



Manx Netball Association (MNA) Discipline Policy

All members of Manx Netball Association have a responsibility to ensure that they conduct themselves in such a manner as to not bring themselves, the sport of Netball, their club or the MNA into disrepute.

The discipline policy applies to all members, staff and volunteers of the MNA and it is considered applicable at all times during their attendance at any event run by the MNA, whether the member be in attendance as a player, team official, netball official or spectator.

It is the intent of the MNA to provide a fair, non-discriminatory and consistent method of dealing with issues of conduct and behaviour.

A Member wishing to make a complaint should report, the matter following the Manx Netball Association Grievance Procedure a copy can be found on the MNA Website with a link to the report form.

Formal disciplinary procedures will not be instigated automatically. The MNA Secretary or a nominated person will decide the implications of the alleged offence on the member bringing the complaint, the impact on other members and whether the alleged offence is potentially one that makes the member complained about unsuitable for membership to MNA.

If it is decided the matter needs dealing with formally the following procedure will be used.

The member/team/club to whom the alleged complaint is against, will have the right to see the contents of such a complaint and any witness statements in order that they can respond in writing to the MNA Secretary.

Disciplinary Investigation Sub Committee

The MNA Secretary will collate any written representations, the MNA committee will arrange a Disciplinary Investigation Sub Committee, which will consist of 3 affiliated members from MNA, none of whom will have any relationship which the committee might deem to constitute a conflict of interest to the parties involved in the proceedings they will be presented with the Information form the MNA Secretary.

This 3-person Sub Committee will convene and consider what action they need to take if any under the Disciplinary Procedures. The selection by the MNA Disciplinary Sub-Committee should take place within 10 working days of the decision by the initial Investigating Officer that the matter needs to be considered by the Disciplinary Sub Committee, this may involve arranging an emergency MNA Committee Meeting or conference call if a general meeting isn't imminent. The Sub-Committee will endeavour to complete the process and investigation within 3 months of them taking on the role,



however this may not always be possible, an extension may be authorised by the MNA Committee. All parties will be kept fully informed at each stage of the process and of any delays.

The Sub Committee Members must all sign up to the MNA Committee Member Codes of Conduct before they meet for the first time.

Member's Right to have Representation

The MNA respects the right of its members to request and be accompanied by a representative, such as another team member, friend, family member of their reasonable choosing.

In the case of a member under the age of 16 the committee will insist on the member being accompanied by a parent, carer or legal guardian.

If such a representative is to accompany a member, the member must advise the Disciplinary Sub Committee of the person's name and status in relation to both the member and the proceedings.

Procedure

The MNA Discipline Policy follows a clearly follows a staged process:

1. Fact finding stage to decide the Sub Committee will then decide if there is a case to answer and or if the case is valid
2. If the matter is to be progressed, both Parties will be issued with copies of any witness statements and a copy of the Complaint
3. Interview(s)
4. Sub Committee adjournment to review the facts and interview(s)
5. Sub Committee decision
6. Advising the member in writing of the outcome reached
7. Appeal opportunity/process
8. Monitoring of the members future conduct and behaviour

1. Fact Finding Stage

Where a concern is brought before the Committee and it is considered that a possible breach of MNA standards of conduct and behaviour may have occurred a preliminary fact-finding investigation will be undertaken.

The Committee will appoint a 3-person Disciplinary Sub Committee, as defined in section 1 to undertake this role.



The selection of the Disciplinary Sub Committee will be based on their status in relation to the parties bringing the complaint, and that they have the skills required to undertake the investigation.

The purpose of the Fact-Finding stage of the procedure is to determine the facts surrounding the alleged misconduct. The Disciplinary Sub Committee will review the information collated by the Secretary or Nominated person and may request additional written statements from all parties concerned as well as from any neutral/substantiating witnesses.

In cases of alleged gross misconduct consideration will be given to temporarily suspending a member whilst investigations are carried out. The member and their club secretary will be advised of any decision in writing

2. Sharing of Information

If it is decided by the Sub Committee there is a case to answer, then all parties concerned will be issued with any witness statements and the statement from the Complainant to allow them to prepare for the Disciplinary Interview.

3. Disciplinary Interview

If the Disciplinary Sub Committee findings at the fact-finding stage lead them to decide that action is necessary under the disciplinary policy, they will arrange to conduct an interview with the parties involved in the complaint.

The disciplinary interviews follow the same pattern, with each party being called in turn, to present evidence of events to the Disciplinary Sub Committee. The Subcommittee will then call any neutral or substantiating witnesses before adjourning to consider their findings.

Disciplinary interviews will be arranged at a neutral venue and the Disciplinary Sub Committee will endeavour, where possible, to ensure that the time and place are suitable to all parties concerned. Attendance at a disciplinary interview is compulsory for the Respondent and refusal to attend will result in the member/team/club being suspended/banned in their absence with no re-address

The MNA Committee Secretary or person appointed to this role by the MNA will be responsible for advising the parties and witnesses in writing of this meeting together including the disciplinary policy.

This formal notification will include advising members of the following:

- That a disciplinary interview has been arranged.
- A brief outline of the reasons for the disciplinary interview, ensuring any documentation that has been issued to both parties is referenced. (section2)
- When and where the disciplinary interview will take place.



