



BISHOP'S STORTFORD RUGBY FOOTBALL CLUB DISCIPLINARY PROCEDURES

INTRODUCTION

Bishop's Stortford RFC (the Club) has a responsibility to ensure that all playing members follow both the letter and spirit of the laws of the game, as laid down by the RFU. As such, this document sets out our disciplinary procedures in relation to all aspects of the game of rugby – training, coaching and playing.

The Club has a responsibility to deal with any act of indiscipline both on the field of play by players and/or any of their supporters or spectators on the touch line or any Club member who at any time uses threatening, abusive or insulting words or behaviour to any other member or visitor to Silver Leys or in any way brings the Club or the game into disrepute.

DISCIPLINE OFF THE PITCH

Issues relating to discipline off the field of play and behaviour generally in and around the Club's premises and facilities are dealt with separately within the Club's **Rules and Code of Conduct**, which are available in full on the Club's website. A shortened version is also contained in the Club's Fixture card.

In addition, disciplinary issues arising as a result of use of social media are dealt with separately within the Club's **Social Media Policy**, which is also available in full on the Club's website.

CHECKLIST AND TIMELINE FOR ACTIONS:

- A. Any complaint which relates to discipline off the field of play should be reported in writing to the appropriate Section Head, i.e. Chairperson of Minis/Youth/Girls/Ladies/Playing, as promptly as possible. It should be ascertained from the complainant whether they wish to pursue their complaint through the Club's disciplinary process or not. In the absence of such agreement, the complaint will remain confidential.

- B. If the Club becomes aware of conduct which may be in breach of its rules, policies and code of conduct, to the extent that it is appropriate to commence disciplinary action, it may do so without a complaint;
- C. If the complaint is of a nature that can reasonably be dealt with by informal resolution, including a formal/informal warning and mediation, the Section Head may seek to do so having first consulted any complainant.
- D. Within 3 days of such a complaint being made or of a disciplinary matter arising, the Section Head should send the following written information to the Club Secretary:
 - 1. details of the alleged disciplinary offence, including as accurately as possible, the date, time (if relevant) and nature of the alleged behaviour, the effect it is asserted to have had on the complainant (if there is one) and/or on anyone else and any steps so far taken to investigate it;
 - 2. confirmation that the person against whom the complaint is made is a member of the Club together with the following details:
 - a) the member's name,
 - b) address,
 - c) telephone number,
 - d) email address,
 - e) date of birth, and
 - f) in the case of an age grade player (playing in a Club Under 19, Under 20 or Club Senior Side), their school or college attended;
 - 3. sufficient evidence to allow the matter to be considered by the Club's disciplinary panel (or the CB/RFU disciplinary panel, as the case may be), including any mitigating factors which might be taken into account. Such evidence may include any statement made by the complainant or other person and any, if the allegation concerns the use of social media, details of what was posted.

B. Additional Evidence (within 7 days):

The Section Head shall take full responsibility for collecting and collating all relevant evidence and must identify all potential witnesses to the events giving rise to the complaint. If guidance is needed on what is required in the way of evidence in the given circumstances, they should contact the Club's Disciplinary Officer as soon as possible

but this does not derogate from their responsibility to report and provide the basic information to the Club Secretary within 3 days latest as at D. above. Consideration at this stage should also be given to potential character references for the member involved.

C. Club Disciplinary Panel to Be Constituted (within 14 days):

The Club's Disciplinary Officer will convene a disciplinary panel, comprising themselves, two members of the Executive Committee and the Club Secretary (for the purposes of recording the hearing), within 14 working days. They will also notify all interested parties of the proposed hearing date and provide and/or request from the member against whom the complaint has been made and any other person all information received or considered appropriate for the fair conduct of the hearing.

All relevant evidence should be provided to the member against whom the complaint has been made, where practicable, at least 7 days before the Disciplinary Panel hearing. Where there is a complainant, the same evidence shall be provided to him/her at the Disciplinary Panel's discretion, within the same period of time.

E. Club Disciplinary Panel Hearing (within latest 28 days if possible)

At a formal hearing, the Disciplinary Panel will consider all relevant written or verbal statements and any other appropriate evidence before reaching their conclusions in relation to the complaint. The outcome will normally be one of complaint upheld, complaint dismissed or complaint partially upheld or dismissed and reasons for such decision being made. The Panel will retire to consider the matter and the complainant and relevant member will receive formal notification of the outcome, including any sanction and full details of the appeals process within 7 days of the Hearing.

