

# Hoci Cymru

## Disciplinary Policy and Procedures



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## **HC Disciplinary Policy and Procedures**

Hoci Cymru is responsible for setting and maintaining the standards of behaviour and culture within the sport and for ensuring that disciplinary policies, procedures and Codes of Conduct are in place and upheld. All members are responsible for being aware of and abiding by the Hoci Cymru rules, regulations, codes, policies and procedures and for maintaining high standards. Any disciplinary issues that arise will be dealt with as promptly as possible and disciplinary action will only be considered when the facts of the case have been established. Disciplinary action will always be appropriate to all the circumstances of the case in question and processes and procedures will be applied in a consistent manner.

### **Responsibility of Hoci Cymru to Limit Disciplinary Problems**

Ambiguity or misunderstanding of rules, regulations, codes, policies and/or procedures can lead to them being broken so Hoci Cymru will try to be clear and transparent in all its activities and ensure good levels of communication. Rules, regulations, codes, policies and procedures will always be applied consistently and appropriately. There will be clear expectations in terms of standards of behaviour that apply throughout the organisation.

Hoci Cymru will always respond to any disciplinary problems as soon as possible so that they do not persist or develop into potentially damaging issues. Hoci Cymru will deal with these problems consistently using clear written procedures as outlined in this policy.

## **Overview of the Disciplinary Policy and Procedures**

### **What constitutes a Disciplinary Matter?**

In very simple terms a disciplinary matter can arise if any rule, regulation or agreement that is in place is “broken” in some way that leads to a problem. The points below expand on this simple explanation highlighting the main areas that might give rise to a disciplinary complaint:

1. any breach, failure, refusal or neglect to comply with a provision of
  - a. the Company Articles of Association, Regulations, Byelaws or Standing Orders.
  - b. any policy, resolution or determination of the Board or subcommittee.
  - c. except where such breach, failure, refusal or neglect is of the Hoci Cymru Anti-Doping Regulations or Safeguarding Policy - in such circumstances, these regulations will supersede the disciplinary policy and the matter shall be dealt with as set out in those Regulations as amended from time to time;
2. any refusal or neglect to comply with the rules, regulations, codes, policies and / or procedures of the International Hockey Federation, European Hockey Federation or Hoci Cymru; or specific Regional or League regulations; or

3. failure to abide by the terms of any agreement notified to members including the provision of any facilities entered into by Hoci Cymru on behalf of members.
4. behaviour and conduct that is considered generally unacceptable, disgraceful or opposed to the general interests of Hoci Cymru or the sport of hockey (including, without limitation, conduct that brings the sport into disrepute, discriminatory conduct, harassment and inappropriate behaviour).
5. behaviour that is or is likely to be prejudicial to the smooth running of an event organised by or on behalf of Hoci Cymru or any event that Hoci Cymru is associated with.
6. any other matter raised by or about a member, registered participant or anyone acting in any other capacity on behalf of Hoci Cymru which raises concerns with the Board.

### **Criminal offences**

Any matter that is brought to the attention of the Disciplinary Officer where the Investigation Committee decides that the matter should be dealt with by the Police or the Disclosure and Barring Service will be referred accordingly. Any action to be brought by way of the HC Disciplinary Policy and Procedures may be suspended until the outcome of the criminal investigation is determined.

### **Anti-doping regulations**

Hoci Cymru has adopted unconditionally the UK Anti-Doping (UKAD) regulations and all matters regarding Doping shall be dealt in line with UKAD's Anti-Doping Rules and Regulations, which shall take precedence over the HC Disciplinary Policy and Procedures. Further information on all matters relating to the Anti-doping Regulations may be found at [www.hockeywales.org.uk](http://www.hockeywales.org.uk) or by contacting Hoci Cymru Head Office.

### **Safeguarding Policy**

In all cases where there is concern about the safety or protection of young people and adults at risk, the matter must immediately be referred to the Hoci Cymru Safeguarding Officer.

Hoci Cymru Safeguarding Policy, when appropriate, shall take precedence over the HC Disciplinary Policy and Procedures. Further information on all matters relating to the welfare of young people and adults at risk may be found at <https://www.hockeywales.org.uk/keeping-safe>

### **Red Card Offences**

Any members of Hoci Cymru competing in leagues outside of Wales will still be bound by all of Hoci Cymru's policies as well as any of the policies of the leagues in which they compete in.

Where a Red Card is issued in a Hoci Cymru-sanctioned league, then the Red Card will be managed in line with this policy.

Where a Red Card is issued in a league that falls outside of Hoci Cymru's regulation then the Red Card will be managed in line with the league's policy.

Hoci Cymru works with England Hockey to oversee the cross-border management of Red Cards. Where a Hoci Cymru member receives a Red Card in an English league, Hoci Cymru will uphold the sanctions imposed on that member by England Hockey. Where a Hoci Cymru member receives a Red Card under the Hoci Cymru policies, England Hockey will uphold any sanctions imposed by Hoci Cymru.

### **Where should Discipline be addressed?**

Disciplinary issues and complaints should be dealt with at the most suitable level and should only be advanced upwards from Regional to National if the individual circumstances warrant transfer.

### **Informal Guidelines**

Due to the informal nature of dealing with minor misconducts, a set process cannot be followed, but the disciplinary officer will refer to the following guidance:

Explain to the person(s) what breaches have occurred and why this is not acceptable.

Explain to the person(s) the improvement required, and why it is necessary, the support that will be given to allow the improvement and when and how discipline will be monitored and/or reviewed again, the consequences of failing to improve including that formal procedures may be started if appropriate.

### **Formal Disciplinary Route**

All formal disciplinary procedures must be followed diligently.

### **Appeals**

Deal with these as promptly as possible using set procedures.

### **Records**

Keep written records for future reference of all instances whether formal or informal, all records will be stored and kept in line with Hoci Cymru's Data Protection Policy.

### **Monitoring and Assurance of the HC Disciplinary Policy and Procedures**

The appropriateness of and compliance with the HC Disciplinary Policy and Procedures will be monitored by the Board.

### **Policy and Procedure Changes**

The HC Disciplinary Policy and Procedures may only be amended by the Board. The HC Disciplinary Policy and Procedures of Hoci Cymru are subject to change from time to time as recommended by the Board.

### **Employee Disciplinary Matters**

All employees are expected to meet the required standards for attendance, performance and conduct at all times as outlined in the Staff Handbook. All matters regarding

breaches of employee discipline will be dealt with under the Staff Disciplinary Procedures which shall take precedence over this Policy and Procedures. Any employee participating in a game of hockey as a playing member, coach or official is also subject to the HC Disciplinary Policy and Procedures and will only be treated as a staff member with the Staff Disciplinary Procedures if the incident occurs during working hours.

### **General Complaints**

The HC Disciplinary Policy and Procedures should not be used to deal with general complaints; the HC Complaints Policy and Procedures should be followed in all instances. The only exception to this, being when the complaint identifies that a breach of conduct and/or policy has taken place by a Hoci Cymru Member, at which point the complaint will automatically start the disciplinary process against the individual identified in the complaint.

