

Oakworth Cricket Club

Code of Conduct and Disciplinary Procedure

1) BASIC PROCEDURES AND GUIDELINES

- i) ECB “Code of Conduct and Spirit of Cricket” statement shall operate throughout the Club.
- ii) Oakworth Cricket Club shall operate a disciplinary policy in accordance with the following:
 - (a) The ECB Model Regulations, which include the ECB Code of Conduct and the Spirit of Cricket, which forms the Preamble to the 2017 (and subsequent editions) Code of the Laws of Cricket.
 - (b) The ECB Model Disciplinary Regulations and the YCB Code.
 - (c) The Craven & District Cricket League (C&DCL) disciplinary code and procedures for competitions organised by the C&DCL.
 - (d) The Upper Airedale Junior Cricket Association (UAJCA) disciplinary code and procedures for competitions organised by the UAJCA.
- iii) These rules shall apply to all league, cup, representative, junior and indoor matches played under the auspices of Oakworth Cricket Club and include any practice events and any functions organised by the Club.

2) RESPONSIBILITY FOR MAINTAINING DISCIPLINE

- i) The Club Committee is the body responsible for discipline within the Club and shall take whatever measures are required to maintain an acceptable standard of behaviour and apply appropriate penalties.
- ii) If necessary, an Internal Club Enquiry shall be appointed by the Club Committee and will deal promptly with any complaint or incident in accordance with sections 4 and 5 below.
- iii) Captain / Team Manager
 - (a) The Captain and, in the case of junior teams, the Manager of the team, is responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the laws.
 - (b) The Captain or Team Manager can instruct an Oakworth player to leave the field of play and take no further part in the game or make a complaint against a player after the game to the Club Secretary.
 - (c) Failure to take suitable action against an offender may render the Captain or Manager liable to a charge of ‘Unsatisfactory Conduct’.

3) CODE OF CONDUCT

- i) Oakworth Cricket Club expects a high standard of conduct from its players, officials, members and supporters.
- ii) All players, officials, members and supporters are bound by the Club disciplinary rules and shall conduct themselves accordingly.
- iii) Unsatisfactory conduct shall include, but not be limited to:
 - (a) Dissent at an umpire's decision or reaction in a provocative or disapproving manner, whether verbal or through body language.
 - (b) Physical abuse, intimidation, assault or attempt to intimidate or assault an umpire, official, player or spectator.
 - (c) The use of crude, foul or abusive language or the making of offensive gestures or hand signals whether directed at an individual or otherwise.
 - (d) Sledging or deliberate distraction of an opponent and persistent appealing in order to pressurise an umpire or opponent.
 - (e) Any form of abuse or discrimination relating to race, religion, creed or sexual orientation.
 - (f) Wilful damage to property, equipment or playing surface.
 - (g) The use or distribution of illegal drugs or substances.
 - (h) Conduct or any other action that is contrary to the spirit of cricket and likely to bring the Club, C&DCL, UAJCA or the game of cricket into disrepute or prejudice its good name or interests.
 - (i) Repeated infringements of the spirit of the game, either by an individual or a team where each infringement in itself does not merit any immediate disciplinary action.
 - (j) Unacceptable behaviour, by word or action, at any function organised by the Club.
 - (k) Mistreatment or harassment of an individual or group either in person or via electronic equipment including, but not limited to, mobile phones, email and social networking sites.

4) ACTION TO BE TAKEN FOLLOWING AN INCIDENT

- i) Any complaint about incidents of misconduct or improper behaviour must be notified to the Club Secretary as soon as practical and ideally within 24 hours of the incident.
- ii) Any complaint should be supported with such evidence as is available at that time (such as the names of witnesses, any written or verbal statements made and any other material that may be relevant).
- iii) Upon receipt of such a complaint, the Club Secretary shall inform the Chair, give notice to any identified respondent and ensure they receive a copy of any evidence at that time (if any).
- iv) The Chair, or in their absence the Club Secretary, will then follow the procedure set out in Section 5 (Internal Club Enquiry).

