

Bromsgrove Bears Basketball Club

Disciplinary Procedure – Reviewed May 2025

1. Purpose & Scope

The purpose of this procedure is to regulate the standards of conduct at Bromsgrove Bears Basketball Club (further referred to as the 'club') at all levels to make Basketball as fair, safe and enjoyable as possible for everyone involved.

This document outlines the disciplinary procedure that applies to all Club members including Players, Coaches, Supporters, Staff & Volunteers.

2. Introduction

All club members are expected to observe and adopt the Code of Conduct relating to their role within the club and are bound by its terms as under noted.

In the event a club member fails to comply with the Code of Conduct, this procedure sets out the actions that will be followed to ensure fair and consistent treatment for all.

Matters relating to a potential breach of the Code of Conduct will in the first instance be dealt with by the club directors or where appropriate delegated to a disciplinary committee appointed by the club directors.

Disciplinary action against Club members, including suspension without notice, may be taken for offences of misconduct or breach of club's rules. However, it is recognised and accepted that every member:

- Has the right to expect fair and consistent treatment
- Has the right to adequate notice from the Club
- Has the right to appeal against the Disciplinary Committee's decision in all disciplinary matters.
- Has the right to representation and this is mandatory for all cases involving members under the age of 18 years/Adults at Risk
- No member will be expelled for the first breach of Club's rules except in cases of "gross misconduct".

On receipt of a written complaint from a club member, another team within the sport, the governing body, the league/match organisers or any other party, the Board of Directors will decide whether the complaint falls within the scope of the disciplinary procedure.

3. Levels of the Disciplinary Procedure:

There are 3 levels to the disciplinary procedure, and it is possible for club members to enter the procedure at any level, depending on the severity of the misconduct.

Following an initial a review, the Board of Directors will decide as to the type of offence as per the below:

- Level 1 - Misconduct
- Level 2 - Serious Misconduct
- Level 3 - Gross-Misconduct

3.1 Level 1 – Misconduct

“Misconduct” is the carrying out of an offence considered to be of a minor nature (unless frequently repeated).

Examples of offences that may be considered misconduct include:

- Discourteous, crude or offensive behaviour at games, training session or organised Club event.
- Conduct of an unsafe nature
- Offensive disregard for equipment or property
- Refusal to carry out reasonable instructions issued by, coaches, club staff event officials or organisers
- Failure to attend or participate in events or meetings organised by the Club
- Failure to comply with or adhere to the relevant code of conduct for their position within the club
- Any other actions of similar gravity to the above, at the discretion of the Board of Directors.

Misconduct will normally incur an initial a verbal warning from the Team Head Coach together with a request for full and appropriate corrective action, this will be followed up by a written warning.

Repetition of the above offences or failure to comply with any request for full and corrective behaviour made in writing by the Team Head coach may result in further action by the Board of Directors involving a disciplinary hearing.

A disciplinary file will be opened by the Club Secretary in which will include copies and records of the original complaint, together with the written warning and any other correspondence.

The action outlined above will normally finalise the process unless any of the parties involved appeal the decision.

In the event of an appeal, the Board of Directors may appoint a panel of Directors who have not had any previous involvement with the case for a final decision which has no further right of appeal.

3.2 Level 2 – Serious Misconduct

“Serious Misconduct” is the carrying out of an offence of such gravity that in the opinion of the Board of Directors, warrants a Bromsgrove Bears Basketball Club disciplinary hearing.

Examples of offences, which may be considered as serious misconduct include:

- Misconduct offences above if specially grave or repeated
- Deliberate or consistent breaches of club rules
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means
- Theft or misappropriation
- Use of threatening or abusive behaviour
- Participating in the sport whilst under the influence of drugs or alcohol
- Malicious interference with equipment or property
- Disregard for one's own or other people's safety
- Any other action, which in the opinion of the Club Officers may bring the sport or Bromsgrove Bears Basketball Club into disrepute, or which left unpunished, may result in the detriment of the Club or its members.

Should the complaint be considered by the Board of directors as one of serious misconduct, then the following procedure will be followed:

- The Board of Directors will appoint an Investigating Officer who will research evidence presented and, if possible, will obtain further written evidence, witness statements, etc.
- If necessary, the Investigating Officer will consult all relevant witnesses for supportive evidence.
- Advise complainant that if a disciplinary hearing is called, then the complainant and all relevant witnesses will be obliged to attend and give evidence as appropriate. (Non-attendance at a hearing will only be allowed in extenuating circumstances, i.e. Ill-health, threat of violence or intimidation etc). In such circumstances/instances a sworn declaration must be submitted to the Board of Directors.
- Contact the member subject of the complaint to advise of the official complaint and request the member to submit a written statement of events.
- In cases of disputes of a personal nature, the Board of Directors will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned
- The investigating officer will notify all parties as to the hearing date and ensure the parties have all relevant copies of paperwork in good time prior to the hearing.
- If settlement cannot be agreed between the parties, or if the offence merits it, then a disciplinary hearing will be arranged as soon as possible

3.3 Level 3 – Gross-Misconduct

"Gross Misconduct" is action of such seriousness that the Board of Directors may by means of an executive decision will require the immediate suspension of the offender from the club.

The suspended member will have the right to a disciplinary hearing as soon as this can be arranged but will remain suspended until and unless such a hearing overturns the suspension decision.

