind.

All such persons shall make themselves aware of its contents as compliance with the code of conduct is their responsibility. Breaches of the code involving violence, abusive behaviour, racial, cultural, or religious discrimination or victimisation, sexual harassment or discrimination, homophobia, transphobia and disability discrimination should be referred to the Management Committee who have the authority to take sanctions against members including suspension or termination of membership if the situation warrants.

Any actions by playing members that are referred by match officials for disciplinary action by the relevant league associations will be considered as closed.

The Club shall closely monitor and fully support the efforts of all members in regard to the maintenance of the Code of Conduct and shall be responsible at all times for the maintenance of order by members and any other person with whom a relationship of affinity exists.

## Definitions

### Hate crime:

In Scotland any behaviour which is perceived by the victim or any other person as being motivated (wholly or partly) by malice or ill will towards a social group is defined a hate crime.

There are five groups or protected characteristics covered by the hate crime legislation.

Disability

Race

Religion or belief

Sexual Orientation

Transgender Identity.

### Harassment:

Is any improper or unwelcome conduct that might be expected or be perceived to violate a person's dignity, creates a hostile, degrading, humiliating or offensive environment. Harassment in any form because of offensive or discriminatory actions or comments related to a person's age, gender reassignment, sex, sexual orientation, disability, marital status, pregnancy and maternity, race, religion or belief, appearance or other aspects of identity or protected characteristic under the Equality Act (2010).

### Sexual harassment:

Is a specific form of harassment as defined under the Equality Act (2010) as "unwanted conduct of a sexual nature, which has the purpose or effect of either: (a) violating the complainant's dignity; or (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant." Examples of sexual harassment include, but are not limited to, sexual innuendo, comments about someone's sexual orientation or gender identity, name-calling with a sexual or gender connotation, making sexual comments about someone's appearance, clothing or body parts, sexual jokes and stories, displaying still or moving images or sending emails, texts or social media containing sexual content, making sexual gestures, asking for sexual favours or repeatedly asking someone for a date, unwanted touching, attempted or actual sexual assault or rape.

### Bullying:

Is any "offensive, abusive, malicious or intimidating behaviour or misuse of power with the intention of undermining, humiliating or belittling the person it is being directed towards" (Equal Opportunities Commission, 2020). This can take place in person and online.

## Behaviours

Whilst the committee want to create a healthy atmosphere amongst members, these rules are designed to safeguard others who find the following behaviours offensive or intimidating. This Code of Conduct is not intended to create a bureaucratic, regulatory environment, but to promote and enhance our Club's values.

A person engaging in any behaviour that may be detrimental to the game of cricket or Aberdeenshire Cricket Club is in breach of the code of conduct and should be reported to the Club Secretary.

It is in the best interests of the game that such behaviour is reported, and all players, members and members of the public are encouraged and have a duty to report such behaviour.

Everyone is expected to respect both the staff and the Clubhouse. This means treating people, equipment, furniture, and everything else with respect and care.

The Clubhouse is a working area and as such health and safety of both staff and members is of the utmost importance. Clubhouse management are to be listened to and respected as they carry out their responsibilities and all members should endeavour to support them in this.

All players, coaches and staff, Clubhouse staff, family members and visitors are expected to comply with the law – violence, abuse or any other illegal behaviour will not be tolerated.

Communication on social media outlets of anything that could be considered discriminatory, bullying or harassment toward any individual by making offensive or derogatory comments relating to age, gender reassignment, sex, sexual orientation, disability, marital status, pregnancy and maternity, race, religion or belief, inappropriate criticism and comments of fellow members, staff, players, opposition players or volunteers will be deemed a breach of the code.

The following lists of example behaviours are for guidance only and should not be taken as exhaustive.

## Members, Guests and Visitors

- Any form of discrimination, bullying, harassment or intimidation is regarded as unacceptable behaviour.
- Consumption of excessive quantities of alcohol is not permitted by law. Please do not be offended if service is refused.
- The use of foul or abusive language such as swearing has no place in the Clubhouse and any member heard using unacceptable or offensive language will be asked to either stop or leave the premises. Where someone is noticed to be consistently using bad language after being warned then their continued membership will be reviewed accordingly.
- Smoking or the use of e-cigarettes is not permitted within any of the Club buildings.
- The taking of illegal substances will incur immediate suspension and loss of membership.
- Stalking or deliberate intimidation, including continued one to one communication after a request to cease.
- Unwelcome comments regarding another person's lifestyle choices or practices.
- Be considerate towards others when using your Mobile phone in the Clubhouse.
- Communication on social media outlets of anything that could be considered discriminatory, bullying or harassment toward any individual.