F. Disciplinary Sanctions

The Disciplinary Panel may consider one or more than one of the following sanctions:

1. No sanction;
2. A formal warning;
3. Suspension of Club membership for a period of up to 12 months;
4. A ban from the Club's premises;

5. Expulsion from the Club;
6. Referral of the member to the RFU.

In the event a member is suspended or expelled, his/her paid membership fees are forfeit.

G. Appeal

The relevant member is entitled to appeal the decision and/or any resultant sanctions) of the Disciplinary Hearing Panel by making written representations to the Club Chairman within 14 days of date of the notification of the outcome. This appeal **must** clearly set out the basis for appeal detailing all relevant points (not just a recital of the response to initial complaint). The Club Chairman together with the Club President will consider any such appeal having studied all relevant reports, statements etc and taking such internal or external advice as commensurate with the circumstances of the complaint.

The result of an appeal is to be communicated to the relevant parties, where practicable, within 28 days of the appeal having been made and may be one of the following:

1. Dismissal of the entire appeal;
2. Allowing the appeal and dismissing the complaint;
3. Allowing the appeal and requiring a new Disciplinary Panel hearing on a date to be agreed but, where practicable, no later than 28 days after the appeal decision;
4. A finding, where there is more than one complaint, dismissing some of those complaints or requiring some of them to be reheard;
5. Dismissing the appeal against the complaint but removing or reducing the sanction.

Summary

This document sets out the basis of how BSRFC will consider complaints but it should be borne in mind that people provide their time without payment and have other commitments. In those circumstances and more generally, we ask you to recognise that, by the nature of such matters, this should not be considered as exhaustive and the Policy is subject to review and or amendment (upon appropriate notice) from time to time.

In the event that the matter complained of may amount to a criminal offence the Club may refer the matter to the police.

DISCIPLINE ON THE PITCH

As regards playing, it must be remembered that our playing members are aged from 6 to 18 (i.e. age grade rugby) and adults. The laws of rugby, which cover playing, vary according to the age of the age-graded player and all BSRFC coaches should have a thorough knowledge and understanding of them as they apply to the team(s) for which they are responsible.

All BSRFC coaches are expected to enforce and maintain a high disciplinary ethic amongst their players. The RFU Regulations cover many aspects of governance of the game. The one concerning discipline on the field (be it training or playing) is Regulation 19 a copy of which can be found here:

http://www.englandrugby.com/mm/Document/General/General/01/32/72/70/RFURegulation19_English.pdf

Appendix 6 of Regulation 19 deals with age-grade disciplinary procedures:

http://www.englandrugby.com/mm/Document/General/General/01/32/72/76/RFURegulation19Appendix6_English.pdf

Taking the above into account, our procedures relating to age-grade rugby are as follows:

Under 12s and below:

It is clear from Appendix 6 above that any rugby disciplinary matter arising in an U12 match and below should be dealt with in person by the player's coach, who should also inform the Chairman of Minis of the matter and the action taken. The same approach should apply to any disciplinary matter arising in training. Provided that the coach has acted sensitively, fairly and proportionately toward the player, in a child-centric way, then the Executive Committee will support the coach in the decision(s) that he or she has taken.

Any inter-club issue should be brought to the attention of the Chairman of Minis, who should deal with it directly with his/her counterpart from the other club.

Under 13 to Under 18:

The Club's standard practice in all cases of a sending off for non-technical offences, i.e. foul play, is to ban the youth player, with immediate effect, for 2 matches irrespective of the circumstances and, therefore, that player will be unavailable for team selection until the Club or Herts. RFU panel, as the case may be, has determined whether the player should be suspended from playing and for how long.

Appendix 6 requires that any rugby disciplinary matter arising in an U13 to U18 Club match (as opposed to training – see below) shall be dealt with by a disciplinary panel, which should be constituted by the Club's Disciplinary Officer as soon as is practically possible following the required notice to the Club Secretary, which itself should be sent not later than 24 hours after the player has been sent from the field of play.

The notice to the Club Secretary should be given by the player's coach or team manager and must include details of the offence, the player's name, address, telephone number, email address, date of birth and the name of their school or college attended.