Acceptable levels of Service of Notices and / or Documents relating to HC Disciplinary Policy and Procedures, including an Appeal, shall be by:

- Hand
- Standard first-class mail
- Electronic means (e-mail) always provided receipt is acknowledged by the recipient or proved by the sender

*Please note, at no point during a disciplinary procedure will a verbal notice be finalised until provided in writing by either party in the proceedings.*

## Definitions and Interpretation

In the HC Disciplinary Policy and Procedures, the following terms shall have the meanings as set out below:

|                                                |                                                                                                                                                                                                                                                                                                               |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>“Adult at Risk”</b>                         | An individual aged 18 years and over who; is experiencing or is at risk of abuse or neglect, AND; has needs for care and support (whether or not the authority is meeting any of those needs) AND; as a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it. |
| <b>“Affiliated Member Clubs”</b>               | means all hockey clubs that have applied for and have been granted membership of Hoci Cymru;                                                                                                                                                                                                                  |
| <b>“Appeal Committee”</b>                      | means the body of (three) members of a committee formed to hear any given disciplinary appeal, all of whom shall be fully aware of Hoci Cymru rules, regulations, codes, policies and procedures (including the HC Disciplinary Policy and Procedures);                                                       |
| <b>“Appellant”</b>                             | means the respondent who makes an appeal;                                                                                                                                                                                                                                                                     |
| <b>“Appropriate Adult”</b>                     | means a young person’s parent or guardian (or local authority if they are the subject of a care order), a social worker or failing either of these, or in the instance of adults at risk, another responsible adult aged 18 years of age or over;                                                             |
| <b>“Associations affiliated to Hoci Cymru”</b> | Welsh Hockey Umpires Association (WHUA), South Wales Youth Hockey (SWYH), West Wales Youth Hockey (WWYH), North Wales Youth Hockey (NWyH) and Hoci Cymru Masters Association (HCMA)                                                                                                                           |
| <b>“Board”</b>                                 | means the Board Directors of Hoci Cymru;                                                                                                                                                                                                                                                                      |
| <b>“Complainant”</b>                           | means the person who submits a written complaint concerning a disciplinary matter; this person may be required or directed to present their case at any discipline and/or appeal hearing;                                                                                                                     |
| <b>“Complaint”</b>                             | means a written complaint that relates to a disciplinary matter;                                                                                                                                                                                                                                              |
| <b>“Disciplinary Panel”</b>                    | means the body of (three) members of a Disciplinary Panel formed to hear any given disciplinary matter, all of whom shall be fully aware of Hoci Cymru rules, regulations, codes, policies and procedures (including the HC Disciplinary Policy and Procedures);                                              |
| <b>“Disciplinary Officer”</b>                  | means the Disciplinary Officer of Hoci Cymru;                                                                                                                                                                                                                                                                 |
| <b>“Disciplinary register”</b>                 | means the list of appropriate personnel that may be called upon to undertake any part in the disciplinary or appeals process;                                                                                                                                                                                 |
| <b>“Hoci Cymru”<br/>“HC”</b>                   | means the Welsh Hockey Union Limited, a company limited by Guarantee, trading as Hoci Cymru (Company Registered No: 4891518);                                                                                                                                                                                 |

|                                                |                                                                                                                                                                                                                                                               |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>“Hoci Cymru Safeguarding Officer”</b>       | means the Hoci Cymru Safeguarding Officer as appointed from time to time;                                                                                                                                                                                     |
| <b>“Hoci Cymru Sanctioned Club Activities”</b> | Any hockey activity that has been authorised, endorsed or organised by Hoci Cymru                                                                                                                                                                             |
| <b>“Investigation Committee”</b>               | means the Disciplinary Officer plus at least one other person from the disciplinary register of appropriate personnel;                                                                                                                                        |
| <b>“Prima Facie”</b>                           | means that upon initial examination, sufficient corroborating evidence appears to exist to support a case;                                                                                                                                                    |
| <b>“Procedures”</b>                            | means the HC Disciplinary Policy and Procedures as set out herein and any amendments from time to time;                                                                                                                                                       |
| <b>“Proportionality”</b>                       | Means the idea that an action or sanction should not be more or less severe than is necessary and that competing interests in this regard should be carefully balanced;                                                                                       |
| <b>“Respondent”</b>                            | means the Region (or officer thereof), Member Club (or officer or registered member thereof), coach, umpire, official, registered individual, schools, affiliated associations or volunteers of Hoci Cymru against whom disciplinary action is being brought; |
| <b>“Recorder”</b>                              | means a person appointed to the disciplinary panel or appeal committee to record its proceedings – together with providing an accurate transcript if requested, these are the primary and only tasks;                                                         |
| <b>“Regional”</b>                              | means the Hoci Cymru competition regions of North Wales and South Wales                                                                                                                                                                                       |
| <b>“Rules”</b>                                 | means the Hoci Cymru Articles of Association, Safeguarding Policy, Equity Policy and all other rules, regulations, codes, policies and procedures adopted by the Board from time to time;                                                                     |
| <b>“Skeleton Arguments”</b>                    | means an outline of the reasons for or against the complaint.                                                                                                                                                                                                 |
| <b>“Young Person”</b>                          | A child that has not reached their 18th birthday                                                                                                                                                                                                              |

Words importing the masculine gender only shall include the female gender and vice versa.

Words importing the singular number only shall include the plural number and vice versa.

References in the HC Disciplinary Policy and Procedures to the “sport” are references to the sport of hockey.

## **Formal Disciplinary Policy and Procedures of Hoci Cymru**

### **1. Emphasis of the Policy and Procedures**

The emphasis of these will be on the early resolution of problems with a minimum of cost and formality. These regulations set out a process by which Hoci Cymru can adjudicate disciplinary matters in a fair and timely manner, allowing all parties proper rights to be heard and put their case.

### **2. Jurisdiction of Powers**

2.1. Hoci Cymru shall have the power and jurisdiction to act in relation to all disciplinary matters, including holding inquiries and imposing penalties and sanctions or to take such action as it sees fit, concerning the following:

2.1.1. breaches of the rules, regulations, codes, policies, guidelines and / or procedures of Hoci Cymru taking place in Hoci Cymru-sanctioned club activities; and

2.1.2. conduct, whether in breach of the rules, regulations, codes, policies, guidelines and / or procedures or not, which is believed seriously prejudicial to the interests of Hoci Cymru and/or which brings the sport into disrepute.

2.1.3. This power and jurisdiction shall be in respect of and in relation to:

- Board Directors and Officers
- Regional Officers
- Associations affiliated to Hoci Cymru
- Affiliated Member Clubs
- Individual club members and officers
- Schools, Colleges and Universities registered with Hoci Cymru
- Individual students, teachers and officers
- Working Groups, TAGs, Committees and officials acting on behalf of Hoci Cymru
- Coaches, Umpires, Officials and Administrators
- Team Officials
- Athletes and / or individual members affiliated directly to Hoci Cymru (associate members)
- Volunteers acting on behalf of Hoci Cymru

2.1.4. Hoci Cymru has the power and jurisdiction to support any sanctions placed on a Hoci Cymru member by another hockey governing body, by imposing the same sanction on the member in all Hoci Cymru-sanctioned club activities.

2.2. The conduct of any disciplinary hearings held under the HC Disciplinary Policy and Procedures shall be determined by the Chair of the Disciplinary Panel. It should be noted that a Disciplinary Panel is not governed by rules of court or legislative provision however Chairs must always ensure that fairness and natural justice prevails.

2.2.1. To find a Participant or Member guilty of Misconduct, the Disciplinary Panel must be satisfied that the Misconduct has occurred. This standard of proof in all Misconduct cases shall be on the balance of probabilities, i.e. more likely than not to have happened.

- 2.2.2. Where a Participant, Member or Umpire wishes to establish specific facts or circumstances relating to a Red Card, the standard of proof shall be on the balance of probabilities, i.e. more likely than not to have happened.
- 2.3. Unless delegated otherwise, the Disciplinary Officer shall be responsible for ensuring due notice is provided to all parties in all proceedings of all times, dates and venues.

