



DISCIPLINARY PROCEDURES POLICY

Document Control Sheet

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1. INTRODUCTION

Sporting excellence and enjoyment are only achieved by participants and spectators through adherence to the highest moral, ethical and sporting standards. Squash Ulster and Irish Squash Codes of Conduct set out the standards and expectations expected of those in the sport of squash. These Codes promote respect, good sportsmanship, high standards of behaviour and ethics.

The Codes of Conduct have common standards which apply to all, and some specific to the role being carried out, e.g. official, coach, committee members. All Members are required to abide by these Codes. In addition, clubs should ensure that the Codes are well known and promoted, so that there is a culture of respect and a discrimination free environment for all to enjoy the sport.

2. DISCIPLINARY REGULATIONS

Should behaviour breach a rule that is referenced in the Codes of Conducts these Disciplinary Procedures provide a fair, transparent and timely process for establishing whether a Disciplinary Offence has been committed and what the appropriate response to that behaviour should be. The procedures allow all Participants proper rights to be heard and put their case.

3. THE PROCESS

3.1 WHAT CONSTITUTES A DISCIPLINARY MATTER?

These Procedures apply to all Participants. A disciplinary matter can arise where there is an alleged breach of any existing rule, regulation or policy. The points below provide detail of areas where an alleged breach may give rise to a disciplinary complaint:

1. Any breach, failure, refusal or neglect to comply with a provision of:
 - The Squash Ulster and Irish Squash Codes of Conduct
 - the Squash Ulster Ltd Articles of Association, Procedures and Regulations, Byelaws or Standing Orders;
2. Conduct that is opposed to the general interests of Squash Ulster or the sport of squash (including, without limitation, conduct that brings the sport into disrepute, discriminatory conduct, harassment and inappropriate behaviour).

3. Behaviour that is or is likely to be prejudicial to the smooth running of an event organised by or on behalf of Squash Ulster or any event that Squash Ulster is associated with.
4. Any other matter raised by or about any member, Participant or anyone acting in any capacity on behalf of Squash Ulster which raises the concern of the Squash Ulster Board.

(Note: any Procedures and Regulations including misconduct, except where such breach, failure, refusal or neglect is related to Squash Ulster Anti-Doping Procedures and Regulations, or Safeguarding Policy - in such circumstances the matter shall be dealt with as set out in those specific regulations.)

3.2 ANTI-DOPING PROCEDURES & REGULATIONS

Squash Ulster has adopted the Sport Ireland Anti-Doping Rules and all matters regarding doping shall be dealt under these rules which shall take precedence over these Disciplinary Procedures and Regulations.

3.3 SAFEGUARDING POLICY

In all cases where there is concern about the safety or protection of children, the Chair of the Disciplinary Panel must immediately refer the matter to the Squash Ulster Safeguarding Officer. Squash Ulster Safeguarding Policy, when appropriate, shall take precedence over these Disciplinary Procedures and Regulations.

3.4 INFORMAL RESOLUTION AT CLUB LEVEL

Unless the complaint is of a serious nature, often matters are better resolved at the local club level, informally by staff or volunteers. This is the best way to address issues as they occur and allows all parties to find a resolution quickly, simply, and informally. Please contact your local club to support local informal resolution.

3.5 HOW TO COMPLAIN TO SQUASH ULSTER

If a complaint is considered too serious or for some reason is preferred not to be dealt with at local club level then anyone concerned about a Members behaviour or wishing to make

a formal Complaint about a Members' behaviour should submit the complaint to the Hon Secretary of Squash Ulster using the form provided here:

[Link](#)

An alleged incidence of misconduct must be submitted in writing to the Hon. Secretary within 10 days of the alleged incident, or such longer period as may be deemed by the Chair of the Disciplinary Panel of Squash Ulster Board (DP) to be reasonable in the circumstances (see Section 3.6 below for information on the appointment of the DP) . The Hon Secretary shall immediately refer the report received to the Chair of the DP and the matter shall not be discussed by the Board.

The Complainant should provide as much detail as possible about the Complaint, including, if possible, the specific aspect of the Code of Conduct which they believe has been breached and/or why they believe the issue is a Disciplinary Offence.