The disciplinary panel should consist of no more than three persons, all with experience in dealing with young people in accordance with the RFUs disciplinary procedures and the sanctions table. The composition of the panel should be the Chairman of Youth, the Safeguarding Officer and a current Club Youth referee taken on a rotation basis from the list held by the Chairman of Youth. The panel should proceed to deal with the matter in all cases in a child-centric manner and with full regard to the guidance given by paragraph 1.3 of Appendix 6 to RFU Regulation 19.

In all cases involving (1) serious injury, (2) cases under police investigation or (3) racial abuse, the Club's Disciplinary Committee should refer the matter to the National Youth Disciplinary Secretary before allowing the matter to proceed in order that their approval is sought for the matter to be dealt with at Club level (or must be referred to the Constituent Body or the RFU).

In the case of a sending-off, the responsible Club coach should ask the referee at the conclusion of the match to exchange contact details and also seek his/her report to be sent to the Club coach within 24 hours in order that the Club Secretary may report the matter to the Constituent Body Youth Disciplinary Secretary. (**N.B.** the Club Secretary will subsequently be required to report the Club's disciplinary panel's finding and/or sanction)

The Club's appointed disciplinary panel should always have regard to:

- (a) the age-grade sanctions table set out at pages 404-408 of Appendix 6 of RFU Regulation 19 in assessing the appropriate sanction to be given following a finding of foul play against a player, as well as;
- (b) the guidance given by paragraph 1.3 of Appendix 6 to RFU Regulation 19, to ensure that the matter is dealt with in a child-centric way.

As regards discipline in training, the Executive Committee considers that this is a matter for the coach(es) in question and, provided that the coach has acted

sensitively, fairly and proportionately toward the player, the Committee will support the coach in the decision that he or she has taken.

Any BSRFC age-grade player ordered from the field of play will be suspended from playing by the Club and, therefore, unavailable for selection until his/her disciplinary case has been dealt with by the appropriate disciplinary panel.

Note that in the unlikely event that a BSRFC age-grade player or adult involved in BSRFC age-grade rugby is alleged to have breached RFU Rule 5.12 (i.e. an allegation that they have acted in a way that is prejudicial to the interests of the RFU or the game or which amounts to cheating) then the matter will be dealt with by the Constituent Body (i.e. Herts. RFU).

Also note that in the unlikely event that a BSRFC age-grade player is cited for foul play, whether or not seen by the referee, or that a BSRFC player or his/her coach wishes to cite a player from another Club, very strict time limits apply and the matter must always be discussed with the Chairman of Youth at the earliest opportunity and, in any event, within 72 hours of the end of the match in question. In this respect, it should be noted that the citing will have to be made in writing and must state:

- a) the date, venue and teams participating in the match;
- b) details of the alleged act of Foul Play, including as accurately as possible, the point of time in the match, score at the time and position on the field when and where the incident is alleged to have occurred;
- c) the identity of (or means of identifying) the Age-Grade Player(s) alleged to be guilty of Foul Play; and
- d) sufficient evidence to establish a case to answer.

In the event that a coach or Club member wishes to cite a BSRFC player, the same procedure should be followed.

Adult Rugby – Under 19s and above

It is clear from RFU Regulation 19 that most cases involving foul play or ill discipline below BSRFC 1st XV level will be dealt with by the Constituent Body, i.e., the Herts RFU Disciplinary Committee and their appointed panel. This also holds for any 17 or 18 year-old playing in an U19 match, or is 17 or over and playing in an U20 match or an adult match, where permitted by RFU Regulations.

However, BSRFC, like any other Club, is required by RFU Regulation 19.1.4 to cooperate with any RFU or Herts. Disciplinary Panel disciplinary investigation

or disciplinary proceedings and must appoint its own disciplinary panel responsible for investigating and, subject to Regulations 19.5.2 to 19.5.4 [see link above], taking appropriate action in relation to disciplinary matters and the conduct of its players, officials, members and employees, and for generally maintaining discipline at the Club.

Regulations 19.5.2 and 19.5.4 require that a player sent off or who is appealing against a disciplinary panel finding shall not take part in any match or be selected for a match until their case or appeal has taken place. Regulation 19.5.3 provides that a player ordered from the field of play cannot play or be involved in any on-field match day activities anywhere until their case is resolved. However, this does not apply in the case of a citing by an opposition team, at least at National 1 level and below.

If the disciplinary offense is serious enough to have been referred to the police, all Club and RFU activity is suspended until such time that the outcome of the police investigation and any subsequent prosecution is known.