### 3. Red Card Offences

- 3.1. A Red Card may be issued by an Umpire to a Participant in respect of any Red Card Offence committed;
  - (1) during a Match and/or
  - (2) in respect of any offence which is deemed sufficiently serious by the umpire that a Red Card would have been issued during a Match and is sanctionable under regulation 12.5.1, 24.3.1 or 24.3.2 of these regulations provided that such a Red Card is issued within thirty (30) minutes of the final whistle.
- 3.1.1. A Red Card may be issued to any relevant Participant (other than a spectator) taking part in or otherwise involved in a Match, including players, substitutes and team officials (including, but not limited to, managers, coaches, physios, videographers and doctors), whether or not such Participant was included on an official team sheet.
- 3.1.2. In addition to the Sanctions provided for below, where a Red Card is issued to a Participant who at the time the Red Card is issued is not playing in the Match (for example a substitute player or team official), the offending team must withdraw a player from the field of play and thereafter play the remainder of the Match with one less player.
- 3.1.3. The only circumstance in which a Red Card may be withdrawn is if the Umpire who issued the Red Card is satisfied on the day of the Match that there has been a case of mistaken identity. In such a case, the Umpire shall withdraw the Red Card and, if satisfied as to the identity of the actual Offender, issue a Red Card to the actual Offender.

### 4. Reporting Breaches

- 4.1. There are 2 reporting methods that can start a disciplinary procedure;
  - 4.1.1. Any breaches in any of Hoci Cymru's rules, regulations, codes, policies, guidelines and / or procedures can be raised by completing the reporting form on the Hoci Cymru website.
  - 4.1.2. Any incidents logged on MyConcern that identify an individual breaching any of the Hoci Cymru rules, regulations, codes, policies, guidelines and / or procedures.
- 4.2. Red Card Forms
  - 4.2.1. The Umpire who issued the Red Card shall, within seventy-two (72) hours following the completion of the Match, complete the Red Card Form on the Hoci Cymru website. The Umpire shall provide as much detail as possible in the Red

Card Form, including full details regarding the nature and severity of the Red Card Offence (and where applicable quoting as accurately as possible any words used that led to the issue of the Red Card ), the identity of the Offender and relevant Member, and any other information that may assist or inform the Disciplinary Panel in deciding the appropriate Sanction. A failure to submit the Red Card Form within 72 hours does not automatically disqualify the Red Card from being considered by the appropriate Disciplinary Officer.

- 4.2.2. The second umpire shall complete the Red Card – Supporting Umpire Statement on the reporting form as honestly and accurately as possible within seventy-two (72) hours following the completion of the match.
- 4.2.3. In order to assist the Umpire in completing the Red Card Form, the Offender and any relevant individual (e.g. team captain on the Members' behalf) shall provide the Umpire with all information that they may reasonably require for the purpose of completing the Red Card Form, including sufficient details about the identity, age, shirt number and contact details of the Offender.
- 4.2.4. If the Offender or Umpire is a Young Person at the time of the Red Card Offence, the Disciplinary Officer shall, on receipt of the Red Card Form, promptly send a copy of the Red Card Form to HC's Safeguarding Officer.
- 4.2.5. All communications between the Disciplinary Panel and the Offender up to and including the Sanction Notice shall be sent to the Club Disciplinary Officer, to be forwarded by the Club Disciplinary Officer to the Offender. Where the Offender is a Club, all communications sent by the relevant Disciplinary Panel shall still be sent to the Club Disciplinary Officer. It is the responsibility of the Club Disciplinary Officer to ensure that all communications from the Disciplinary Panel are forwarded to the Offender in sufficient time to enable the Offender to comply with any time limits prescribed in these Disciplinary Regulations. If an Offender is a Participant not linked to a Club, communications may be sent directly. The Disciplinary Panel may, in its discretion, directly communicate with an Offender.
- 4.2.6. It is the responsibility of the Offender to ensure that the Club or the organisation for which they are participating has sufficient details about them (including contact details) to enable the Member to provide:
  - (i) the relevant Disciplinary Panel with all information requested; and
  - (ii) the Offender with copies of any documents sent by the relevant Disciplinary Panel in connection with the Red Card Offence.
- 4.3. Once a breach of any of the Hoci Cymru rules, regulations, codes, policies, guidelines and / or procedures have been identified, the Hoci Cymru disciplinary policy and procedures will come into immediate effect and the disciplinary procedure shall commence.

## 5. Receiving submissions

- 5.1. All cases submitted on the reporting form will be reviewed by the Disciplinary Officer and assessed against the tiered disciplinary levels (section 24) before all information is redacted and passed onto either a Regional or National Panel as per section 6, who will continue the disciplinary procedure.
- 5.2. Red Card Procedure
  - 5.2.1. In respect of Red Cards, an expedited procedural timetable shall apply. On receipt of a Red Card Form, the Disciplinary Panel shall within seventy-two (72) hours decide whether the Red Card Offence described in the Red Card Form either:
    - 5.2.1.1. has been correctly categorised as a Red Card involving a Minor Offence and if not recategorise;
    - 5.2.1.2. attracts the Mandatory Minimum Suspension and no more; or
    - 5.2.1.3. attracts a more severe Sanction than the Mandatory Minimum Suspension.
  - 5.2.2. Where the Disciplinary Panel decides that the Red Card Offence described in the Red Card Form attracts the Mandatory Minimum Suspension and no more, the Disciplinary Panel shall, within seventy-two (72) hours of receipt of the Red Card Form, notify its Decision to the relevant Member (or Participant) by completing and sending to the Member (or Participant) a Sanction Notice. Such Sanction Notice shall contain details of the sanction imposed (the Mandatory Minimum Suspension only), succinct reasons for the Decision and any decision to split the sanction across more than one continuous period.
  - 5.2.3. There shall be no right of Appeal in respect of the Mandatory Minimum Suspension.
  - 5.2.4. Where the Disciplinary Panel decides that the Red Card Offence described in the Red Card Form attracts a more severe Sanction than the Mandatory Minimum Suspension, then:
    - 5.2.4.1. the Disciplinary Panel shall, within seventy-two (72) hours of receipt of the Red Card Form, send a redacted copy of the Red Card Form to the relevant Member, along with:
      - (i) a written confirmation that the Red Card Offence may attract a more severe Sanction than the Mandatory Minimum Suspension; and
      - (ii) an invitation for the Offender and/or relevant Member to make written representations regarding the Red Card Offence in accordance with Regulation 5.2.5;
    - 5.2.5. upon receipt of the Red Card Form under Regulation 5.2.4.1, the Offender and/or the relevant Member may make written representations to the Disciplinary Panel regarding the Red Card Offence. Such written representations may include a response to the Umpire's description of the Red Card Offence in the Red Card Form, a statement of mitigation, or any other information or evidence which the Offender or Member wishes to have taken into consideration. Such representations must be made in writing and sent to the relevant Disciplinary

Panel by no later than 4pm on day ten (10) of the Mandatory Minimum Suspension period;

- 5.2.6. within five (5) days of (a) receipt of any written representations made under Regulation 5.2.5; or (b) 4pm on day ten (10) of the Mandatory Minimum Suspension period, the Disciplinary Panel shall reach its Decision on the Sanction to be imposed (taking into account the Red Card Form and any written representations provided) and notify the Offender of the Decision by sending to the relevant Member a Sanction Notice. Such Sanction Notice shall contain details of the Sanction imposed, succinct reasons for the decision and any decision to split the sanction across more than one continuous period; and
- 5.2.7. within seven (7) days of the Member's receipt of the Sanction Notice under Regulation 5.2.6, the Offender and/or the relevant Member may Appeal the Disciplinary Panel's Decision with regard to any sanction in excess of the Mandatory Minimum Sanction in accordance with the Appeals procedure set out in Regulation 16.
- 5.2.8. Within seventy-two (72) hours of the Sanction Notice being provided to the Member, the Disciplinary Panel shall also send:
  - 5.2.8.1. a copy of the Red Card Form and Sanction Notice to the Disciplinary Officer and
  - 5.2.8.2. a copy of the Sanction Notice to the Umpire who issued the Red Card.
  - 5.2.8.3. a copy of the Sanction Notice to any other relevant associations
- 5.2.9. The Disciplinary Officer shall, where appropriate send a copy of the Sanction Notice to the Safeguarding Officer, for cases involving a young person or adult at risk, appendix 1 will also apply.
- 5.2.10. For the avoidance of doubt the Offender shall have no right to request an oral hearing, although the Disciplinary Panel may, at their absolute discretion, invite oral representations if they think that these will assist in their determination of any issue relating to a Red Card

## 6. Regional and National Panels

### 6.1. Regional Panels

- 6.1.1. A Regional panel will be formed to review all minor misconduct and misconduct cases.
- 6.1.2. A Regional panel will consist of three (3) voting members, one of these will always be a club welfare officer from the region, a WHUA representative from the region and the final member will be selected from the Hoci Cymru Competitions TAG or another regional club representative. A recorder will also be appointed to log the minutes of the meeting, the Recorder will not have voting powers.
- 6.1.3. A Regional panel will only ever deal with written decisions, a hearing won't take place for these disciplinary levels. As the panel only receives redacted information regarding the incident, they should never know who the respondent

is, to maintain this anonymity the identity of the panel will remain confidential throughout the procedure.