Examples of gross misconduct are:

- Physical violence of assault towards other persons at a Club event or
- related activity, including serious threatening, intimidating or forceful behaviour
- Reckless disregard of safety and basic safety rules
- Being convicted of criminal offences involving physical violence or abuse
- Other acts that are considered to be of an extremely serious nature
- perpetuated against the Club, its members or any other party.

4. Disciplinary Hearing

A disciplinary committee will be appointed which will consist of:

- Three members of the Board of Directors one will act as the chair of the hearing
- Two members of the Executive Committee

The club will appoint a case presenter, who will normally be the Investigating Officer

All witnesses to be interviewed and all written evidence to be reviewed at the hearing.

No witnesses or statements can be introduced at the hearing without prior notice and copies of all written evidence produced for consideration prior to the hearing, to be available in advance to the parties.

The Disciplinary Committee may adjourn the hearing to allow further evidence to be referred to if the disciplinary committee considers it fair to do so.

After the Disciplinary Committee has reached a decision, the subject of the complaint to be notified in writing of such decision and informed of any penalties within 7 days of the decision being reached, penalties will be effective from the date of the decision.

5. Penalties

Following the hearing, the Disciplinary Committee will apply such penalties as the Disciplinary Committee consider appropriate, including temporary or permanent expulsion of the offender from the club, such penalties will have immediate effect, notwithstanding the possibility of an appeal in accordance with (Section 6) under noted.

Offences of cheating or being under the influence of alcohol or drugs during a club training sessions or match or those involving threats of physical violence, will carry automatic expulsion from the club and will preclude the offender from taking part in any organised activity in an official Bromsgrove Bears Basketball Club capacity.

The club will in all cases comply with the requirements of the Governing body and club Safeguarding and child protection procedures including immediate notification of the police where required.

6. Appeals

Offenders have the right to appeal a decision, or penalties applied, appeals must be provided via email to bromsgrovebearsbasketball1@gmail.com to the club secretary within 7 days of the decision/penalties being applied. An appeal will not be valid or considered after 7 days.

Offenders must provide a full explanation for the reason of the appeal, stating exactly what is being appealed against and the reasons for this, it is not be sufficient to state "I wish to appeal".

An appeal together with full and recorded argument may be considered relative to:

- The decision
- The penalty
- Other

The appeal hearing will NOT re hear the case and will focus entirely upon the three aspects above.

An appeal hearing will be convened as soon as practicable and will consist of an Appeal Committee of 3 members of the Board of Directors who did not take part in the first hearing and who will elect their own Chairperson (who will have the casting vote).

New evidence can be presented at the appeal hearing but this must be communicated within the appeal email sent to the club secretary.

The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing.

The decision of the Appeal Committee is final and binding on the parties and not subject to further appeal.

7. Confidentiality

All disciplinary proceedings shall take place in a private setting and will only involves parties that are required to be involved.

8. Safeguarding – Child Protection/Adults at Risk

If the matter relates to a safeguarding issue, a child protection concern or an adult at risk, the relevant safeguarding policy and procedure(s) must be followed when initially dealing with a misconduct complaint, once an outcome has been reached then the disciplinary procedure then needs to be followed.

If in doubt contact the club welfare officer and follow the club and Basketball England's Child welfare policy and procedure. This may include contacting local social services duty team for advice on how to deal with the complaint and the offender.

9. Witnesses/Respondents

During the disciplinary procedure, it is important that witnesses are dealt with in a manner that is considered appropriate for young people/adults at risk.

A child under the age of 12 can't appear as a witness or respondent, their statement would need to be represented by an appropriate adult with the permission of the parents/guardians of the child.

A child between the ages of 12-15, may appear as a witness /attend a hearing accompanied by an appropriate adult where the evidence is considered so important it is a necessity for the child to attend.

A child aged 16 or 17 years may appear as a witness/attend a hearing accompanied by an appropriate adult.

An adult at risk aged 18+ can appear as a witness/attending a hearing, however they should be accompanied by an appropriate adult.

When a young person/adult at risk is giving evidence only essential personnel should be in attendance.

10. Time Limits:

All disciplinary actions taken by Club will be duly recorded and placed on file for 12 months reference at a future date after this time has elapsed they documents will be destroyed.

11. Support During the Disciplinary Procedure

We appreciate that being involved in a disciplinary procedure can be difficult and stressful. If you are struggling, please let us know so we can support you. In addition, the below contacts can provide support:

- Samaritans – provide a 24hr helpline for anyone needing to talk, by calling 116 123. You can also contact them by email jo@samaritans.org . They also have resources available on their website, and advice for anyone wanting to support someone they are concerned about: <https://www.samaritans.org/>
- Mind – offering information and resources for the individual and for anyone wanting to support someone they are concerned about: <https://www.mind.org.uk/information-support/> . They also have support and resources specifically aimed at 11 – 18-year-olds: [Mental health and wellbeing info for young people | Mind - Mind](#)
- Your GP - Your GP may be able to offer more personalised support and will be able to refer you for further help if necessary. Information about accessing mental health support through the NHS can be found here:



<https://www.nhs.uk/mental-health/social-care-and-your-rights/how-to-access-mental-health-services/>

This policy is owned by the trustees of Bromsgrove Bears Basketball Club.