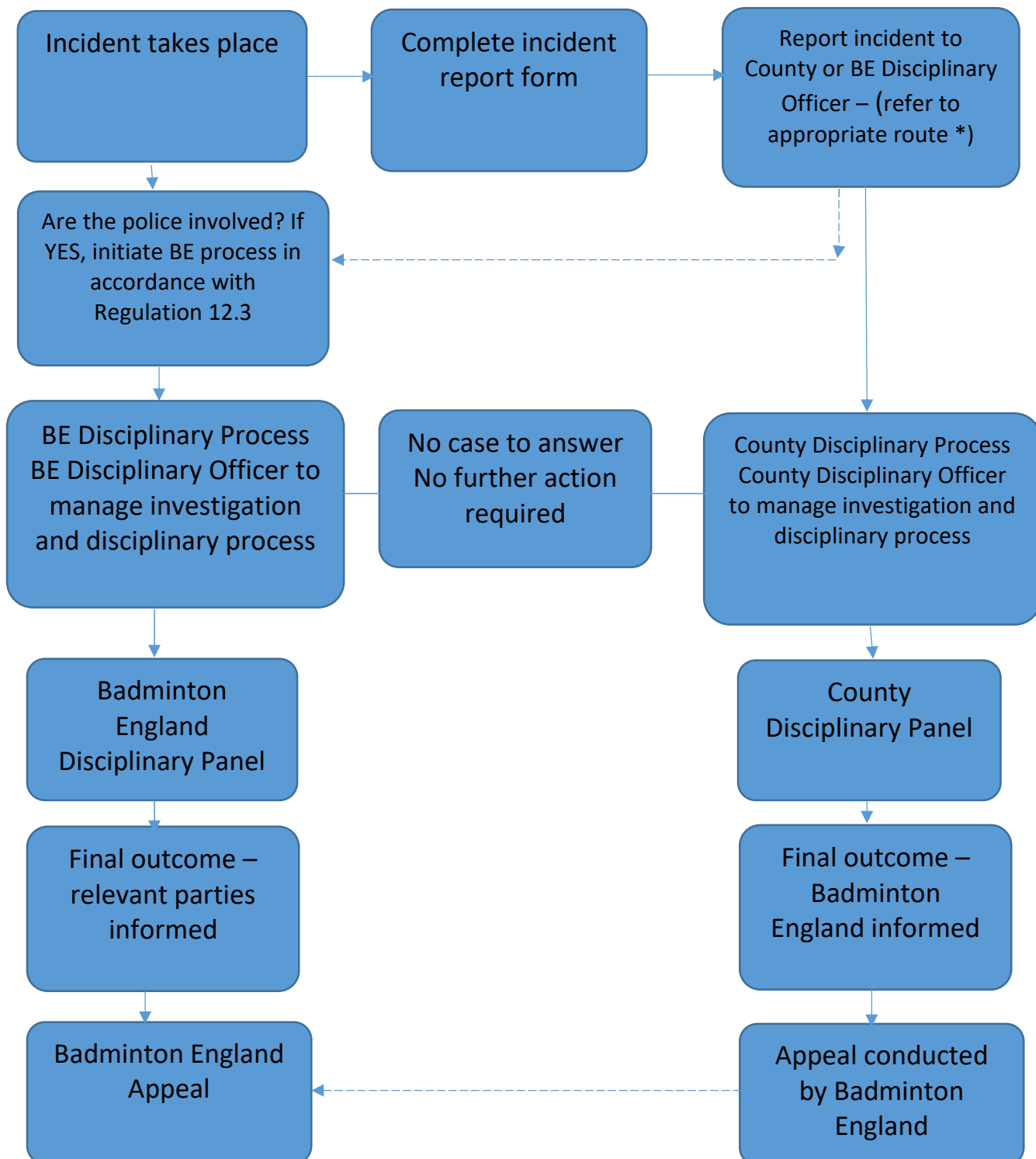


Badminton England Disciplinary Regulations



Appendix 1 - Reporting Procedures



* note – the point at which incident occurs, if at county / club level report in first instance to county, see Disciplinary Regulations section 5.