3.6 THE DISCIPLINARY PANEL

The Squash Ulster Board shall each year approve and ratify the membership of the Disciplinary Panel (DP) . The DP shall comprise of up to nine (9) members. A minimum of four (4) members per gender shall make up the DP. The Squash Ulster Board shall approve the appointment of the Chair, Vice-Chair and up to seven (7) other members, who may include current players, a minimum of two (2) representatives from umpiring and individuals from outside the world of squash.

A Disciplinary Hearing or DP meeting shall be convened by the Chair or Secretary. In the event that the Chair cannot attend; or is excluded from attending due to a conflict of interest, the Vice–Chair shall assume the responsibilities and authority of the Chair of the DP. In the event that the Chair and Vice-Chair cannot attend; the DP will elect one of its members to act as temporary Chair who shall assume the responsibilities and authority of the Chair of the Disciplinary Panel.

A quorum shall be five (5) persons including the Chair.

All decisions of the DP shall be made by a simple majority. In the event of an equality of votes, the Chair of the Disciplinary Panel shall have a casting vote.

Any Disciplinary Panel Member who has an interest in, or direct knowledge of, the subject matter of the Disciplinary Hearing shall declare their interest or knowledge to the Chair of the Disciplinary Panel, in advance of the hearing. The Chair of the Panel shall decide whether to exclude a Disciplinary Panel Member from the hearing. In the event that the Chair cannot attend or is excluded from attending the hearing due to a conflict of interest, the Vice-Chair will decide whether to exclude a Disciplinary Panel Member. For the avoidance of doubt, where a member of the Disciplinary Panel is a Referee in a match which is being considered by the Disciplinary Hearing, they will NOT be permitted to participate in the hearing or decision-making process.

(Note: A Technical Official may be able to participate in a Disciplinary Hearing where they have not had direct involvement in the incident being considered.)

In the event that a Disciplinary Hearing or Disciplinary Panel meeting is inquorate, the Disciplinary Hearing or Disciplinary Panel meeting shall be adjourned and reconvened at a later date to be determined by the Chair of the Disciplinary Panel.

In addition to cases presented by an appointed Investigation Officer, the DP shall consider all cases where:

- a request is received from the Squash Ulster Management Board;
- a Matchday misconduct report
- a Complaint has been received regarding an Umpire's behaviour; and
- any other disciplinary matter that has been referred to it by the Squash Ulster Management Board in accordance with these Procedures.

3.7 WHAT HAPPENS NEXT?

The Chair of the DP will appoint an Investigation Officer. The Investigation Officer will gather the information and determine whether or not the Complaint shows a prima facie case to answer. This means that there needs to be enough evidence in front of him/ her to show that there is a case to warrant a Disciplinary Hearing. Whilst the Investigation Officer has

the power to ask for additional evidence, from anyone, they do not need to. In some cases, the Investigation Officer may take the view that the case is suitable for mediation or training, as it is not so serious that it needs to be a Hearing.

Where the incident involves a junior, communication shall be through their parent(s)/guardian(s) throughout every stage of these procedures.

The Investigation Officer shall submit a written report to the Chair of the DP, where possible within 15 days of being asked to carry out the investigation. This report is required even where the Investigation Officer takes the view that the incident does not warrant a disciplinary hearing. In such cases it remains open to the Chair of the DP to decide to proceed to a hearing. The decision on whether to proceed to a hearing will be conveyed to participants within five days of the Chair receiving the report of the Investigation Officer.

The Chair shall inform the Hon. Secretary of Squash Ulster at the same time whether an investigation is being undertaken. The Investigation Officer shall take no part in any subsequent disciplinary proceedings arising from the report, other than to give evidence to the DP or the Appeals Committee if required to do so.

3.8 INTERIM SUSPENSION

Investigation Officers may also recommend Interim Suspensions, for example where the allegation is so serious that someone needs protection from the possibility of that behaviour recurring, or the behaviour is such that it is felt the reputation of the sport needs protecting, or to protect the integrity of the Disciplinary Process. The Investigation Officer must define the activities which the person is suspended from. The Interim Suspension will usually continue through to the conclusion of the Disciplinary Process.

3.9 DISCIPLINARY HEARING – OVERVIEW

The Chair of the DP shall arrange for a panel to meet within 14 days of receiving the report from the Investigation Officer (or such longer time not exceeding thirty days where circumstances necessitate). The Chair of the DP shall inform the subject of a disciplinary report of the alleged incident or breach and provide that person with the opportunity to

respond in person, in writing, or both in person and in writing so that such response may be considered by the DP. Failure on the part of the subject/s of the report / complaint to respond shall not preclude the DP from discussing the issues or from making findings.