- 6.1.4. In all cases, the panels first responsibility will be to review the information received and review against all Hoci Cymru rules, regulations, codes, policies, guidelines and / or procedures and decide whether a breach has occurred and that there is a case to be heard.
  - 6.1.4.1. If they deem there to be a case to be heard then the panel will proceed with the disciplinary process at section 6.1.5.
  - 6.1.4.2. Where they deem there to be no breach of the Hoci Cymru rules, regulations, codes, policies, guidelines and / or procedures they will notify the Disciplinary Officer of the fact who will notify the respondent that there is no case to be heard and this will automatically complete the process.
- 6.1.5. The panel may request a personal statement from the respondent if they feel it may add more information to that provided in the reporting process, this will be requested by the Disciplinary Officer and to the respondent and any identifying information will be redacted by the Disciplinary Officer and before being passed on to the Regional Panel for review.
- 6.1.6. Once a decision has been made the panel will inform the Disciplinary Officer and who will then notify the respondent of the panel's decision and any outcomes.
- 6.1.7. The Regional Panel will have 10 days from the date of notification of the start of the disciplinary actions to the respondent, to inform in writing the final decision to the Disciplinary Officer and this decision must be passed onto the respondent within 2 working days.
- 6.1.8. Due to the nature of the regional panels, it will not be possible to appeal any decisions made at this level.
- 6.2. National Panels
  - 6.2.1. A National panel will be formed to review all serious and gross misconduct cases.
  - 6.2.2. A National panel will consist of three (3) voting members including, a Hoci Cymru Staff Member, WHUA Representative and a Board Member. A recorder will also be appointed to log the minutes of the meeting, the Recorder will not have voting powers.
  - 6.2.3. In all cases, the panels first responsibility will be to review the redacted information received and review against all Hoci Cymru rules, regulations, codes, policies, guidelines and / or procedures and decide whether a breach has occurred and that there is a case to be heard.
    - 6.2.3.1. If they deem there to be a case to be heard then the panel will proceed with the disciplinary process at section 6.2.4.
    - 6.2.3.2. Where they deem there to be no breach of the Hoci Cymru rules, regulations, codes, policies, guidelines and / or procedures they will notify the Disciplinary Officer and of the fact who will notify the respondent that there is no case to be heard and this will automatically complete the process.
    - 6.2.3.3. In instances where the panel deem it appropriate, they may refer the case to another authority such as the NSPCC for Child Welfare, the Police for criminal

matters or the Disclosure and Barring Service for relevant breaches within regulated activity.

- 6.2.3.4. The panel has grounds to impose any interim sanctions if the severity of the incident warrants (please refer to section 12)
- 6.2.4. National panels will always take place through a hearing due to the severity of the incidents. Because of this, anonymity cannot be maintained at this point forward for either party in the proceedings.

## 7. Notice of the Disciplinary Hearing

- 7.1. The Chair of the Panel shall notify the Disciplinary Officer of a suitable date and time for the hearing. All hearings will take place on Teams or some other suitable IT platform unless otherwise directed. The Disciplinary Officer shall, in turn, immediately notify the Complainant and the Respondent of these details. Whilst the needs of the Respondent will be considered, the primary consideration when deciding the date and time for a hearing will be based on operational need.
- 7.2. The Respondent should be given at least 20 working days' notice of the date and time of the hearing.
- 7.3. The Notice of Hearing shall name the three individuals, specifically identifying the Chair, who will constitute the Disciplinary Panel. The Respondent has 5 working days from the receipt of the Notice of Hearing in which to lodge with the Disciplinary Officer in writing, any objection to any member of the Disciplinary Panel stating the grounds for the objection.
- 7.4. The Disciplinary Officer shall immediately forward any objection received in relation to the Disciplinary Panel members to the Chair of the Panel who shall consider them, unless 7.5 applies.
  - 7.4.1. If in the opinion of the Chair of the Panel, the grounds for objection to any member of the panel are frivolous, unfounded or ill-informed, the Chair shall reject such grounds.
  - 7.4.2. If the Chair of the Panel is in agreement with the objection they shall be automatically authorised to make an alternative appointment and the date of the hearing shall be postponed to a date no less than 10 working days after the date of any such alternative appointment.
  - 7.4.3. Their decision shall be final albeit they shall identify their grounds for rejection when requested.
  - 7.4.4. Wherever possible this process shall not prolong the time scales outlined within the HC Disciplinary Policy and Procedures.

*It should be clearly understood that all appointed members of the Disciplinary Panel are deemed to be unbiased, fair and fully conversant with the principles of natural justice unless it is proved to the contrary.*

- 7.5. After informing the Chair of the Panel of the receipt of an objection relating to their role on the Panel, the Disciplinary Officer, shall forward the objection to a Board

member having no interest in the proceedings, personal or otherwise, whose decision on the matter shall be final.

- 7.6. The Notice of Hearing shall be accompanied by copies of all relevant documents which have been submitted to and/or which the Disciplinary Officer or Complainant has within their possession or control relating to the Disciplinary matter.
- 7.7. It is the responsibility of the Disciplinary Officer to ensure that everyone who is providing evidence should complete a 'Statement of Evidence form' in order that such evidence can be sent to the Respondent prior to the Hearing.
- 7.8. Within the Notice of Hearing the Respondent must be asked whether the allegations are admitted. If the allegations are being disputed, the Respondent is informed in the Notice of the need to identify any witnesses, provide brief details regarding their evidence and arrange for their attendance at the Hearing. The Disciplinary Officer once notified of the names and addresses of any witnesses will send them a 'statement of evidence form' for completion and return.

## 8. Pre-hearing timetable and procedure

- 8.1. The Chair of the Disciplinary Panel may issue directions as they think fit relating to the procedural aspects in the period leading up to the hearing in order that the hearing of the case itself may be properly and fairly conducted. Directions may include, but shall not be limited to the procedure and timetable for:
  - 8.1.1. The production, inspection and/or exchange of documents or property.
  - 8.1.2. The submission of the names and details of the witnesses the parties concerned wish to call; and
  - 8.1.3. The exchange of witness statements and skeleton arguments.
- 8.2. The Disciplinary Officer shall notify all the parties of any directions made by the Chair of the Panel.
  - 8.2.1. The Disciplinary Officer shall notify each of the parties to the proceedings of the names of the other party's witnesses and the name and status of any representative who will be presenting a Respondents case or acting as an advisor.
  - 8.2.2. The Disciplinary Officer shall in advance of the hearing send to the Chair of the Disciplinary Panel the record of any previous offences of the Respondent. This shall be supplied in a sealed envelope which shall be opened only if the Disciplinary Panel find that the charge is proven, and they are considering the appropriate sanction.
- 8.3. Unless there is an order for directions by the appointed Chair specifying differently, at least 10 working days in advance of the Hearing date, each party to the proceedings must provide the Disciplinary Officer details of any witnesses they wish to call together with copies of their written statements and copies of any other documentary evidence they propose to rely upon at the Hearing. In the case of the Respondent, details of evidence need only be brief. No further written evidence shall be accepted within 5 working days of the Hearing without the prior written agreement of the Chair of the Disciplinary Panel.

