



Barnstaple Rugby Football Club Disciplinary Policy

This Policy is to be read in conjunction with the RFU Disciplinary Regulations

It is the Club's responsibility to deal with any act of indiscipline on the field of play by players, and/or any of their supporters and spectators on the touch line, or any club member who at any time uses threatening, abusive or insulting words or behaviour towards any appointed official, other member or visitor to the club or in any way brings the club or the game into disrepute; such behaviour is deemed to include that which is displayed or communicated through the use of technology including hardware, software, e-mail, telephone, voicemail, internet and other communication platforms such as social media. It is an RFU requirement for every club to appoint a Disciplinary Panel to deal with such incident. Any member, whether player/supporter/spectator will have a right to the Club appeals procedure following any penalty imposed.

It must be recognised that bad behaviour, particularly violent, abusive, threatening or discriminatory, is not in any way less serious because it occurs at a Rugby Club. Matters considered to be criminal will be referred to the Police.

DISCIPLINE PROCEDURE

1. The following outlines the procedure to be followed where an act of indiscipline has taken place:

Red Cards

1.1 Player sent off (Red Cards) by the referee (Society or Club)

The Manager/Coach of the team concerned **MUST** report the name, contact detail and playing position of the player sent off, the match including the opposition and any relevant details to the Club Discipline Officer and Club Secretary within 24 hours of the sending off.

In the case of Youth Players (those who are 17 years old at the time of the offence/incident) and are playing in a club adult match or U19 (Colts) match the same procedure will apply. With the coach or manager of that team reporting the name, age, DoB playing position, contact details of the player concerned, the referee's name and society (if any) and the opposition and any relevant match details to the Club Discipline Officer and Club Secretary.

This is important as it is mandatory that the Club Secretary has to report the incident to the Devon RFU County Discipline Secretary within 48 hours of the incident
Referees (Society or Club) must in all adult matches report all players sent off to the Discipline Secretary of the County Constituent Body (DRFU) of the player's club on the RFU Discipline Report form.

For all incidents involving Female and Junior players, playing in club matches at any age group below and including U18, the referee (Society or Club) should send the report form to the Club Discipline Officer and the Junior Chairman within 48 hours of the incident. The Referee should also send a copy of his report to the CBDYDS.

Yellow Cards

1.2

Player Sin Binned (Yellow Cards) by the referee (Society or Club)

The Manager of the team must report the name of any player sin binned (shown a yellow card) during a game (this relates to all teams and is irrespective of there being a Society or Club referee officiating) to the Club Discipline Officer within 24 hours following the sin binning. A record of players being sin binned will be kept by the Club Discipline Officer. Any player, who in the opinion of the Discipline Sub Committee, has an excessive amount of yellow cards will be asked to appear before that Sub Committee to explain the reasons why. In the case of Junior Players the coach or manager of the relevant team should report the name of the player sin binned to the relevant Junior Chair who will keep a record.

Undetected Foul Play

1.3

Acts of Foul Play not Detected by the Referee/Match Officials

Any member/player who witnesses an act of foul play or bad behaviour by a player (of any club team), can report the incident giving name(s) and details of the incident to the Club Discipline Officer as soon after the incident as possible.

Any incident of foul play involving a member of an opposition team that has or has not been dealt with by the match official(s) and is witnessed by a Barnstaple rugby player/ member can be reported to the Club Discipline Officer without delay so consideration and action can be taken if appropriate.

In the case of Junior and Female Players the report should be given to the Junior Chair.

A Citing may be initiated where there is an allegation that a player committed an act of foul play but has not been awarded a red card for that act. The citing must be in writing, stating:

- 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 player or players alleged to be guilty of foul play; and
- d) Sufficient evidence to establish a prima facie case.

Only Unions, Constituent Bodies and Clubs Via the Chairman of Playing, or an accredited Referee Assessor/Advisor may cite, not a player or a spectator.

Any consideration for a Citing must be reported to the Club Discipline Officer immediately as there is a very short time scale and a detailed procedure that has to be followed. See RFU Reg 19 Appendix 4.

Bad Behaviour and acts detrimental to the Game and/ or Barnstaple Rugby

1.4

Acts of Bad Behaviour by Players, Members, Spectators, Supporters or Visitors

Any member/player who witnesses an act of bad behaviour at any time by any Club Member, or visitor to the club, of whatever age, can report the matter to the Club Discipline Officer or any member of the Club Committee so the appropriate action can be taken.

