



SCOTTISH PARA-FOOTBALL

Disciplinary Policy

This policy is written to underpin both Scottish Para-Football as well Para-Football Game Leader Organisations who are members of Scottish Para-Football. Therefore this policy will be adopted by each individual Para-Football Game Leader Organisation. If your concern relate to Scottish Para-Football please contact the National Office. However if your concern relate to a Para-Football Game Leader Organisation please contact their Committee directly.

1. Introduction

- 1.1 This policy is issued in accordance with Scottish Para-Football and the Para-Football Game Leader Organisations in which are members of Scottish Para-Football. It is applicable for Scottish Para-Football and Game Leader Organisations procedures for dealing with alleged breaches reported by match officials and relating to incidents and/or acts of misconduct occurring at a match and also to investigations of incidents and acts which may be considered liable to bring Scottish Para-Football or Para-Football Game Leader Organisations into disrepute which are brought to the attention to Scottish Para-Football by any means. Such matters of alleged disrepute shall not be subject to any time bar.
- 1.2 The following Disciplinary Procedures are supplementary to the playing rules of each Para-Football Game Leader Organisation which is played under the jurisdiction of Scottish Para-Football involving Member Leagues, Associations, Clubs, Players and Officials
- 1.3 When implementing these Disciplinary Procedures all members of disciplinary committees must be aware that a fair hearing is of paramount importance and all hearings must be conducted in accordance with the principles of natural justice.
- 1.4 All members of disciplinary committees when making decisions must ensure that any sanction applied is balanced, is consistent with similar cases within the Para-Football Game Leader Organisation and is not disproportionate
- 1.5 Match official reports received either verbal or written relating to the participation of any Para-Football Game Leader Organisation shall be dealt with as considered appropriate in accordance with these Disciplinary Procedures
- 1.6 All Para-Football Game Leader Organisations members, officials and players shall co-operate with any Scottish Para-Football or Para-Football Game Leader Organisation in respect of any alleged breaches of rules and shall provide such reasonable information to Scottish Para-Football or Para-Football Game Leader Organisation may request
 - 1.6.1 Any party shall respond to any such request or correspondence received from the relevant Organisation, within such time as is reasonably requested, to enable the relevant Organisation to exercise their functions
 - 1.6.2 Any failure by a party to respond to such requests or correspondence received from the Organisation will result in that party being placed under a Precautionary Suspension until the request or correspondence is responded to
- 1.7 The following principles will be applied in relation to the penalties imposed for misconduct at matches;

1.8.1 Standard Offences:

- 1.8.1.1 Suspensions for a number of matches (“Match Suspension”) will be imposed based on the Scottish Para-Football Fixed Penalty Guidelines detailed in Appendix 1; these suspensions will apply until such times as a player’s team has completed the requisite number of matches played / time period in competitions that are scheduled by the relevant secretary of the Para-Football Game Leader Organisation
- 1.8.1.2 For all offences misconduct report forms will be forwarded by the by the relevant official(s) in the first instance to the appropriate Para-Football Game Leader Organisation in order that the appropriate suspension may be determined
- 1.8.1.3 Match Suspensions cover all competitive game player by the club but do not include trial matches, friendly matches, tournaments or National trial matches or schools football. Matches included under this suspension must be fixtures issued by either Scottish Para-Football or Para-Football Game Leader Organisations secretaries
- 1.8.1.4 A match that is abandoned and/or unfulfilled matches do not count as a completed match in terms of a player serving a suspension. However all acts of misconduct will still be reported and referred to the relevant Disciplinary Committee
- 1.8.1.5 Only matches in which a player is eligible to play will count towards the player serving a suspension. An unregistered player participating in a league match not marked as a trialists will be deemed to be an ineligible player.
- 1.8.1.6 Para-Football Game Leader Organisations who participate in multiple fixtures match day may offer to immediately suspend a player / official from the remaining matches for that fixture day as a result of punishment. The Para-Football Game Leader Organisation may decide to withhold the suspensions and implement these for the next fixture day(s).

1.8.2 Serious Offences

- 1.8.2.1 Para-Football Game Leader Organisation who participate in multiple fixture match days must remove a player / official from the remaining fixture of the match day. The Para-Football Game Leader Organisation will then investigate if further punishment is required for future fixture day(s)
 - 1.8.2.2 Suspensions for a period of time (“Dated Suspensions”) shall be imposed on the Scottish Para-Football Guidelines for Serious Offences detailed in Appendix 2. These suspensions shall be forwarded to the Scottish Football Association (“Scottish FA”) for confirmation to all football.
 - 1.8.2.3 For all offences, misconduct report forms shall be forwarded by the Match Official(s) to the appropriate Para-Football Game Leader Organisation in order that the appropriate suspension may be determined. A report of all Dated Suspensions shall also be forwarded to Scottish Para-Football. Scottish Para-football shall refer all Dated Suspensions to the Scottish FA for confirmation and effect to all football
 - 1.8.2.4 Dated Suspensions imposed are from all football including trial matches, friendly matches, tournaments, National Squads and School Football
- 1.9 Scottish Para-Football shall have the power whenever deemed appropriate or necessary for the proper and effective conduct of disciplinary hearings or for the implementation of rules

of natural justice to ensure fair disciplinary hearings, to issue disciplinary guidance notes. In accordance with supplementary and playing rules, such disciplinary guidance notes will be implemented by all members and disciplinary / appeals committees