## Captains

- Captains are responsible at all times for ensuring that play is conducted within the spirit of the game as well as the Laws of Cricket.
- Captains shall ensure that the integrity of Aberdeenshire Cricket Clubs reputation is maintained at all times.
- Captains should observe the protective measures, recommended by the relevant league rules to minimise the risk of injury to players under the age of 18.

## Players

- Play by the rules.
- Assist in the smooth running of the game. Do not waste time as a batter, bowler, or fielder, move quickly between over's, in the conduct of an over and in changing batters, which should take place on the field.
- If, in your opinion, an umpire misinterprets a rule, do not argue with the umpire have your captain, coach or team manager approach the umpire during a break or after the game for a clarification.
- Control your temper. Verbal or physical abuse of officials, making unnecessary or disparaging comments to opponents, deliberately distracting, or provoking an opponent are not acceptable or permitted behaviours in cricket.
- Treat all participants in cricket as you like to be treated. Do not bully or take unfair advantage of another competitor.

- Applaud all good plays whether they are made by your team or the opposition. Work equally hard for yourself and your teammates. Your team's performance will benefit and so will you.
- Respect the rights, dignity and worth of every person regardless of their gender, disability, cultural background, or religion to participate in cricket.
- Player consumption of alcohol or illegal substances before and during a match is not acceptable behaviour.

## Coaches, Team Managers and Volunteers

- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background, or religion.
- Remember that young people participate for pleasure and winning is only part of the fun. Never ridicule or shout at a young player for making a mistake or not coming first.
- Be reasonable in your demands on each player's time, energy, and enthusiasm, avoid overplaying the talented players; all young players need and deserve equal time, attention, and opportunities.
- Show concern and caution toward sick and injured players. Follow the advice of a physician when determining whether an injured player is ready to recommence training or competition.
- Ensure that the time players spend with you is a positive experience and function as a role model at all times.
- Know, and operate within, the rules and spirit of cricket and teach your players to do the same.
- Ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of all players.
- Display control and respect to all those involved in cricket, this includes opponents, coaches, umpires, administrators, parents, and spectators. Encourage your players to do the same.
- If asked to officiate as an umpire, scorer, or other match official, you should respect the spirit of the game and be consistent, courteous, and impartial in all your decision-making.
- Obtain appropriate coaching qualifications, Child Protection, First Aid, and disclosure registration. Keep up to date with the latest cricket coaching practices and principles of growth and development of young people.
- Consumption of alcohol and/or tobacco products while in charge of junior players is prohibited.

## Parents and Spectators

- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background, or religion.
- Do not force an unwilling child to participate in cricket, never ridicule or shout at a child for making a mistake or losing a game. Remember, children participate in cricket for their enjoyment, not yours.
- Focus on the child's efforts and performance rather than winning or losing, encourage children to play by the rules and respect every official's decision.
- Remember that children learn best by example. Appreciate good performances and skilful plays by all participants.
- Show appreciation for volunteer coaches, officials, and administrators. Without them, your child could not participate.
- If asked to officiate as an umpire, scorer, or other match official, you should respect the spirit of the game and be consistent, courteous, and impartial in all your decision-making.
- Remember the behaviour of its players' parents and supporting spectators reflects on the Club.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Consumption of alcohol at junior matches is discouraged.



## Disciplinary Committee

When a complaint is received Aberdeenshire Cricket Club will appoint a Disciplinary Committee to oversee the complaints procedure and to conduct investigation, hearings and impose penalties within the guidelines as may be deemed necessary.

The Disciplinary Committee will comprise 3 members drawn from the management committee and/or external persons relevant to the area of complaint and will be responsible for implementing this policy in a fair and impartial manner.

The disciplinary committee will meet on as required to perform the following functions:

- Review complaints information notices in relation to grade 1 offence and ensure consistency in application.
- Consider all grade 2 and 3 complaints and appeals to a grade 1 penalty.
- Where necessary hold investigations, including a hearing into the complaint or appeal.

Notice of any hearing of the Disciplinary Committee shall be given, in the case of a complaint, to the person or persons the subject of the complaint and the complainant; and in the case of an appeal, to the persons affected by the appeal and the appellant.

The notice will specify the date time and place of any hearing and will be accompanied by copies of all material relevant to the complaint. The notice will also specify if the hearing is to be attended by written submissions or whether the parties are required to attend in person, with the opportunity to have representation attend also. Hearings will be in private with only the accused and his/her/their representative and the Disciplinary Committee.

No formal legal representative or counsel shall be entitled to attend, provided that the Disciplinary Committee may receive such legal advice as it deems necessary.

Any participant to the hearing will advise if a conflict of interest could be lodged by any party.

If a complaint is upheld by the Disciplinary Committee, it shall give its decision in writing, within 5 days, with reasons for the decision and any penalty imposed.

It would be expected that the Disciplinary Committee will deal severely with proven cases of serious misconduct and in some cases the conduct may constitute a criminal offence in which case the matter will be referred to the Police.

