



Musselburgh RFC - Disciplinary Procedures

Introduction

The purpose of these procedures is to provide the resolution to all arising disciplinary matters at Musselburgh RFC in a consistent, fair and transparent manner.

Musselburgh RFC is a member of the Scottish Rugby Union (SRU) and will defer to any matters referred to the SRU and all decisions made by a SRU disciplinary panel.

Notwithstanding, a disciplinary panel of Musselburgh RFC may add to a decision made by a SRU disciplinary panel.

These disciplinary procedures shall apply to each player, member and person associated with Musselburgh RFC (including parents/carers) and any other person using or within the premises belonging to or being used by Musselburgh RFC.

Responsibility and Accountability

Each Person is responsible and accountable for their own conduct and must conduct themselves at all times in accordance with the highest standards of disciplined, sporting behaviour on the pitch/playing enclosure and the normally acceptable standards of behaviour elsewhere.

Player, parent (carer) and coaching charters are in place and must be read and acknowledged as appropriate. These charters outline recommended and required standards of conduct and when the disciplinary (and complaints) procedures might be implemented.

In addition, Musselburgh RFC Board (the board) and officials will use best endeavours to control the behaviour of players, other associated persons and supporters. Thus, ensuring that they conduct themselves in an orderly fashion in accordance with acceptable standards of behaviour whilst travelling to or from, or while attending any match or other club activity; and uphold the club values of Integrity, Respect and Inclusion.

Disciplinary Proceedings

Disciplinary proceedings may be instigated in any of the following situations:

- a credible complaint is received by any member of the board; this includes complaints that have been escalated e.g. by mini and youth convenors.
- unacceptable behaviour observed by any member of the board or relevant club officials e.g. mini convenor, coaching staff, medical staff.
- a decision has been made by the SRU disciplinary panel.
- or any other unforeseen circumstances that the board deem necessary.

The Disciplinary Panel

The Disciplinary Panel (the panel) shall be appointed by the Board.

- The panel should consist of at least three members of the board but may sit with a minimum of two members in exceptional circumstances. Given the right to appeal, which should be heard by the President, the panel should normally not include the President.
- In situations involving a player or coaching staff, the panel should normally include the Director of Rugby or Director of Youth Rugby as appropriate. In the case of a female player, the panel should normally include a female coach or senior female player.
- In situations that are pertinent to the clubhouse, beer garden and surrounds, the panel should normally include the clubhouse convenor.
- In situations involving children (under 18), the club CPO should normally be included on the panel, as well as the Youth Director of rugby or mini convenor.

Any member of the board may decline an invitation to sit on the panel.

The panel should consider all the evidence available and consider calling witnesses should any issues require clarification.

The panel may request the presence of any person subject of the complaint, should it deem necessary.

The panel may meet and decide on a matter without the presence of any person subject of a complaint.

Decisions of the Panel

Decisions should be based on the balance of probabilities, sound and fair judgement and in line with Musselburgh RFC values of integrity, respect and inclusion.

Any decision on measures to be taken should be seen as fair, reasonable, consistent and enforceable. In this respect consultation should be made with the secretary of Musselburgh RFC to seek previous censorships issued.

- Decisions may result in a verbal warning, written warning, temporary or permanent barring from the club, club matches, training, spectating and other club activities as deemed appropriate.
- In reaching a decision the panel should take into consideration any previous disciplinary matters relating to the individual.
- Decisions relating to parents/carers should be taken with consideration as to the possible impact on the child/player and support should be offered as deemed necessary.
- In some circumstances the club may wish to refer the matter to the Police or other relevant authority.

Any mitigating factors should also be considered before any measures are taken by the panel.

All situations should be dealt with in a confidential matter by the panel.

Outcomes

The outcome of any discipline panel should be communicated in writing to the subject of the complaint, whether they are present at the meeting of the panel or not.

The outcome should also be conveyed to those that are required to enforce any measures.

The outcome of the panel should be conveyed to the secretary of Musselburgh RFC, who will send an email or written letter to the subject by recorded delivery.

The secretary will also collate the decisions of the discipline panel to ensure consistent censorship.

Appeal

The subject of any discipline panel will have the right to appeal any decision made by that panel, within 72 hours of receiving their written decision.

If such an appeal is lodged a discipline panel should be convened and led by the President. Any members of the board not involved in the original meeting should be approached to form a new disciplinary panel to consider the decisions made by the original panel and any new information/evidence that the subject may wish to produce or has come to light.

Criminal Matters

In all matters involving criminality, advice should be sought from a Police Scotland officer.

CLUB FOR ALL

INTEGRITY - RESPECT – INCLUSION