- The names of the 3-person Disciplinary Sub Committee and who else has been requested to attend and the capacity in which they are attending.
- That he/she has the right to be accompanied by a representative of their reasonable choice.
- Of the possible outcomes of the disciplinary interview.

Members will be given at least 2 weeks' notice of their requirement to attend a disciplinary interview.

4. Sub Committee Adjournment to Review the Facts and Interviews

After the disciplinary interviews the Disciplinary Sub Committee shall take time to consider all the facts presented at both the fact-finding stage and the interviews before reaching decision.

5. Sub Committee Decision

The Disciplinary Sub Committee are selected and fully supported by MNA committee. They have been given the authority to conduct the disciplinary process and impose any of the following actions:

- No further action.
- A verbal warning.
- A written warning.
- A final written warning (note this action can be taken without a previous verbal or written warning having been issued).
- Suspension of the member/team/club for a defined period.
- Complete ban of member/team/club from MNA.
- Club/member asked to commit to some voluntary work
- Persons concerned undergo further training and are supervised until they have done so.
- Other as decided by Committee

Their decision will also take into account whether the member/team/club conduct/behaviour is found to constitute misconduct or gross misconduct and whether there are current warnings in existence and the seriousness of the offence being considered. Any warnings being verbal or written will have a date period attached to them.

6. Advising Members in writing of the Outcome Reached

The Chairperson/Nominated person will normally advise the parties concerned and their club/team secretary, if appropriate, of the outcome of the disciplinary interview within 2 weeks of the date of the last interview.



In all cases, including a verbal warning, the member and their team/club secretary will receive written confirmation from the Chairperson. This will advise the member/team/club of the disciplinary action and the reason for it. In addition, the member will be warned that any further breach of the same incident/behaviour could result in further disciplinary action.

The written confirmation will also remind the member/team/club of their right of appeal.

In the case of suspension, the written confirmation will include the start and end date of the suspension.

In the case of a complete ban, the written confirmation will state the date on which the ban will take effect.

7. Appeals Process

A member/team/club has a right of appeal against the decision reached by the Disciplinary Sub Committee if they believe that:

- The Decision of the Disciplinary Panel was based on error of fact or could not have reasonably been reached by a Disciplinary Panel when faced with the evidence before it.
- There was an injustice because of a serious procedural or other irregularity in the proceedings before the Disciplinary Panel.
- Significant and relevant new evidence has come to light which was not available before the conclusion of the Disciplinary Panel Hearing but, had it been available, may have caused the Disciplinary Panel to reach a materially different decision.
- The Sanction imposed was manifestly unreasonable in the light of the Disciplinary Panel's Decision made on the facts.

A member/team/club that wishes to appeal against a decision must advise the Chairperson/Nominated Person in writing, stating their reason(s), for appeal within 7 days of the date they were informed of the Disciplinary Sub Committee decision.

A 3-person Appeals Committee will hear an appeal, where possible, within 2 weeks of the Chairperson /Nominated person receiving notification of the appeal. The Appeals Committee will consist of persons who had no part in the original decision and will be appointed by the MNA committee.

After the appeal hearing the Appeals Committee will rescind, downgrade or uphold the decision reached by the Disciplinary Sub Committee.

This decision will be final. The result of the appeal will be confirmed in writing, within 7 days by the Appeals Committee to the MNA committee and the member/team/club involved.



In any appeal against a decision made by the Disciplinary Subcommittee, the decision will not take effect until the appeal has been heard and determined by the Appeal Committee. Any interim decision such as suspension remains in place whilst the appeal is heard.

8. Monitoring of the Members Future Conduct and Behaviour

After 12 months, or any other such period that the Disciplinary Sub Committee deems to be reasonable, the warning will normally be disregarded for disciplinary purposes if sufficient improvement in conduct has occurred.

The member/team/club will be advised accordingly in writing.

If a warning is current and sufficient improvement has not occurred, further disciplinary action may be implemented.

Examples of Misconduct

The following are examples of issues covered by this policy and which may lead to disciplinary action.

Misconduct occurs when conduct does not reach the required standard expected by the MNA. In particular when a member/team/club:

- Brings the game into disrepute
- Shows unbecoming conduct towards other players
- Shows unbecoming conduct towards the umpire
- Not adhering to the code of conduct for players
- Not adhering to the code of conduct for umpires
- Not adhering to the code of conduct for officials
- Not adhering to the code of conduct for Committee Members including Sub Committee Members

This list is not exhaustive and other issues may be dealt with under the heading of 'misconduct'.

Examples of Gross Misconduct

The following are examples of issues covered by this policy and which may lead to disciplinary action. Gross misconduct occurs when conduct does not reach the required standards expected by the MNA of its members/teams/clubs.

- Uses unsuitable language
- Acts of discrimination
- Violent or threatening conduct



- Seriously contravenes the rules of the game
- Acts of dishonesty
- Shows any use of illegal drugs
- Makes any false declarations
- Bullying

The misconduct as identified above is considered serious by the MNA and maybe deemed gross misconduct. This list is not exhaustive and there may be other issues that need to be dealt with under the heading of 'gross misconduct'.