- 8.3.1. It shall be the duty of the Complainant and Respondent to notify and arrange for the attendance of any witness they may wish to call.
- 8.3.2. The parties concerned may rely on written representations made prior to the hearing and / or appear in person. Parties must confirm whether they intend to attend the hearing.
- 8.3.3. Whenever possible, at least 10 working days in advance of the Hearing date, the Respondent shall provide to the Disciplinary Officer, the name and status of any representative, legal, technical or otherwise, who will be presenting their case or advising them.
- 8.3.4. The Respondent may request in writing an adjournment of the Hearing within 5 working days of being notified of the Hearing date, a detailed statement of the reasons for the request must be supplied. The request should be sent to the Disciplinary Officer addressed to the Chair of the Disciplinary Panel, they will consider the request and will make a decision that they, in their absolute discretion, shall consider fair and reasonable (although if any adjournment is ordered, this should, where possible, be for a period not exceeding 10 working days).
- 8.4. In making any order to adjourn, the Chair of the Disciplinary Panel shall bear in mind not only the interests of the party seeking the adjournment but the interests of any other party including the complainant, witnesses and Hoci Cymru.
- 8.4.1. The Chair of the Panel will determine the date, time and place of any adjourned hearing.
- 8.5. All documents provided to the parties and to the members of the Disciplinary Panel shall be used only for the purposes of the Disciplinary Hearing and the determination of the Disciplinary Panel and any appeal against the findings of the Disciplinary Panel.
- 8.6. All documents must be kept strictly confidential and it shall amount to a disciplinary matter for one party to make use of the material supplied under the HC Disciplinary Policy and Procedures for a purpose unconnected with the proceedings.
- 8.7. It should be clearly understood that travel or other expenses will not be paid by Hoci Cymru to Respondents, Complainants, their legal/technical representatives or witnesses in these matters.
- 9. Improper conduct concerning the HC Disciplinary Policy and Procedures
  - 9.1. Any improper contact, approach or attempt to influence or intimidate a Disciplinary Panel member, Complainant, Respondent, any witness or representative either in person, in writing or through an intermediary must be immediately reported to the Disciplinary Officer who will report it to the Chair of the Disciplinary Panel who may take such action as they deem appropriate. Such improper conduct may in itself form the subject of a new disciplinary action.

## 10. Procedure at a Disciplinary Panel Hearing

- 10.1. The Hearing shall take place in private.
- 10.2. The procedure for the hearing shall be flexible and shall be at the discretion of the Chair of the Disciplinary Panel who may make such decisions as they feel necessary to ensure the orderly and effective conduct of the hearing. There will be a reading of the full Disciplinary Notice and the Respondent will be asked whether the charges are admitted or denied. The Chair of the Disciplinary Panel will then outline the basic procedure of the hearing going forward.
- 10.3. It is not appropriate for the appellant(s) and the other parties to be present simultaneously. No form of cross-examination should be permitted.
- 10.4. The Disciplinary Panel will consider the principles of natural justice which must be applied in any hearing and the principles of proportionality which shall apply to the imposition of any sanction.
- 10.5. If they feel that it is necessary, bearing in mind all the circumstances surrounding the case, the Chair of the Disciplinary Panel may, at their discretion, request an independent person to act as adviser to the Disciplinary Panel.

## 11. Evidence

- 11.1. The Disciplinary Panel shall not be bound by the rules of court (or any legislative provision) governing procedure or the admissibility of evidence. All hearings shall be conducted in a fair and orderly manner with each party having a reasonable opportunity to give and call evidence, address the Disciplinary Panel and present their case.
- 11.2. The Disciplinary Panel will always take into consideration the validity and reliability of any evidence submitted during the disciplinary procedure.
- 11.3. The Disciplinary Panel Chair has the discretion to adjourn the hearing for a maximum of 15 working days if at any time they feel that the interests of justice require it (e.g. to secure the attendance of a key witness or some other evidence that is important).
- 11.4. Any person who wilfully misleads a Disciplinary Panel will be liable to disciplinary action.

## 12. Interim sanctions

- 12.1. The Disciplinary Panel may issue interim sanctions if it is in the best interest of the organisation and to ensure the safety of the sport. The Chair of the Disciplinary Panel will refer any interim sanctions to the Chief Executive Officer in the first instance and, if, in agreement, the Chief Executive Officer shall raise the matter immediately with the Chair of the Board for their approval.
- 12.2. Once interim sanctions have been approved by the Chair of the Board, the Disciplinary Officer will notify the respondent of the interim sanctions and that they will be enforced until the hearing, at which the panel will review the case fully and impose any sanctions necessary.

- 12.3. An interim sanction may consist of, without limitation, a suspension from membership (and associated rights) and/or a prohibition of any person or club taking part in any capacity in all Hoci Cymru or relevant association (as per section 2.1.4) activity including playing, umpiring, officiating, coaching, management, attending meetings, volunteering at clubs or competitions or from entering the venue where hockey events are being held under Hoci Cymru jurisdiction.
- 12.4. The only criteria to be used when deciding whether an interim sanction is appropriate are: -
  - 12.4.1. the matter is considered sufficiently serious and
  - 12.4.2. there is a need to protect the interests and the credibility of Hoci Cymru or
  - 12.4.3. to protect the rights of an individual, or individuals whether identifiable or not against potential harm.
  - 12.4.4. The individual is undergoing external proceedings relating to misconduct, such as a criminal trial.
- 12.5. Red Cards
  - 12.5.1. The mandatory minimum period of suspension for the Offender issued with a Red Card by an Umpire (other than a Red Card categorised by the Disciplinary Panel as falling within under regulation 12.5.2.) shall be sixteen (16) days (the "Mandatory Minimum Suspension"). Subject to Regulation 24.3.6, the Mandatory Minimum Suspension shall consist of consecutive days beginning on the day of the Match in which the Red Card was issued (i.e. the day of the Match shall be day one (1)).
  - 12.5.2. Where a Participant is issued with a Red Card for two separate (but the same) Minor Offences for which two yellow cards were awarded, the Mandatory Minimum Suspension shall not apply and no Sanction shall be imposed on the Participant under these Disciplinary Regulations. However, if upon receipt of the Red Card Form the Disciplinary Panel considers that either of the yellow cards were issued for an offence which was not a Minor Offence, this Regulation 12.5.2 shall not apply, the Disciplinary Panel will recategorise the Red Card and follow the processes in regulation 5.2 to consider whether the Mandatory Minimum Suspension or such other sanction as may be considered appropriate shall apply.
13. Sanctions
  - 13.1. Sanctions will be proportionate to the breach that has occurred, to ensure this all panels will follow the guidance of the tiered breaches and sanctions in section 24.
  - 13.2. Sanctions for Red Cards;
    - 13.2.1. Sanctions must not be unreasonable or disproportionate in all the circumstances. Where a Disciplinary Charge has been proved against, or admitted by, a Young Person, any Sanction imposed should take into consideration that Young Person's age. Where a Red Card has been issued, certain minimum Sanctions prescribed in Regulations 12.5.1-12.5.2 and 24.3.1 – 24.3.6 shall apply.
    - 13.2.2. Sanctions which may be imposed (in addition to any Mandatory Minimum Suspension for Red Cards) can be found in section 24.