5) INTERNAL CLUB ENQUIRY

- i) The Club shall convene an internal club enquiry within seven days of receipt of the complaint and shall notify the complainant and the respondent of the date, in writing, delivered by post, or e-mail or both.
 - (a) If the incident occurred on the field of play then the Captain or Team Manager shall also be notified and offered the opportunity to comment (in writing or in person at the enquiry on the incident), unless they are already the complainant or respondent.
 - (b) The complainant is normally responsible for presenting their evidence to the enquiry in person, unless the Chair believes that the matter can be adequately described through written correspondence and / or evidence.
 - (c) The respondent should normally attend at the enquiry but if they cannot reasonably attend they may, with the consent of the Chair, nominate an individual to represent them.
 - (d) A witness should only be requested to attend if the Chair of the enquiry reasonably believes that his or her attendance is necessary to provide clarity or resolve a disputed issue in the matter.
- ii) The Internal Club Enquiry Committee reserves the right to proceed with matters in the event of the non-attendance of a respondent unless a valid reason for this is given.
- iii) The enquiry's purpose is to enquire into the circumstances giving rise to the complaint and to decide, on the balance of probabilities, the matters of fact. Conduct will be proved on the balance of probabilities i.e. the enquiry must be satisfied by the evidence that it is more likely than not that the conduct occurred. In making such a decision, the enquiry members must exercise reasonable judgement and give appropriate and careful consideration to the evidence.
- iv) The Club Secretary shall nominate three such members as are available to take part, subject to the respondent being able to object in writing to such nomination(s) based on reasonable grounds for doing so. In such an instance the Club Secretary will consider the objection and if he / she feels it appropriate, replace the member(s).
- v) The Internal Club Enquiry Committee shall nominate one of its members as Chair.
- vi) The decision, penalty, and other matters arising for determination at the enquiry shall be on the basis of a simple majority vote.
 - (a) In the event of a split decision, the Chair shall have the casting vote.
- vii) No person who is connected in any way with the complaint shall be involved in convening or officiating at the internal club enquiry or on an appeal.
- viii) The Club Secretary shall attend the enquiry to act as note taker and to provide input on the question of rules, process and regulations, whether that be of the Club, or of any of bodies to which the club is affiliated.

- (a) However, the Secretary will not have a vote in respect of the decision, penalty or other matters being determined by the enquiry.
- ix) The decision of the Internal Club Enquiry Committee shall be confirmed in writing no later than seven days after the date of the hearing by the Club Secretary and will be put into effect from the date of the notification being sent, subject to any possible appeal.
- x) In the event of an appeal being lodged, the penalty shall not be put into effect until the appeal's outcome is known. In such circumstances, any penalty shall be put into effect as per the "Appeal Procedure" shown below.

6) OUTCOME AND PENALTIES

- i) The Internal Club Enquiry Committee shall impose such penalties as they consider appropriate which can include, but are not limited to, one or more of the following;
 - (a) Removal of Club membership from the member for a period of time, or indefinitely.
 - (b) Suspension of the member from playing for the Club for a period of time.
 - (c) Suspension from using the Club's facilities for a period of time.
 - (d) Giving the member a written warning about their future conduct.
 - (e) Requiring the member to provide a letter of apology (in which case this must be delivered to the Club Secretary within seven days).
 - (f) Taking no further action.
- ii) In considering an appropriate penalty, both the Internal Club Enquiry Committee and the Appeal Committee may take into account the conduct of the member during the three previous years.

7) APPEAL PROCEDURE

- i) The respondent may appeal the decision of the Internal Club Enquiry Committee.
- ii) An appeal against the decision of the Internal Club Enquiry Committee shall be given in writing, setting out the reasons for the appeal, and must be received by the Club Secretary no later than seven days from the date the decision to be appealed against was communicated to the member.
- iii) The Club Chair shall have the power to accept an appeal submitted out of time only in exceptional circumstances.
- iv) Upon receipt of an appeal the Secretary should, within seven days of receipt, set a date for hearing the appeal, giving no less than seven days notice to the complainant.
- v) If the respondent is to be legally represented at the appeal, they must notify the Club Secretary of their intention to do this at least 48 hours prior to the meeting.
- vi) The Appeal Committee shall comprise of three club members, excluding any who comprised the Internal Club Enquiry Committee whose decision is under appeal.
- vii) The Appeal Committee shall nominate one of its members as Chair.

viii) The Secretary shall attend the meeting in the capacity as note taker, to answer questions in relation to evidence that was presented at the initial hearing and to provide input on the question of rules, process and regulations, whether that be of the Club, or of any of bodies to which the club is affiliated

(a) However, The Secretary shall not have a vote on the outcome of the hearing.

ix) The Appeal Committee shall have the power to uphold or vary the decision, and to increase or decrease the penalties imposed.

x) The decision of the Appeal Committee shall be final and binding on all parties.

xi) The decision of the Appeal Committee shall be confirmed in writing no later than seven days after the date of the hearing by the Club Secretary, and will be put into effect from the date of the notification being sent.

8) LEAGUE DISCIPLINARY PROCEDURES

i) If action is taken by the C&DCL or by the UAJCA against an Oakworth player, the Secretary will ensure all procedures are adhered to and will accompany the player to a hearing, if that is considered appropriate.

9) PLAYERS

i) Outstanding disciplinary action

(a) No player who is currently under any suspension imposed by Oakworth Cricket Club, C&DCL, UAJCA or any other league (or any other member club of the C&DCL, UAJCA or any other league) may play in matches for the Club.

(b) Oakworth Cricket Club may refuse to register any player until the Club is satisfied that the player's disciplinary status is acceptable.

ii) Representative games

(a) Oakworth players representing other sides are subject to the Oakworth Cricket Club disciplinary rules and will be answerable for any disciplinary transgressions.

10) NOTIFICATION AND RECORDING OF OFFENCES

i) Details of disciplinary action taken by the Club against a player resulting in suspension from playing may be communicated, in the case of senior players, to the C&DCL, junior players to the C&DCL and UAJCA, and to the YCB Disciplinary Officer.