Badminton England Disciplinary Regulations

Appendix 2

BADMINTON ENGLAND DISCIPLINARY OFFICER

REPORTING TO: Badminton England Disciplinary Committee

Role Purpose

To act on behalf of Badminton England to instigate the Disciplinary Regulations.

Main Duties

- ✿ To assist Badminton England to uphold and fulfil the Badminton England Disciplinary Regulations.
 - ✿ To be the first point of contact within Badminton England for any disciplinary matters
 - ✿ To be the first point of contact with the County Disciplinary Officers for any disciplinary matters.
 - ✿ To act as the first point of contact for coaches, volunteers, parents and children/young people in badminton where disciplinary concerns have been identified.
 - ✿ To receive complaints and assist Badminton England to implement the Disciplinary Regulations under delegated powers at county level.
 - ✿ To liaise with the County Disciplinary Officer to determine which body should deal with a complaint, and subject to normal data protection safeguards, to freely exchange information between them.
 - ✿ To appoint a National Disciplinary Panel charged with the responsibility of adjudicating on a specific matter as and when required, which is constituted in a way as to ensure a fair and objective hearing.
 - ✿ To implement Badminton England's reporting and recording procedures for Disciplinary hearings.
 - ✿ To sit on the Badminton England Disciplinary Committee and make recommendations for improvements in the disciplinary process, learning from experience in Disciplinary Panels at all levels.
 - ✿ To ensure Badminton England acts fairly towards all registered coaches, players, members and other persons in investigating and dealing with alleged instances of unacceptable conduct or performance.
 - ✿ To promote and ensure confidentiality is maintained.
 - ✿ To have a commitment to, and promote equality and diversity.
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Special Conditions

- ✿ To keep up to date on all relevant legislation affecting the role and Badminton England's policies and practices.

Badminton England Disciplinary Regulations

Appendix 3

COUNTY DISCIPLINARY OFFICER

REPORTING TO: County Badminton Association Committee

Role Purpose

To act on behalf of the County Association to instigate the disciplinary regulations in cases delegated from the Badminton England Disciplinary Officer or reported directly to the County Disciplinary Officer.

Main Duties

- ✋ To assist Badminton England to uphold and fulfil the Badminton England Disciplinary Regulations.
 - ✋ To be the first point of contact with the Badminton England Disciplinary Officer.
 - ✋ To act as the first point of contact for coaches, volunteers, parents and children/young people in badminton where disciplinary concerns have been identified in the county.
 - ✋ To receive complaints and assist Badminton England to implement the disciplinary regulations under delegated powers at county level.
 - ✋ To liaise with the Badminton England Disciplinary Officer as necessary to determine which body should deal with a complaint where there is uncertainty, and subject to normal data protection safeguards, to freely exchange information between them.
 - ✋ To appoint a county disciplinary panel charged with the responsibility of adjudicating on disciplinary matters in the county, which is constituted in a way as to ensure a fair and objective hearing.
 - ✋ To implement Badminton England's reporting and recording procedures for disciplinary hearings.
 - ✋ To sit on the County Badminton Association (CBA) committee and attend CBA meetings where necessary.
 - ✋ To ensure the County Badminton Association acts fairly towards all registered coaches, county squad players, members of the County Badminton Association and other persons in investigating and dealing with alleged instances of unacceptable conduct or performance.
 - ✋ To promote and ensure confidentiality is maintained.
 - ✋ To have a commitment to, and promote equality and diversity.
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Badminton England Disciplinary Regulations

Appendix 4

Types of Disciplinary Matter and Jurisdiction

Complaints and concerns in the following areas must be reported at a national level to the Badminton England Disciplinary Officer:

- Doping issues - will be dealt with via the Anti-Doping Regulations of Badminton England.
- Betting and Gaming issues – for example unusual betting activity, players betting on the outcome of matches in which they are involved or any concern in relation to an unusual match result. This will be dealt with through the Badminton England Sports Integrity Policy.
- Racist or homophobic incidents – any incidents that may fall into a breach of the Equality Act's nine protected characteristics*. In certain circumstances these may be referred back to a local level but they must be reported at a national level in the first instance.
- Safeguarding issues where statutory authorities are involved – these will be dealt with via the Badminton England Child Protection Disciplinary Procedures
- Matters which may be considered to be unlawful

Examples of types of Disciplinary Matters that may be dealt with at a county level:

- General disciplinary matters - for example offensive language or behaviour
- On court issues or matters relating to repeat offences on court
- General breaches of the BE Codes of Conduct unless they relate to the Equality Act Protected Characteristics*.

It is recognised that it is not always easy to decide under which level a matter may be most suitable for, therefore matters can always be discussed in confidence with the Badminton England Disciplinary Officer.

Protected Characteristics

* The protected characteristics in the Equality Act 2010 are: age, sexual orientation, gender, race, gender reassignment, religion and belief, disability, marriage and civil partnership, pregnancy and maternity.

Badminton England Disciplinary Regulations

Appendix 5

The Application of Sanctions

Disciplinary Panels and Appeal Panels may make an order of sanctions as noted in Paragraph 19 of the Disciplinary Regulations.

The following table may be used as a guide to decide an appropriate level of sanction to apply although note that only Badminton England may make an order in respect of coach registration, suspension and membership.

Level of offence	Non exhaustive examples of types of behaviour	Possible sanctions
1	<p>Lower level breach of BE Code of Conduct, for example:</p> <ul style="list-style-type: none"> • Use of social media / emails / forums to cause offence to player / official / other person involved in badminton. • Misrepresentation of coaching or other qualification 	<ul style="list-style-type: none"> • Written warning
2	<p>Mid level breach of Code of Conduct, for example:</p> <ul style="list-style-type: none"> • Harassment of an official / player: comments, gestures • Repeat of a Level 1 breach 	<ul style="list-style-type: none"> • Written warning • An order to undertake specified training • Temporary suspension from register of coaches
3	<p>High level breach of Code of Conduct, for example:</p> <ul style="list-style-type: none"> • Dangerous or discriminatory behaviour or serious threat of physical assault / intimidation on person involved in badminton • Repeat of a Level 2 breach 	<ul style="list-style-type: none"> • Written warning • An order to undertake specified training • Temporary suspension or permanent removal from register of coaches • Temporary or permanent suspension of the right to play in certain matches / events • Temporary or permanent suspension of the right to play an

		administrative role in badminton <ul style="list-style-type: none"> • Temporary or permanent suspension or exclusion from involvement in badminton in any capacity • Temporary suspension or permanent termination of Badminton England membership
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In assessing an appropriate sanction, the following should also be considered:

Aggravating circumstances – may add to the severity of the sanction applied

- Discriminatory behaviour – ie. behaviour relating to any of the Nine Protected Characteristics of the Equality Act *
- Lack of remorse for actions
- Lack of accepting responsibility for actions
- Similar incident has happened before
- Under the influence of alcohol or other substance

Mitigating circumstances – may need to be considered in reducing the severity of the penalty

- Genuine remorse for actions and offer to apologise / make amends
- A one off event / previous good character
- Personal circumstances which may in some way explain a stressful or unusual situation

The following should also be considered:

- The age of the person aggravating – and who they may have offended against, ie an adult verbally abusing a young person (Under 18) may be considered more serious than an altercation between 2 adults.
- The message disciplinary action will give to others who may be aware of or considering similar dissent or other action. Sanctions should not be seen simply as a way of making an example of someone but rather more about establishing standards of good conduct within the game of badminton .
- Refer to the Badminton England Codes of Conduct to establish what positive behaviour and conduct is and use these to set standards in your club and County Badminton Association.
- Consider the use of training and awareness in order to set and establish positive behaviours at all levels of the game.

* The protected characteristics in the Equality Act 2010 are: age, sexual orientation, gender, race, gender reassignment, religion and belief, disability, marriage and civil partnership, pregnancy and maternity.