- 13.2.3. The Disciplinary Panel may order that any part of a Sanction be suspended for a specified period (not exceeding twelve (12) months). If the Respondent is subject to a suspended Sanction in connection with a Misconduct Complaint and is found to have committed another offence of Misconduct or, if an individual receives a Red Card attracting at least the Mandatory Minimum Suspension during the period of suspension, the suspended Sanction may be activated in full. This Sanction will be in addition to any Sanction imposed as a consequence of the additional Misconduct.
- 13.2.4. Any period of suspension imposed may be backdated to take into account the Mandatory Minimum Suspension (for Red Cards) or any Interim Suspension that may have been imposed in accordance with Regulation 6.
- 13.2.5. Sanctions may be held over until the next Season. Sanctions cannot be held over for more than twelve (12) months unless the Respondent is no longer involved in the Sport or no longer a Participant, in which case the Sanction may be held over for the shorter of five (5) years or until the Respondent resumes their involvement in the Sport.
- 13.2.6. Any Sanction, including a partial or full suspension of participation in the Sport imposed by a Disciplinary Panel, shall be binding on all Participants and relevant Members. Any attempt by a Participant or Member to induce a breach of a Sanction imposed by a Disciplinary Panel, or any attempt to contravene, or facilitate the contravention of, a Sanction will amount to Misconduct.
- 13.2.7. Where the Decision involves a Sanction, and an Appeal against that Sanction is lodged in accordance with these Disciplinary Regulations, the Sanction may be stayed pending the determination of the Appeal. If the Appeal process has not been completed within twenty-eight (28) days of the Appeal being lodged, the Decision to continue with the stay, or to lift the stay and impose the Sanction, will be reviewed by the Appeal Panel.
- 13.2.8. A Panel may impose Sanctions regardless of whether an offence has been committed deliberately, recklessly or negligently.
- 13.2.9. Any Sanction that amounts to a permanent exclusion from the Sport must first be reviewed and endorsed by the Board.
- 13.3. In assessing any penalty, the Disciplinary Panel must consider, and give credit for, the fact that the Respondent pleaded guilty or otherwise admitted any material fact(s) and any factors which the Respondent has put forward in mitigation.
- 13.4. Where a suspension from Hoci Cymru or from activities under the jurisdiction of Hoci Cymru is imposed, the wording and the exact dates of the suspension must be clear and specific.
- 13.5. Any period of suspension imposed may be backdated to consider any interim sanction which may have been imposed.
- 13.6. All necessary steps shall be undertaken to ensure that the sanction is complied with in every way.
- 13.7. Any sanction, including partial or full suspension by a Disciplinary Panel shall be binding on:

- Board Directors and Officers
  - Regional Officers
  - Associations affiliated to Hoci Cymru
  - Affiliated Member Clubs
  - Individual club members and officers
  - Schools, Colleges and Universities registered with Hoci Cymru
  - Individual students, teachers and officers
  - Working Groups, TAGs, Committees and officials acting on behalf of Hoci Cymru
  - Coaches, Umpires, Officials and Administrators
  - Team Officials
  - Athletes and / or individuals affiliated directly to Hoci Cymru (associate members)
  - Volunteers acting on behalf of Hoci Cymru
- 13.8. As per section 2.1.4, Hoci Cymru has the power and jurisdiction to support any sanctions placed on a Hoci Cymru member by another hockey governing body, by imposing the same sanction on the member in all Hoci Cymru-sanctioned club activities. In any instance where Hoci Cymru imposes a sanction on a Hoci Cymru member by another hockey governing body, the Disciplinary Officer will notify the member of the sanctions.
14. Fees and Costs
- 14.1. For any in person hearings, the Chair of the Disciplinary Panel may, at their discretion, make an order for the costs of the hearing to be paid, in such proportion as they may decide, by any of the parties to the hearing. These costs may include expenses reasonably incurred in the preparation or holding of the hearing and in attending any hearing and otherwise in presenting or defending the case. In calculating the amount of such a sum, no legal representation or professional charges may be included in the costs.
- 14.2. Such orders for payments of costs shall not form any part of or influence any fines.
- 14.3. Failure to pay any costs and /or fines within 20 working days without reasonable cause may result in further disciplinary sanctions being imposed on any party.
- 14.4. Unless awarded by the Disciplinary Panel, no expenses shall be payable concerning the attendance of the Respondent and/or witnesses. If Hoci Cymru or the Chair of the Disciplinary Panel 'directs' any person excluding the Respondent to attend a Hearing, Hoci Cymru may consider the payment of incurred expenses.
15. Procedure following a Disciplinary Hearing
- 15.1. The Chair of the Disciplinary Panel shall report its findings to the Disciplinary Officer on a Disciplinary Hearing Record Form, as soon as reasonably practicable, but within 5 working days of the hearing in all cases.

- 15.2. The Chair of the Panel in consultation with the Disciplinary Officer shall write to all parties involved setting out the decision and brief reasons thereof and any sanctions imposed.
- 15.3. Hoci Cymru will be entitled to publish the decision of the Disciplinary Panel in such a manner as it considers appropriate 11 working days following the notification of the decision, unless an Appeal is lodged when the decision shall not be published until the appeal has been decided.
- 15.4. The Disciplinary Officer shall maintain a record of all offences and sanctions; all correspondence, documents, witness statements and minutes of the hearing shall be kept in secure conditions in the event they are required at a later appeal or otherwise.
- 15.5. The Regional Disciplinary Panel shall forward all the paperwork relating to any disciplinary matter to the Disciplinary Officer for retention in line with the HC Data Protection Policy.

## **HC Disciplinary Policy and Procedures Appeal Section**

16. Right of Appeal and procedure dealing with an Appeal
  - 16.1. The decision of a Disciplinary Panel may be appealed by the Respondent only (please note, as the respondent in the original hearing has now appealed to start an appeal procedure, they now become the Appellant and will be referred to as the Appellant from this point forward).
  - 16.2. Any appeal should be sent in writing, to the Disciplinary Officer who dealt with the disciplinary matter within 5 working days of the Disciplinary Panel decision and must set out the grounds of the appeal in detail explaining why the Appellant disagrees with the decision. The grounds so stated shall not thereafter be amended except with the leave of the Appeal Panel Chair appointed to hear such appeal.
  - 16.3. Any appeal must be accompanied by the appropriate fee of £150 which will be retained by Hoci Cymru.
  - 16.4. The monetary level of the appropriate fee shall be set by the Board in the first instance and reviewed annually; the appropriate fee may be varied only with Board approval.
  - 16.5. All Appeal Hearings shall be heard at National level.
  - 16.6. At least one member of the Board shall be involved in the appeal process either as an Appeal Committee member or as a nonvoting advisor to the committee.
  - 16.7. An appeal may be referred by the Board to an independent body such as the Sports Dispute Resolution Panel in exceptional circumstances.
  - 16.8. Members do not have the right to appeal the minimum suspension awarded for Red Cards, members can only appeal any additional sanctions imposed on top of the minimum suspension.
17. Constitution of the Appeal Committee
  - 17.1. The Disciplinary Officer will set up an Appeal Committee made up of three (3) voting members appointing the Appeal Chair and members from the list of appropriately qualified personnel, and appoint a Recorder to record committee proceedings, the Recorder won't have voting rights.
  - 17.2. No person who has taken part in any way with the disciplinary decision being appealed may be appointed to the committee.
  - 17.3. The Appeal Committee will hear the appeal no later than 20 working days after the receipt of the appeal by the Disciplinary Officer.
18. Notice of Appeal Hearing
  - 18.1. Notice of the Appeal Hearing date, time and place and the names of the members of the Appeal Committee shall be sent to the appellant no later than 10 working days before the date of the hearing.
  - 18.2. The appellant(s) shall be entitled, within 48 hours of being so notified, to lodge an objection with the Disciplinary Officer against any member of the Appeal Committee who can be shown to have a direct personal involvement or interest in

the matter. The appellant(s) shall provide appropriate evidence in support of any such claim. The Disciplinary Officer will review the appointment and if in agreement with the objection (consulting if appropriate with a member of the Board) shall be automatically authorised to make an alternative appointment. The date of the hearing shall be postponed to a date no less than 10 working days after the date of any such alternative appointment.