1.5

In the event if it being alleged that any Club Member has acted in breach of any of the Club Rules, Constitution or Codes of Conduct, or has acted in a manner prejudicial to the interests of Barnstaple Rugby, the Club Discipline Officer shall arrange for the allegation to be investigated by a member(s) of the Management Group. Any complaint must be forwarded to the Club Discipline Officer or to any member of the Management Group within 72 hours from the alleged incident.

1.6

If on investigation, there appears to the Club Discipline Officer to be substance to the allegation, he shall appoint a minimum of 2 members of the Discipline Sub Committee, who have not been involved in the investigation to consider the allegation and adjudicate on it, affording the Club or Member against whom the allegation is made the opportunity to appear before the Discipline Sub Committee and give evidence or make representations to it. If, on the balance of probabilities, the Discipline Sub Committee is satisfied that the allegation is proven, the Discipline Sub Committee is empowered to impose such penalties as it thinks appropriate including expulsion.

1.7

Clubs or members against whom an allegation of the nature referred to in 1.5 above has been proven shall have the right to appeal against the Discipline Sub Committee findings to an Appeal Panel comprising at least two people appointed for the purpose by the Chairman of the Club, none of whom served on the original Discipline Sub Committee and who have not been involved in the alleged incident or the investigation thereof. Those eligible to sit on the Appeal Panel shall include those persons as described at 5.3 below and/or any other full member of the Club appointed for this specific purpose by the Chairman.

1.8

Notice of any such appeal shall be provided to the Club Disciplinary Officer within 7 days of the date on which the written notification of the decision of the Discipline Sub Committee was given, along with a deposit of £20 towards the cost of any reasonably incurred expense

1.9

Any penalties imposed by the Discipline Sub-Committee will be suspended pending the determination of the appeal

1.10

The Appeal Panel shall afford to the Club or the Member against whom the allegation is found proven the opportunity to appear before the Appeal Panel and provide evidence or make representations to it.

1.11

The Appeal Panel are given the power to confirm, vary, increase or set aside the decision of any penalties imposed by the Discipline Sub Committee

1.12

Any financial penalty shall be payable within 7 days of receipt of the written notification of the Discipline Sub Committee or, as the case may be, the Appeal Panel.

1.13

A member who fails to pay such a financial penalty, or who refuses to adhere to the Committees' decisions, shall automatically be suspended from membership of Barnstaple Rugby and denied all the membership benefits until the penalties are adhered to

1.14

Any Club or Member that unsuccessfully exercises the right of appeal provided in 1.7 above shall, in addition to any penalty imposed pay to Barnstaple Rugby the costs reasonably incurred by Barnstaple Rugby in hearing the appeal

THE DISCIPLINE SUB COMMITTEE

The Discipline Sub Committee will be responsible for investigating and taking action on any sending off, or any incident of foul play or bad behaviour by a Barnstaple Rugby player not detected by the Match Officials and instances where a player has been sin binned an excessive number of times following RFU recommendation of 6 yellow cards.

The Discipline Sub Committee will also investigate and take action on any instance of indiscipline, bad behaviour, acts in breach of any of the Club Rules, Codes of Conduct, Constitution or acts prejudicial to the interests of Barnstaple Rugby by any Barnstaple Rugby member, supporter or spectator.

The Discipline Sub Committee will exercise such power in a fair and open manner with the accused always having a right to attend and put his/her case after being given reasonable notice of the hearing and to exercise its power without prejudice.

The Discipline Sub Committee

The Discipline Sub Committee shall consist of:

- The Club Discipline Officer
- The Club Chairman
- The Chair of playing
- The Hon Secretary

Any hearing must be heard by the Discipline Sub Committee. Such a panel will meet within five days of the act of indiscipline, offence or incident in question.

Should any of the panel not be available the chairman will appoint deputy/s.

Further meetings may be held if circumstances require this.

The reported player, member, supporter or spectator **MUST** attend the discipline hearing. He/she may, if they wish, be represented by one person of his/her choice.

The Committee may also receive evidence (either verbally or in writing) from any other person(s) who witnessed the incident or was involved in it.

Persons attending the Hearing

2.1

Those present at a discipline hearing will be:

- The player, member, supporter or spectator.
- His/her representative
- Witness(es) to the incident.
- The Panel of Discipline Sub Committee members.