The parties will have the opportunity to attend the Disciplinary Hearing and give their evidence. Parties have the right to request to be present separately from the other parties involved. The DP will consider the evidence and reach their determination. The DP reserves the right to have legal representation and/or consult with legal representatives at any stage of the process.

When the DP consider the case proven, or part of it, they will then determine an appropriate sanction.

3.10 DISCIPLINARY HEARING – PROCESS

The Disciplinary Panel shall select one (1) person from its membership to the role of Secretary who shall record proceedings of all the Disciplinary Panel meetings. Such minutes will normally be of a summary nature such as the subject discussed, key comments and any subsequent actions. A verbatim report of what was said and ‘who said what’ will not be recorded or kept.

- a. The Chairperson of the DP shall make an opening statement which will provide:
 - An explanation of the purpose of the meeting or hearing; An explanation of the procedures to be followed;
 - A reference to any time limits that might apply;
 - An explanation of the issue/incident in the report/complaint;
 - Any other matter that the Chairperson considers should be mentioned.
- b. The Chairperson shall provide answers to any procedural questions that may arise in the course of the meeting.
- c. The report from the Investigations Officer will be considered
- d. Where the subject of the report/complaint wishes to make an oral submission that submission shall be heard.
- e. Where juniors are involved the junior shall be accompanied by their parent/s or guardian/s and the Chairperson of the Panel shall ensure that a Children’s Officer shall be present.

- f. Any evidence or relevant information supplied by witnesses or parties involved shall be read / heard / examined and discussed as appropriate.
- g. The Panel members shall consider the various submissions, evidence and other information and will make recommendations for any future action including sanctions if deemed appropriate.
- h. Within 7 days of the hearing the Panel shall issue a report which records the rationale for making a decision, the overall findings, any sanctions imposed and the right to appeal or review.
- i. A copy of the report shall be shared with the respondent/appellant and the participants club Secretary.

3.11 DISCIPLINARY PANEL – OUTCOMES

The following decisions, while not exhaustive, are available to the Disciplinary Panel and may be applied to a Participant / Club:

- A warning or reprimand
- Issue advice or guidance
- A fine
- The return of awards
- A suspension for a period of time or from a number of matches
- A ban on taking part in a squash-related activity
- The annulment of a result
- An exclusion
- A forfeit
- A deduction of points
- A demotion
- Suspension from membership
- Replaying a match
- Stand down order
- Deselection from a team
- Any other sanction that deemed appropriate by the DP.
- suspension imposed but "deferred" for a period of time
- fine imposed on Club or a Participant

When deliberating on a decision, the DP may consider the following:

- any sanction imposed on the Participant by the Participant's Club in respect of the offence; and
- the Participant's previous record over the past five (5) years.

3.12 APPEAL HEARING

A Respondent may Appeal a Decision of the Disciplinary Panel, if they attended or submitted evidence for the Disciplinary Hearing. The potential grounds of Appeal and the process under which leave to Appeal is sought, are set out below at Section 3.13.

- Any reference in these Procedures to "writing" or "written" includes email and other forms of electronic messaging; and
- Any reference in these Procedures to the serving of documents or notification of a hearing or otherwise includes but is not restricted to postal service and communication by email and other forms of electronic messaging.

3.13 PROVISION FOR APPEAL TO APPEALS COMMITTEE

The person/s who made the original report/complaint or the subject of that report/complaint may lodge an appeal in writing to the Hon Secretary of Squash Ulster against the decision of the Disciplinary Panel within 7 days of the issue of the decision of the DP. An appeal must be accompanied by a deposit of £100. The deposit shall be refunded if the appeal succeeds.

The collection of any fine imposed by the DP shall be suspended pending the outcome of the appeal or review. Any term of suspension imposed by the DP shall, however, remain in force pending the outcome of the appeal or review.

3.14 APPOINTMENT OF APPEALS COMMITTEE

Within 7 days of the receipt of an appeal, the Board of Squash Ulster shall appoint a Chairperson of an Appeals Committee (AC). The Chairperson of the AC shall not be a member of the Board of Squash Ulster nor a person who sat on the original DP involved in the decision.