*It should be clearly understood that all appointed members of the Appeal Committee are deemed to be unbiased, fair and fully conversant with the principles of natural justice unless it is proved to the contrary.*

## 19. Appeal Pre-hearing timetable and procedure

19.1. Not less than 10 working days prior to the date of the Appeal Hearing, the Chair of the original Disciplinary Panel responsible for the decision which is the subject of the appeal shall provide to the Disciplinary Officer a written statement for the Appeal Committee, detailing (as appropriate):-

- The circumstances of the alleged breach or misconduct
- The decision taken
- Any appropriate justification or explanation
- The information that was considered in reaching the original decision (e.g. regulations, reports, correspondence)

19.2. The Disciplinary Officer shall ensure that all relevant information is provided to the appellant(s), and to all members of the Appeal Committee, in good time prior to the Appeal Committee meeting (ideally at least 5 working days prior to the meeting, but if this is not possible by virtue of the short notification then as soon as practical, but at least 2 working days prior to the start of the meeting).

19.3. An adjournment request cannot be made by the appellant, unless there are exceptional circumstances.

19.3.1. Any request for adjournment made by the appellant will be considered by the Chair of the Appeal Committee and their decision shall be final.

## 20. Procedure at Appeal Hearing

20.1. The appellant(s) may present to the Appeal Committee whatever written submission they consider appropriate. The appellant(s) shall ensure that the members of the Appeal Committee receive this information at least 5 working days prior to the meeting, to give them an opportunity to study the submission.

20.2. The appellant(s) shall not, under any circumstances, verbally address any member of the Appeal Committee, or enter into any discussion, either in person or through an intermediary, with any member of the Appeal Committee prior to the appeal being heard or during the course of the hearing other than by way of direct representation during the hearing. Any member of the Appeal Committee who is approached improperly is bound to notify the Chair of the Appeal Committee immediately and may be required to stand down as a member of the Appeal

Committee at the discretion of the Chair of the Appeal Committee. Any wilful breach of this clause by the appellant(s) shall be considered as serious misconduct and may subsequently lead to disciplinary action, but such action should not be considered until the outcome of the appeal is heard.

- 20.3. When the appellant is an individual, they may be accompanied by one person of the appellant's choice. Where the appellant is a Region, Association, School, College, University or Club, it may be represented by two of its members.
- 20.4. The Chair of the Appeal Committee should ensure that the appeal is heard in a manner that allows all parties to state their case fairly and the Appeal Committee may, if they so choose, invite a technical adviser (for example, a respected senior official, lawyer or accountant) to be present, if they consider that this would be of assistance to the hearing of the appeal.
- 20.5. It is not appropriate for the appellant(s) and the other parties to be present simultaneously. No form of cross-examination should be permitted.
- 20.6. If any of the parties do not attend the Appeal Committee hearing, the matter may be dealt with by the Appeal Committee in the absence of that party considering any written representations that may have been received from that party.

## 21. Appeal Decisions

- 21.1. Once the appeal has been heard, the Appeal Committee will withdraw to consider its decision and will, upon the making of the decision, recall the appellant(s) into the meeting and advise the appellant(s) of that decision. No further discussion is permitted at that time, and the appellant(s) will then leave the meeting.
- 21.2. In exceptional circumstances the Appeal Committee may decide that they are unable to reach a decision at the time and decide to reconvene to consider further on a subsequent occasion. However, the decision should be reached within 7 working days and reported to the appellant within 5 working days of the decision being made.
- 21.3. The decision of the Appeal Committee is final and there is no further right of appeal.
- 21.4. The Appeal Committee may decide that the allegations against the appellant are upheld.
- 21.5. The Appeal Committee shall have the power to reduce, increase, quash or confirm the sanctions imposed by the Disciplinary Panel and/or may substitute for it any other sanction(s) which would have been available to the Disciplinary Panel; and/or make such other order or determination as it may think right or just.
- 21.6. The Appeal Committee may direct any party to the Appeal to bear the administrative costs of holding the Appeal where it considers it fair and just to do so.

## 22. Procedure following an Appeal Hearing

- 22.1. The Appeal Committee, supported by the Disciplinary Officer, should, following their notification of the decision to the appellant, then advise other interested parties who have been present at the appeal of the decision. No further discussion is permitted related to the matter at that time.
- 22.2. The Appeal Committee will confirm to the appellant(s) and the other interested parties, including the Disciplinary Panel Chair, if appropriate, the decision of the Appeal Committee in writing as quickly as possible, by hand, e-mail or post.
- 22.3. Hoci Cymru will be entitled to publish the decision of the Appeal Committee in such a manner as it considers appropriate 2 working days following the notification of the decision to the Appellant.
- 22.4. The Disciplinary Officer shall maintain a record of all decisions of the Appeal Committee; all correspondence, documents, witness statements and minutes of the hearing shall be kept in secure conditions in line with the Hoci Cymru Data Protection Policy.

## 23. Shortening of the Appeal Process

- 23.1. Where it is necessary to expedite the consideration of the appeal, the Chair of the Appeal Committee may vary certain of the above conditions but if this action is intended, then the appellant(s) should be advised and given an opportunity to lodge an objection to this proposal to modify the procedure.
- 23.2. Normally, the modification should not be carried through against the wishes of the appellant(s), except where the objection by the appellant(s) is without just cause.

## 24. Tiered Breaches and Sanctions

24.1. All breaches will be assessed against this tiered system and any sanctions imposed will be assessed against the tiered recommendations to maintain fairness and proportionality in all cases.

24.2. Any instances of repeated or related offences can be upgraded by the panel at any level to a higher level of misconduct.

| Level of Misconduct | Definition                                                                                                    | Example of behaviour or incident                                                                                                                                                                                                                                           | Recommended Sanction on the Individual                                                                                                          | Recommended Sanction on the Club/ School/ Association                                                                        |
|---------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Minor Misconduct    | Disrespectful misconduct that breaches Hoci Cymru policies and guidelines.                                    | <ul style="list-style-type: none"> <li>Disrespecting the umpire, officials, opposition, coaches and/or spectators.</li> <li>Continuous use of unclean music.</li> <li>Poor use of communications channels.</li> <li>Continuous use of undirected foul language.</li> </ul> | <ul style="list-style-type: none"> <li>Education.</li> <li>Refer back to the policy breached.</li> <li>Monitoring of the individual.</li> </ul> | <p>No sanction imposed on the club.</p> <p>The club Chair will be made aware of the minor misconduct of the individual.</p>  |
| Misconduct          | Improper misconduct that breaches Hoci Cymru policies and guidelines that will bring the game into disrepute. | <ul style="list-style-type: none"> <li>(Continuous) Directed foul language at another individual or group.</li> <li>Repetitive negative comments on social media.</li> </ul>                                                                                               | <ul style="list-style-type: none"> <li>Volunteering hours or a fine.</li> <li>Education.</li> <li>Monitoring of the individual.</li> </ul>      | <ul style="list-style-type: none"> <li>Education with members.</li> <li>Engage with HDO to review club framework.</li> </ul> |
| Serious Misconduct  | Unacceptable misconduct that breaches Hoci Cymru policies and                                                 | <ul style="list-style-type: none"> <li>Playing without Hoci Cymru membership.</li> </ul>                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>Volunteering hours.</li> <li>Fine.</li> </ul>                                                            | <ul style="list-style-type: none"> <li>Education with members.</li> </ul>                                                    |