Procedure at the Hearing

2.2

Procedure

The hearing will be conducted in accordance with RFU Regulation 19
Sanctions

2.3

Sanctions

The Club Discipline Sub Committee will have the power to decide upon one or more of the following:

- * No further punishment additional to the punishment of sending off.
- * To take no action but to leave the matter to the County Discipline Sub Committee.
- * That the player (or other, person if the enquiry is into incidents off the field of play) be cautioned or severely cautioned as to his/her future conduct with timescales in place.
- * A period of suspension from playing, or taking part in the administration or both, be imposed on the player, member, supporter or spectator.

Appendix 2

At the end of the Disciplinary Procedures in the RFU Handbook prints a list of recommended sanctions from the RFU. It states the various entry points based on the scale and seriousness of the player's conduct.

- * Suspend or terminate membership of the club for such period as it thinks fit.
- * Any other penalties or suspensions as decided by the Sub Committee.

A record of any penalty awarded against any player/supporter/spectator etc, plus the reasons how that decision was arrived at by the Club Discipline Sub Committee will be kept on file.

This penalty can be taken into account when deciding any future penalties at any subsequent discipline hearing relating to that member.

A member/player/supporter/spectator has the right to an appeal process as outlined in sections 1.17 or 5 as appropriate.

JUNIOR DISCIPLINE

3.

The Club also has a duty to deal with all Junior Discipline matters. Junior being a player under the age of 18 at the time of the offence, providing the player is playing in an U17 or U18 club match. Any player who has reached their 17th birthday and is playing in either an U19 (Colts) or adult match is classed as an adult and will therefore be dealt with under the procedure outlined in section 1 above.

Red Cards

3.1

Player sent off (Red Cards) by the referee (Society or Club)

In the case of Junior Players the coach or manager of the relevant team MUST report the name, age, DoB, playing position and contact details of the player concerned, the referee's name and society (if any), the opposition and any relevant match details to the Club Discipline Officer and Junior Chairman within 24 hours of the incident.

This is important as the Club Secretary will need to liaise with the Devon County Discipline Secretary within 72 hours of the incident.

If a player is Sent Off or cited in a club youth match, that player's club secretary (via the club disciplinary panel) shall be responsible for taking disciplinary action against him or her, under the guidance of the CBSYDS. Unless it is contested Citing.

The Club Secretary should receive the Referee's Report before he or she takes any further action. However, the lack of a referee's report should not prevent a case being heard, nor should it delay the case by more than 72 hours, as delays in proceedings should be kept to an absolute minimum.

Referees (Society or Club) who red card a player who has reached 17 years of age (and is playing in an U19 [Colts] match) must send the report to the Discipline Secretary of the County Constituent Body of that players club.

For all incidents involving Junior players, playing in club matches at any age group below and including U18, the referee (Society or Club) should send the report form to the Club Discipline Officer or Junior Chairman within 48 hours of the incident.

All reports should be on the RFU Discipline Report form. Copies of this and other forms for referees are available on the England Rugby Website.

Yellow Cards

3.2

Player Sin Binned (Yellow Card) by a referee (Society or Club)

In the case of Junior Players, the manager/coach/coordinator of the relevant team should report the name of the player sin binned (shown a yellow card) to the Junior Chairman.

A record of players who have been sin binned will be kept by the Junior Chairman. Any player who has been sin binned more than twice in a season will be asked to appear before the Junior Discipline Sub Committee.

Bad Behaviour

3.3

Acts of Bad Behaviour by Players, Spectators, Supporters and Visitors – Mini and Junior

Any member/player who witnesses an act of bad behaviour at any time by any Club Member or visiting supporter/spectator, of whatever age, can report the matter to the Junior Chairman who will consult with the Chairman of the Club and Secretary so the appropriate action can be taken.

It will be the CB Disciplinary Committee that will deal with coaches, parents and other adult supporters reported for ill-discipline on the touchline at a club youth match, or making abusive comments on the social media or on websites. These cases will be dealt with under RFU Rules, rule 5.12 “actions prejudicial to the interests of the game”.

Advice from CB Disciplinary Secretary should be sought in these matters.

Bullying

3.4.

Acts of Bullying

Bullying of any kind is not acceptable in any form or at any age at Barnstaple Rugby. Any instances will be taken seriously, responded to promptly, and procedures followed to deal with the situation.

