

RCCC DISCIPLINARY POLICY & PROCEDURES

This policy applies to all individuals involved in the sport of curling, including: coaches, players, umpires, supporters, helpers, club members, committee reps, executive and board members; this is not an exhaustive list. This policy does not apply to staff, as they are covered separately under the RCCC staff policies and procedures.

Scope

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 inappropriate behaviour, improper conduct, foul or offensive language, equipment abuse, or wilful damage. Any violation may result in disciplinary action being taken against the offending person(s) by the curling organisation having jurisdiction.

Receiving and reviewing complaints/ incident reports

- Complaints received regarding the RCCC will be dealt with in line with the RCCC's Complaints Policy.
- Complaints received regarding other curling matters will be allocated by the CEO to the relevant staff member who will consider the initial complaint / report and decide whether this is a case which should be dealt with locally e.g. by the Club / Development Group who will follow the RCCC procedure for dealing with poor practice (appendix 18 of the RCCC Child Protection Policy) or whether it should be dealt with centrally - either using the RCCC Complaints Policy or through the formal Disciplinary Policy.
- All incidents at RCCC competitions and events will be dealt with centrally.

Complaints / Incident handling via the Disciplinary Procedure:

Any complaint/incident that is reported to the RCCC will be treated as confidential. A staff member will be appointed by the CEO to be the Lead Investigator for the disciplinary process. In acting as the Lead Investigator, the staff member will support the disciplinary panel and will be the main point of contact for both the complainant(s) and accused person(s).

A Disciplinary Panel will consist of:

- Three members
 - o The Chair - an RCCC director
 - o Ordinary panel member with relevant/technical experience
 - o Ordinary panel member with governance experience
- None of the panel members should have been involved in reporting the case or have a conflict of interests (eg a close friend of the individual who is subject to allegations)
- If the complaint relates to a coaching / umpiring / performance / or other defined area, at least one panel member will have experience in this area.

Disciplinary Panel process:

- The CEO receives the written complaint / report of an incident appointing a staff member to act as Lead Investigator, and forms a Panel by appointing a director and two panel members for the case. The CEO will provide briefing on remit and responsibility of the panel.
- The Lead Investigator gathers and reviews the written complaint / report of an incident and decides whether there is sufficient information/evidence/justification.
 - o Poor Practice incidents may be dealt with locally with support and guidance from the Chair
 - o Incidents requiring review and action by the RCCC Disciplinary Panel will be carried out following this procedure
- The Chair convenes the RCCC disciplinary panel

- The panel will meet to consider the complaint and any supplementary information including any statements from the defendant
- The panel may have only written reports and statements to review or may hear statements from both the complaint, the defendant and any witnesses either party may wish to call
- The panel can ask for further information, clarification of both written statements and witnesses
- After considering all the evidence provided the panel will reach a conclusion which will be communicated to all parties in writing

When the Panel has reached a decision it must:

- Inform the accused and put the decision in writing
- Inform all relevant parties of the outcome in writing
- Make sure that any actions arising from its decision are carried out

Powers of the RCCC Disciplinary Committee

The powers of any disciplinary committee shall be to decide the appropriate sanctions which may include, but are not restricted to, the following:-

- Written warning as to future conduct
- A requirement to change current practices
- A requirement to change the rules of an Affiliated Club
- A financial penalty
- A written apology to those affected
- Coaching / Umpiring / Competing under supervision
- Order the defendant to undertake relevant training / CPD such as:
 - relevant RCCC coaching course or update
 - sports coach UK Safeguarding & Protecting Children workshop or Positive Coaching Scotland (PCS) workshop
 - Umpiring training
- Temporary suspension - person(s)/club/group/organisation
- Permanent suspension / life time ban - person(s)/club/group/organisation
- Any other appropriate sanction which may be levied from time to time

Right of Appeal

The RCCC's Chief Executive will hear any appeal where there has been a breach of procedure. If the CEO is involved in the case the appeal will be handled by the President.

The person against whom the complaint has been made must be:

- Informed of the nature of the complaint in writing
- Provided with a copy of any report or other information which will be considered by the Panel
- Be invited to attend the meeting which should be held at a convenient time for them;
- Receive sufficient notice of the hearing;
- Be given the opportunity to put their side of the story and call witnesses
- Be allowed to hear or see evidence supporting the complaint, however, 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.
- Be informed of the outcome in writing
- Be informed of their right to appeal

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 temporarily 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 Disclosure and Barring Service or Voluntary Scotland Disclosure Service

Voluntary Scotland Disclosure Service (VSDS) maintains the lists of people barred from working with children or with vulnerable adults in Scotland. The Disclosure and Barring Service (DBS) fulfils this function in England and Wales and in Northern Ireland.

The RCCC will inform VSDS if the following action has been taken because an individual within the sport or RCCC affiliated clubs has harmed a child (or vulnerable adult) or placed them at risk of harm:

- permanently dismisses or removed an individual from regulated activity/work
- would have dismissed an individual if they had not resigned/retired
- moved an individual to another role with in the club/organisation which is not regulated activity/work

The RCCC (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. For guidance on the grounds and process for making a referral, Appendix 23 and contact the RCCC Welfare and Child Protection Officer for guidance.

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