In view of the above, the following guidelines and procedures should be followed:

All BSRFC coaches, team captains and team managers are expected to enforce and maintain a high disciplinary ethic amongst their players. It is highly unlikely that you will persuade any referee to change his decision by abusing him. It is a simple truth you are more likely to receive favourable treatment if you are polite and courteous when speaking with match officials. It is appreciated that, in the heat of battle, this is not always an automatic response but this is where coaches, captains and team-mates can assist in defusing a situation that may be regretted later.

In the event of a player being sent from the field of play or being subject to any form of disciplinary charge by an RFU governing body this must be reported by the team captain, coach or manager to the Club Secretary **as soon as practically possible and, in any event, within 24 hours, who will also inform the Club's Manager of Discipline**. Details of the offence, the player's name, address, telephone number, email address, date of birth, and in the case of an age grade player, playing in a Club Under 19, Under 20 or Club Senior Side, their school or college attended, are required to be provided. The Club's Manager of Discipline will then convene a disciplinary panel as soon as is practically possible and will notify all interested parties of the hearing date and provide such additional information as received or considered appropriate for the fair conduct of the hearing. In addition, in the case of a sending off, the Club

Secretary shall also notify other governing bodies, which will include the following:

Student/Youth players – their School or College
1st XV registered players – the National Club's Association/RFU
Other Senior players – Hertfordshire RFU

The Club's standard practice in all cases of a sending off for non-technical offences, i.e. foul play, is to ban the player with immediate effect for 3 weeks, irrespective of the circumstances, and, therefore, that player will be unavailable for team selection until the Club, RFU or Herts. RFU panel, as the case may be, has determined whether the player should be suspended from playing and for how long.

CHECKLIST AND TIMELINE FOR ACTIONS:

A. Within 24 hours the relevant team captain, coach or manager shall send the following written information to the Club Secretary:

1. the date, venue and teams participating in the match;
2. details of the alleged act of Foul Play, including, as accurately as possible, the point of time in the match, score at the time and position on the field when and where the incident is alleged to have occurred;
3. confirmation that the player sent off is a member of the Club together with the following details:
 - g) the player's name,
 - h) address,
 - i) telephone number,
 - j) email address,
 - k) date of birth, and
 - l) in the case of an age grade player (playing in a Club Under 19, Under 20 or Club Senior Side), their school or college attended;
4. sufficient evidence to allow the matter to be considered by the Club's Disciplinary Committee (or the CB/RFU disciplinary panel, as the case may be) including any mitigating factors which might be taken into account; and
5. in the case of a 1st XV/Blues match, details of the citing and whether any counter citing should be considered (**Note: if a counter citing is being considered this must be reported to the Club Disciplinary Officer immediately as there is a very short time scale and a detailed procedure that has to be followed**).

B. Additional Evidence (within 3-5 days):

In the first instance, the relevant team captain, coach or manager shall take full responsibility for collecting and collating all relevant evidence, and must identify all potential witnesses to the events giving rise to the sending off or (in the case of a 1st XV/Blues match) the citing or proposed counter citing, and in the case of a 1st XV match the relevant video clip(s). If guidance is needed on what is required in the way of evidence in the given circumstances, the team captain, coach or manager must contact the Club's Manager of Discipline as soon as possible but this does not derogate from their responsibility to report and provide the basic information to the Club Secretary within 24 hours latest as at A. above. Consideration at this stage should also be given to potential character references for the player involved.

C. Club Disciplinary Panel To Be Constituted (within 3 working days):

The Club's Disciplinary Officer will convene a disciplinary panel, comprising themselves, Chairman of Playing, a recently retired player and the Club Secretary (for the purposes of recording the hearing), within 3 working days and will notify all interested parties of the proposed hearing date, and provide and/or request from the player and relevant team captain, coach or manager all information received or considered appropriate for the fair conduct of the hearing.

D. In the case of a sending off, the Club Secretary shall notify all relevant other governing bodies as soon as practically possible.

E. Club Disciplinary Panel Hearing (within latest 7 days)

IMPORTANT NOTE

Where a player is the subject of a CB / Herts RFU Disciplinary hearing or a RFU Disciplinary hearing and costs are levied against the Club, the Club reserves the unconditional right to invoice the player for the amount levied and paid by the Club. Failure by the player to reimburse the amount invoiced in full will result in the player being banned from playing any further matches or use the Club facilities until the invoice is paid in full.