## Complaints Procedure

Complaints may be made by any person including a competitor, member, visiting guests, other associated cricket Club members, and members of the public.

Complaints must be made in the first instance to either the Aberdeenshire Cricket Club Management or the Secretary of the Club, within three working days of the matter occurring. These must be then followed up in writing in an acceptable timeframe.

Once received the Club Secretary will determine the offence, and grade it in accordance with Section Grading of Complaints below. The Club Secretary will then take the following actions.

- a) If the matter is Grade 1, of a minor nature, the Club Secretary will discuss the complaint with the person(s) involved and deal with the complaint by either dismissing the complaint or deal with it by way of the first step in Appendix 2 whereupon the matter will be closed.
- b) If the matter is Grade 1, but the person involved has already had step one of Appendix 2, then the Club Secretary will discuss the complaint with the person(s) involved and either dismiss the complaint or deal with it by way of the second step in Appendix 2.
- c) If the matter is a Grade 2 or 3 offences, or involves a Grade 1 suspension or expulsion, the Club Secretary will conduct a preliminary investigation and gather all the facts of the complaint as is available within seven days from the receipt of the Complaint notice. This may include speaking to the accused person and getting a written report from that person. The matter will then be referred to The Disciplinary Committee.

The Club Secretary will endeavour to completed the complaints process within one month from receipt of a complaint, be responsible for keeping all parties involved informed about the complaints process.

## Grading of Complaints

All complaints and charges are to be graded 1 to 3 with one being the lightest grading and three the most serious. This is done by reference to Appendix 1 and the following notes.

The Club Secretary is required to determine the grading of the offence. The grading allocated will determine the action to be taken and the potential penalty a member may receive. Therefore, consistency of grading across offences is important and it is a requirement that records are kept supporting the grading process.

On some occasions, the Club Secretary may not recommend a grading because of the seriousness of an incident and may automatically refer the charge to the Disciplinary Committee.

## Appeals

An Appeals Panel shall be convened which has responsibility, for dealing with appeals arising from Disciplinary hearings where permitted, the Panel chaired by the President shall be made up of three individuals (who may be from the wider Management Committee or external) who have not been involved in the original decision.

Appeals must be made in writing to the Club Secretary within 7 days following advice of the original decision.

The ground(s) for appeal must be clearly stated, and whether the appeal is against the decision, the penalty or both. An appeal is not a fresh hearing, and can only be made on the basis that:

- a) The process has not been followed in a material way which has been prejudicial to the outcome.
- b) Fresh evidence has emerged which was not available to the original hearing.
- c) There has been demonstrable bias in the decision making.
- d) No reasons/lack of reasons for the decision have been provided.
- e) The decision is one which no reasonable panel could have reached.

The Appeals Panel will consider whether the grounds of appeal are competent, and if so, consider them. The hearing will normally be held within 7 days of the Appeals Panel being formed for the appeal. The appellant will be entitled to attend the hearing in support of their case, with the opportunity to have representation attend, no formal legal representative or counsel shall be entitled to attend. The Panel Chair may request any additional information or evidence in writing for proper consideration of the appeal.