|                  |                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                       |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  | guidelines and will bring the game into disrepute and will have a negative impact on an individual(s), club(s), school(s), association(s), region(s) and / or Hoci Cymru                                                | <ul style="list-style-type: none"> <li>• Threatening behaviour.</li> <li>• Verbal abuse.</li> <li>• Boycotting league and/or competition structures.</li> <li>• Failure to comply with club framework.</li> <li>• Intimidating others.</li> <li>• Yellow Cards.</li> <li>• Misuse of authority.</li> </ul>                                                                     | <ul style="list-style-type: none"> <li>• Education.</li> <li>• Sharing of information with the DBS.</li> <li>• Temporary suspension*</li> <li>• Suspension from membership</li> <li>• Individual Sanction</li> <li>• Club Sanction</li> </ul>                                                                                                                                                             | <ul style="list-style-type: none"> <li>• Engage with HDO to review club framework.</li> <li>• Fine.</li> </ul>                                                                                                                                                        |
| Gross Misconduct | Severe and detrimental misconduct that breaches Hoci Cymru policies and guidelines and will bring the game into disrepute and will have a significant impact on an individual(s), club(s), region(s) and/or Hoci Cymru. | <ul style="list-style-type: none"> <li>• Red Cards.</li> <li>• Doping.</li> <li>• Physical Violence.</li> <li>• Discrimination or abuse against someone's protected characteristic.</li> <li>• Breach of safeguarding policy.</li> <li>• Bullying.</li> <li>• Stealing or damage to property.</li> <li>• Match-fixing and betting.</li> <li>• Blackmailing another.</li> </ul> | <ul style="list-style-type: none"> <li>• For Red Card sanctions please refer to section 24.3.</li> <li>• Education.</li> <li>• Temporary or permanent ban*</li> <li>• Suspension from membership</li> <li>• Fine.</li> <li>• Sharing of information with the DBS.</li> <li>• Offload to external services such as the police or NSPCC.</li> <li>• Individual Sanction</li> <li>• Club Sanction</li> </ul> | <ul style="list-style-type: none"> <li>• Education with members.</li> <li>• Engage with HDO to review club framework.</li> <li>• Club to work with HDO to set clear targets for improvement and work through these during the set period.</li> <li>• Fine.</li> </ul> |

*\*Temporary suspensions and bans will be imposed until the panel is able to convene and review the case, setting the official sanction(s) on the individual and or club.*

### 24.3. Red Card Sanctions

24.3.1. Where the Red Card Offence is a Nonviolent Offence, the minimum period of suspension shall be as follows

| Non-violent Offence                                                                                                     | Minimum Period of Suspension |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------|
| An act of Dissent or any other offence for which a Red Card is issued which is not a Minor Offence or a Violent Offence | 16 days                      |
| An act of Dissent which includes foul or abusive language or direct allegations of bias or cheating against an umpire   | 30 days                      |

24.3.2. Where the Red Card Offence is a Violent Offence, the minimum period of suspension shall be as follows:

| Violent Offence                                                                       | Minimum Period of Suspension |
|---------------------------------------------------------------------------------------|------------------------------|
| Used, attempted or threatened to someone other than an Umpire or other Match Official | 30 days                      |
| Used, attempted or threatened against an Umpire or Match Official                     | 60 days                      |

- 24.3.3. When determining the sanctions to impose, the Disciplinary panel will consider the level of misconduct and the remorse shown by the offender when determining the timeframe and extent of any ban or suspension. The Disciplinary panel will outline the full nature of the ban or suspension in the Sanction Notice. A Sanction Notice must include;
- 24.3.3.1.1. The duration of the ban or suspension
  - 24.3.3.1.2. Whether the offender can take part in any capacity in all Hoci Cymru activity including playing, umpiring, officiating, coaching, management, attending meetings, volunteering at clubs or competitions or from entering the venue where hockey events are being held under Hoci Cymru jurisdiction for the duration of the ban or suspension
  - 24.3.3.1.3. Which leagues and/ or associations the ban or suspension will impact
- 24.3.3.2. The Offender may, in exceptional circumstances, make an application to the Disciplinary Panel for dispensation from the effects of any period of suspension issued under regulation 24.3.1 or 24.3.2;
- 24.3.3.3. Any dispensation given by the Disciplinary Panel shall only be issued in exceptional circumstances following consultation with the Disciplinary Officer and the decision on this shall be final.
- 24.3.4. Where an Offender is issued with a second or subsequent Red Card in any 12-month period, the minimum periods of suspension prescribed in this Regulation 24.3 for Red Card Offences (the “Minimum Periods of Suspension”) shall be doubled, which for the avoidance of doubt is as follows:
- 24.3.4.1. For an offence which is not a Violent Offence, 16 days shall be doubled to 32 days;
  - 24.3.4.2. For a Violent Offence against someone other than an Umpire or Match Official 30 will be doubled to 60 days;
  - 24.3.4.3. For a Violent Offence against an Umpire or Match Official 60 days will be doubled to 120 days;
  - 24.3.4.4. Any additional penalty relevant to the Red Card under consideration beyond these enhanced Minimum Periods of Suspension shall remain at the discretion of the Disciplinary Panel;
- 24.3.5. In addition to imposing a period of suspension, a Disciplinary Panel may also impose one or more of the Sanctions listed in Regulation 12.5.1 in respect of any Red Card Offence.
- 24.3.6. The Minimum Periods of Suspension are minimum periods only and shall not in any way restrict a Disciplinary Panel’s ability to impose a longer period of suspension on the Offender if it deems appropriate. In particular, any

premeditated, repeat or serious offences may result in a substantially more severe Sanction than the Minimum Periods of Suspension prescribed above.

24.3.7. Any period of suspension shall, unless otherwise directed by the Disciplinary Panel, consist of consecutive days beginning on the day of the Match in which the Red Card was issued (the day of the Match shall be day one (1)). However, the Disciplinary Panel may at its discretion:

24.3.7.1. direct that the period of suspension shall commence on any other day which it sees fit (for example, if little or no hockey will be played during the period immediately following the Match in question); and/or

24.3.7.2. direct that there should be one or more breaks in the period of suspension.

### **Further Information**

For further information about any aspect of the HC Disciplinary Policy and Procedures, please contact:

Hoci Cymru  
Sport Wales National Centre  
Sophia Gardens  
Cardiff  
CF11 9SW

❏ [www.hockeywales.org.uk](http://www.hockeywales.org.uk)  
\* [governance@hockeywales.org.uk](mailto:governance@hockeywales.org.uk)

## **Appendix 1**

### **Cases involving young people and adults at risk**

All young people and adults at risk within Hoci Cymru have equal rights to justice, fair play and protection. Such persons shall be entitled to the full protection of all our rules, regulations, codes, policies and procedures and their complaints shall be dealt with as thoroughly and rigorously as any other member.

It must be recognised that some young people and adults at risk may be more vulnerable than others and that some may encounter extra barriers due to their race, gender, age, religion, disability, sexual orientation, social background and culture, chairs of hearings must at all times be mindful of the pressures of such vulnerability where appropriate.

All matters concerning safeguarding including 'poor practice' shall be referred to the Hoci Cymru Safeguarding Officer and must not be dealt with using these regulations.

Interviews of young people and adults at risk shall only be conducted by suitably trained and experienced nominated persons. Whenever possible, the acceptance by the respondent/appellant of young people and adults at risk evidence by a third party or in statement form should be sought by the Chair.

Where a young person or adult at risk is a respondent or appellant extreme care and consideration should be taken throughout the process.

Chairs of hearings involving young people or adults at risk must always be patient, and understanding and ensure that the young person or adult at risk fully understands the process taking place at each stage.

In appropriate cases where a young person or an adult at risk are witnesses, care should be taken regarding the provision of evidence. Under no circumstances should the Chair allow undue pressure or any form of hostility to take place at the hearing or in the presence of the witness.

In all cases, permission must be obtained from the parent or guardian before a young person is asked to provide evidence and / or attend a hearing.

Parents, guardians or chaperones are encouraged to attend with any young person or adult at risk authorised to attend a hearing.

Always be mindful that mishandling of a young person or adult at risk experience of giving evidence can be distressful and in some cases abuse.