After consultation with the Chairperson of the AC, the Board of Squash Ulster shall appoint other persons to form an AC of not more than four. The appeals committee must include at least one person who is not a member of Squash Ulster. The quorum for a meeting of the AC shall be three.

The Convenor of the DP shall supply the Chairperson of the AC with copies of all papers relating to the case.

3.15 APPEALS TIMELINE

The AC shall meet within seven days of being appointed to discuss the circumstances of the appeal.

Following that meeting, The Chairperson of the AC shall arrange an appeals hearing and shall notify the appellant of the date of the hearing and their entitlement to attend and or be represented at that hearing.

The appellant should be provided with at least 7 days' notice of the hearing and should be advised that they are entitled to attend and or be represented.

3.16 PROCEDURE FOR MEETINGS/HEARING OF THE APPEALS COMMITTEE

- The AC shall take minutes of meetings and hearings. Such minutes will normally be of a summary nature such as the subject discussed, key comments and any subsequent actions. A verbatim report of what was said and 'who said what' will not be recorded or kept.
- The Chairperson of the AC shall make an opening statement which will provide: An explanation of the purpose of the meeting or hearing;
- An explanation of the procedures to be followed; A reference to any time limits that might apply;
- An explanation of the issue/incident in the report/complaint;
- Any other matter that the Chairperson considers should be mentioned.
- The Chairperson shall provide answers to any procedural questions that may arise in the course of the meeting.

- Where the appellant has submitted a written appeal that shall be read by the members of the AC.
- Where the appellant or his/her representative wishes to make an oral submission that submission shall be heard.
- Where juniors are involved the junior shall be accompanied by their parent/s or guardian/s and the Chairperson of the AC shall ensure that a Children's Officer shall be present.
- Any information not supplied to the original DP and now submitted shall be read / heard / examined.
- On conclusion of the hearings, the AC will adjourn to consider the evidence and will make recommendations for any future action including sanctions if deemed appropriate.
- Within 7 days of the hearing the AC shall issue a report which records the rationale for making a decision, the overall findings, any sanctions imposed and the right to appeal.
- A copy of the report shall be shared with the respondent/appellant and the Squash Ulster Board.

Obstruction: In the event that the AC committee believes that its work has been obstructed in any way, the AC may seek permission from the Board of Squash Ulster to dissolve their committee. Of itself any attempted interference with the work of the DP or AC shall be viewed as a breach of the Squash Ulster Code of Conduct.

Sport Dispute Solutions Ireland: If disputes or differences cannot be resolved under this policy then they shall be referred to Sport Dispute Solutions Ireland for final and binding arbitration as per Article 59 of the Articles of the Association.

The Convenor and members of the panel of the DP are expressly forbidden from entering into any form of discussion or negotiation with the subject of a complaint and/or his or her representative, or any other person, about the terms of any decision the DP might reach or any penalty or sanction to be imposed.

The Chairperson and members of the AC may, in the course of an appeal hearing, discuss with the appellant and/or his or her representative the terms of any penalty or sanction imposed by the DP, but only insofar as such penalty or sanction has been the subject of appeal. The Chairperson and members of the AC are expressly forbidden from negotiating with the appellant and/or his or her representative about the terms of the AC's decision. The subject of a DP or the appellant in an AC hearing may be represented by a person of their choice, other than a legal representative.

3.17 CONFIDENTIALITY

The DP and AC shall keep all communications and material relating to specific complaints strictly confidential. All such material shall only be accessible, as determined by the DP/AC, to the relevant parties as deemed necessary to the fair hearing of a complaint. Papers relating to a case will be lodged with the President of Squash Ulster and no other person shall have access to the papers without the permission of the Convenor of the DP or the Chairperson of the AC. Squash Ulster may issue a factual statement or statements to the media.

3.18 HON. SECRETARY INFORMING THE BOARD

The Hon Secretary shall inform the Board at the earliest opportunity:

- That a report has been made under this policy;
- That an investigation is being undertaken under this policy;
- Of the decision of the DP in each individual case;
- That a decision of the DP is the subject of an appeal;
- Of the decision of the AC;
- Where a dispute or decision has been referred to Sport Dispute Solutions Ireland for final and binding arbitration under Article 59 of the Articles of the Federation.