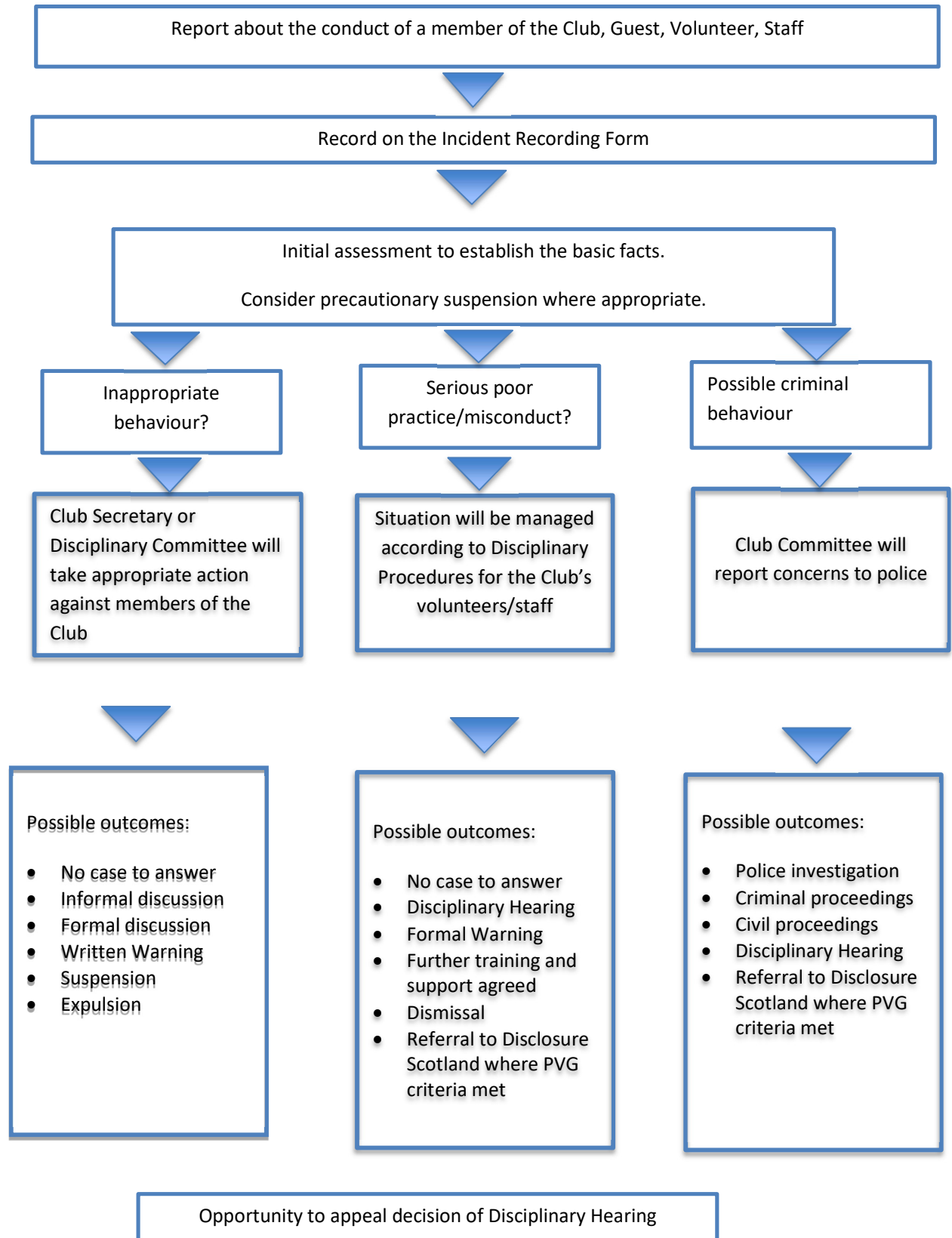
The Appeals Panel may:

- Uphold the original decision(s).
- Substitute an alternative order which the Disciplinary Committee would have been open to impose.
- Remit the matter back to the original Disciplinary Committee, or a fresh Disciplinary Committee for consideration of it on such grounds as the Appeal Panel advise.

The Appeals Panel will give their decision with reasons within 7 days of the hearing in all but exceptional circumstances and will advise if this is the case. The decision will be communicated to the appellant as soon as practicable.

There is no further right of appeal following the decision of the Appeals Panel.

FLOWCHART FOR RESPONDING TO A BREACH OF CODE OF CONDUCT



## Appendix 1

General examples of grading of complaints of conduct likely to bring the game into disrepute (not an exhaustive list)

### Grade 1 Offences

- The use of foul or abusive language
- Improper treatment of Club equipment, fittings, and fabric
- Any form of discrimination, harassment, or intimidation
- Ill-mannered behaviour
- Smoking or the use of e-cigarettes on Club premises

### Grade 2 Offences

- Behaviour bringing the Club into disrepute
- Excessive or offensive bad language
- Verbal abuse or threatening behaviour to another player, member, guest, volunteer, or member of staff
- Discriminatory statements or harassment of another player, member, guest, volunteer, or member of staff on social media

### Grade 3 Offences

- Any serious misuse of alcohol or drugs on the Club premises
- Theft
- Assault of a player, official, member, guest, or member of the public
- Sexual or verbal harassment
- Stalking or deliberate intimidation

## Appendix 2

### Grade 1 Offence

If no previous offences any one of the following processes will be adopted:

1. Verbal warning with notice on file.
2. Written warning issued to member.
3. Penalty of suspension imposed by Disciplinary Committee.

If the next incident is a Grade 2 offence, then that process will override the above.

### Grade 2 Offence

If no previous offences any one of the following processes will be adopted depending on the seriousness of the offence:

1. Written warning issued to member.
2. Penalty of suspension imposed by Disciplinary Committee.
3. Penalty of expulsion as determined by the Disciplinary Committee

If the offence is considered serious, or there are other recent offences, then a step can be passed at the discretion of the Disciplinary Committee.

### Grade 3 Offence

Depending on the seriousness of the offence any one of the following actions may be adopted.

1. Written warning issued to member.
2. Penalty of suspension imposed by Disciplinary Committee.
3. Penalty of expulsion as determined by the Disciplinary Committee

Step 1 will only be taken if the offence is of a lesser scale otherwise a penalty of suspension will usually be imposed.

A clean slate policy will apply to any offence after a twelve-month period from date of last penalty, other than for expulsion, which will be permanent.