Rugby is a ‘telling’ culture and anyone who knows that bullying is happening is expected to report it to the Club Safeguarding Officer. He will follow the guidelines as outlined in the RFU Anti Bullying Policy

It is the responsibility of every adult working in rugby union to ensure that everyone, adults and all young people can enjoy the sport in a safe, enjoyable environment.

JUNIOR DISCIPLINE SUB COMMITTEE

4

Junior Discipline Sub Committee

The Junior Discipline Sub Committee will follow the format as in section 2 above however, the age etc of the person will be taken into account in the way the hearing is conducted.

4.1

The members of the Junior Discipline Sub Committee shall consist of:

The Mini/Junior Chair

The Club Discipline Officer (Club Chairman)

The Club Safeguarding Officer

Any hearing must be heard by a panel of at least three members of the Discipline Sub Committee.

The Junior member should be accompanied by a parent/guardian and can be represented, with the consent of their parent/guardian by an adult of his/her choosing.

Sanctions

4.2

Sanctions

A list of recommended sanctions for Junior players (Under 18 years of age: Age Grade Rugby Regulations) are outlined in the Disciplinary Procedures section in the RFU Handbook as annexed.

A record of the penalty awarded against any Junior player (if any), plus the reasons how that decision was arrived at by the Junior Discipline Sub Committee will be kept on file. This penalty can be taken into account when deciding any future penalties at any subsequent discipline hearing relating to that member (in the case of a player this is restricted to the age of 18 when the provisions relating to adults will apply)

The club secretary should inform the CBSYDS of any decision taken, within 7 days of the sending off /citing incident.

The CBSYDS may review sanctions imposed by clubs on his own motion. If a club imposes what appears to be an unduly lenient sanction, they will be asked to review this and then justify it to the CBSYDS.

The details of any sanction will be also be sent to the school of the player involved. The Club will expect the school to support any sanction. The Club will support any sanction imposed by the school. The parent or guardian is expected to inform the Junior Chair and section manager of any sanction imposed by the school within 24 hours of the sanction being imposed.

A Junior player has the right to an appeal process as outlined in section 5.

7

APPEALS

Players reported by a match official

5.1

Players Reported by a Match Official

Any senior male, female or Junior player (who has reached their 17th birthday and were playing in an adult or U19 Colts match when the offence occurred) who has been reported by a match official has the right of appeal against the club's Discipline Sub Committees decision to the club's Appeal Panel.

Non-Playing Members or Players not reported by a Match Official

5.2

Non-Playing Members or Players not reported by a Match Official

All other members, senior or Junior or any player dealt with by the club Discipline Sub Committee for an offence not detected by a match official have a right of appeal to the club's Appeal Panel.

Appeal Panel

5.3

Appeal Panel

This Panel will be made up of an independent person/s of suitable standing ie solicitor, senior police officer and the President. Any appeal relating to 5.1 and 5.2 must be submitted to the Club Discipline Officer in writing giving reasons for the appeal within 7 days of the discipline hearing. The appeal will be heard within the following 7 days.

The Appeal Panel may uphold the Discipline (or Junior) Discipline Sub Committee judgement, it may increase or decrease the length of any period of suspension or it may annul the judgement. The result of any appeal will be kept on file as outlined above.

Costs

It is the club's policy that any such costs MUST be paid by the individual concerned and therefore the club will invoice the player for the said amount. Failure to pay the club this will result in the player being banned from playing any further matches or use any club facilities until the levy is paid in full. If a player leaves consequent to not paying the costs they will not be entitled to a refund of their annual subscription. Costs will only apply to adults.

ADMINISTRATION CHARGES

The following charges are payable to Barnstaple Rugby at the conclusion of a hearing: -

Sending's-Off: - and matters other than citing's: -£50.00

Citing's: - £100.00 (repayable if the citing is not upheld)

Fines: - Failure to return Charge Response Form and other required documents within the specified period: - £50.00

Other costs and fines may be levied by a Panel at its discretion.

REFERENCES

Discipline Regulations (England Rugby)
Recommended Adult Sanctions (Appendix 2 of the Discipline Regulations)
Recommended Age Grade Sanctions (Appendix 6 of the Discipline Regulations)
Club Constitution
500 points in Club Law

Notes;
Adopted by BRFC Full Committee.
Version 1