

# **Derbyshire Cricket Board Discipline Procedure**

## **Introduction**

Derbyshire Cricket Board (DCB) has a responsibility to maintain high standards of behaviour from all parties associated with the provision of cricket within Derbyshire and to enforce such standards ensuring that the game is played and enjoyed in the right spirit upholding traditional values.

This procedure is put in place to govern the process to be applied when anyone reports incidents and/or grievances which are considered to be a breach of such standards. The purpose of this procedure is to ensure that such incidents/grievances are investigated and reported in a fair, independent and consistent way applying appropriate sanctions where an offence or offences are proven.

## **Scope**

This procedure is applicable to all DCB activities. Individual organisations forming part of the DCB may adopt alternative procedures which take precedence over this document.

## **Principles**

This procedure applies the core principles of the spirit of cricket as the foundation for acceptable levels of behaviour. It will be considered an offence for anyone to;

1. Show disrespect for players, opponents, officials and the games traditional values.
2. Dispute an official's decision.
3. Direct abusive language towards an opponent or official.
4. Display any act of violence.
5. Indulge in cheating or sharp practice

## **Procedure**

The procedure to be followed when investigating reported incidents or grievances is as follows;

1. Initial Review
  - 1.1. Chairman of the Authority responsible (i.e. District Development Group, DCB, etc)
    - 1.1.1. Requests written reports of the incident/grievance.
    - 1.1.2. Appoints a Discipline Subcommittee including a Chair and members.
    - 1.1.3. Notifying the Parties of the members of the Discipline Subcommittee providing the opportunity for the Parties to submit reasonable objections to the appointment of any member.
  - 1.2. The Discipline Subcommittee undertakes an initial review of the report(s) to establish if an offence may have been committed.
    - 1.2.1. If no offence has been committed the Discipline Subcommittee will report their findings to the Parties involved.

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- 1.2.2. Where an offence may have been committed the Discipline Subcommittee will arrange for a Detailed Review.
2. Detailed Review
- 2.1. The Chairman of the Discipline Subcommittee will;
  - 2.1.1. Supply copies of all documentation to the County Welfare Officer where Child Welfare issues are associated with the incident/grievance and receive a report on any appropriate action recommended.
  - 2.1.2. Arrange a Discipline Hearing for the Parties involved to support the written evidence previously submitted to the Discipline Subcommittee.
  - 2.1.3. Chair the Discipline Hearing. The Discipline Hearing is to enable the Discipline Subcommittee to seek clarification and matters of fact based on the reports submitted in advance. Any new evidence should be submitted in advance of the hearing for consideration by the subcommittee.
  - 2.1.4. Issue the "Report of Findings" of the Discipline Subcommittee including, where an offence or offences have been proven, the sanctions imposed. Distribution shall be limited to the Parties involved, the Chairman of the Authority responsible and the DCB.
  - 2.1.5. Advise the parties involved of their right of appeal, which should be made to the Chairman of the Authority responsible within two weeks of the issue of the "Report of Findings".
3. Appeal
- 3.1. Where an Appeal has been made the Chairman of the Authority responsible will;
  - 3.1.1. Acknowledge receipt of the Appeal.
  - 3.1.2. Review the grounds for Appeal;
    - 3.1.2.1. If not justified, reject the Appeal application and notify the Parties involved with the reasons for the rejection.
    - 3.1.2.2. If justified, set up an Appeal Panel including a Chair and members. This shall be made up from members who have no previous involvement or a conflict of interest.
    - 3.1.2.3. Notify the DCB of the Appeal.
    - 3.1.2.4. Notify the Parties involved accepting the Appeal application, confirming the Appeal panel members and providing the opportunity for the Parties to submit reasonable objections to the appointment of any member.
    - 3.1.2.5. Forward all documentation except the "Report of Findings" to the Appeal Panel.
- 3.2. The Chairman of the Appeal Panel will;
  - 3.2.1. Arrange an Appeal Hearing for the parties involved.
  - 3.2.2. Chair the Appeal Hearing. The Appeal Hearing is to enable the appeal panel hear any new evidence, to seek clarification and matters of fact on the grounds for Appeal submitted by the applicant.
  - 3.2.3. Issue the "Appeal Findings". Note that where an Appeal is not upheld, the appeal panel will be entitled to review the "Report of Findings" produced by the Discipline Subcommittee before

deciding on the appropriate sanctions to be imposed following unsuccessful Appeal. Distribution shall be limited to the Parties involved, the Chairman of the Authority responsible and the DCB.

- 3.2.4. Confirm that there is no further means of redress and that the "Appeal Findings" represent a full and final settlement.

### **Rights of the Parties**

All Parties reported for potential offences have the right to a fair and independent investigation. This shall include;

1. Welfare matters are paramount and the County Welfare Officer will always be consulted so that welfare matters can be addressed before disciplinary action is taken. The County Welfare Officer has full sight of the documentation as defined in clause 2.1.1.
2. Disciplinary procedures will be administered by individuals who are independent and have no potential conflict of interest.
3. Any individual or Club suspected of an offence has the right to be present or represented at a Disciplinary Hearing. It is the responsibility of the Parties involved to ensure the individual or Club is afforded this opportunity. Where an individual or Club has submitted written evidence which is not then supported by the individual or Club at a hearing, the only evidence that can be considered is that which has been submitted in writing.
4. Judgement will only be made against an individual or Club based on the evidence submitted in writing or presented at a hearing.
5. Umpires should always be considered to represent the Authority responsible for the competition and not the Club even if they are members of the Club and selected by them to umpire.
6. All Parties against whom an offence is being considered will be aware of the procedures to be followed.
7. Any junior charged with misconduct or asked to appear as a witness must be accompanied by a responsible adult whose sole purpose is to protect the junior and prevent any harassment, bullying or unfair questioning. Such a responsible adult should not otherwise be involved directly in the events which are the subject of the hearing. The individual would normally be a parent, other relative or the Club Welfare Officer.