- 1.10 Any individual, player, official, club or Organisation reports for an alleged breach of the Disciplinary Rules shall be referred to as the “Alleged Party in Breach”
- 1.11 All Dated Suspensions placed on an Individual, Player or Official must be reported to Scottish Para-Football

2. Report of Offences by Match Officials

2.1 Cautionable Offences

- 2.1.1 Match Official(s) will administer cautions in accordance with the Laws of the Game for the relevant Para-Football Game Leader Organisation
- 2.1.2 Match Official(s) shall submit report forms to the appropriate Para-Football Game Leader Organisation secretary stating details of the offence. Such report forms shall be submitted as soon as possible following the match

2.2 Sending-off Offences

- 2.2.1 Match Official(s) will administer sending-offs in accordance with the Laws of the Game for the relevant Para-Football Game Leader Organisation
- 2.2.2 Match Official(s) shall submit report forms to the appropriate Para-Football Game Leader Organisation secretary stating details of the offence. Such report forms shall be submitted as soon as possible following the match
- 2.2.3 In the case of a player who is sent off for receiving a second caution, the Match Official must report the two offences that resulted in the player’s dismissal on individual report forms
- 2.2.4 If a Match Official considered that a player’s sending-off is of a nature that may warrant consideration by a Disciplinary Committee of the appropriate Para-Football Game Leader Organisation or Scottish Para-Football they must submit a misconduct report form detailing the incident to the appropriate Para-Football Game Leader Organisation
- 2.2.5 Para-Football Game Leader Organisation who participate in multiple fixture match days may remove a player / official from the remaining fixture of the match day. If they deem the player is not in the frame of mind to continue within the fixture day to the safety to themselves and other. The Para-Football Game Leader Organisation will then investigate if further punishment is required for future fixture day(s)

2.3 Incidents occurring before, during or after a match

- 2.3.1 Match Official(s) must submit report forms to the appropriate Para-Football Game Leader Organisation secretary stating details of the offence or incident, and the party or parties alleged to have committed the offence. Such report forms shall be submitted as soon as possible following the match
- 2.3.2 Where the offence is alleged to have been committed by a player the Match Official must submit a misconduct report form detailing the incident

- 2.3.3 All incidents, other than offences committed by a player or official, must be reported to the appropriate Para-Football Game Leader Organisation by the Match Official(s) by letter

3. Cases of misconduct not reported by match officials

- 3.1 Scottish Para-Football or Para-Football Game Leader Organisation retains discretion to investigate any case in which the individuals club, league, act of misconduct or the circumstances pertaining to such misconduct would appear in the opinion of the Scottish Para-Football or Para-Football Game Leader Organisation to bring the game into disrepute
- 3.2 Scottish Para-Football or Para-Football Game Leader Organisation discretion shall not be limited to incidents and acts of misconduct that are the subjects of a report by a Match Official
- 3.3 Scottish Para-Football or Para-Football Game Leader Organisation shall have the power to investigate alleged incidents and/or acts of misconduct which have come to its notice by any means
- 3.4 Any Para-Football Game Leader Organisation asked to investigate any alleged incident and/or act of misconduct on behalf of the Scottish Para-Football shall at the conclusion of its investigation supply all documentation to Scottish Para-Football along with the decision of the Para-Football Game Leader Organisation.

4. Serving of suspensions

- 4.1 In cases where a Para-Football Game Leader Organisation imposes a Match Suspension, it will also confirm to the player and the player's registered club the details of any suspension which it has imposed on the player
- 4.2 Any Match Suspension, or part thereof, which remains outstanding at the end of the season, or any extension of the season must be served at the commencement of the following season.
- 4.3 All Match Suspensions will commence on the later of;
- 4.3.1 The Friday, which is at least 7 days after the date of the postmark on the written notification of the suspension to the player or official and their club
- Or
- 4.3.2 At the completion of any current suspension
- 4.4 For disciplinary incidents that are held during the close season, any match or Dated Suspension imposed will commence on the Friday before the first league day of the new season.
- 4.5 In cases where the Para-Football Game Leader Organisation imposes a Dated Suspension on a player, it will confirm to the player and to their registered club the details of any suspension which it has imposed on the player.
- 4.6 In cases where the Para-Football Game Leader Organisation imposes a Dated Suspension on an official, it will confirm to the official and to their registered club the details of any suspension which it has imposed on the official. For any official plead under a dated

suspension of 3 months or more they will be required to make a new application for membership

4.7 All Dated Suspensions will commence on the Friday, which is at least 7 days after the date of the postmark on the written notification of the suspension to the player / official and their registered club. All Dated Suspension will have a start date and a finish date. A player of official given a dated suspension shall be eligible to participate on the last date quoted in their period of suspension

4.8 Intimidated of disciplinary sanctions

4.8.1 Disciplinary sanction notices shall be deemed to be confidential information

4.8.2 Disciplinary minutes complete with sanctions can be issued but circulation must be restricted to the Para-Football Game Leader Organisation member clubs

4.8.3 Disciplinary minutes and/or any disciplinary sanction notices must not be circulated to any person who is not in member of the Para-Football Game Leader Organisation

4.8.4 Disciplinary minutes and/or/ any disciplinary sanctions notices must not be posted to any part or section of a website which is not restricted to member and password protected

4.8.5 Any breach of point 4.8 shall be referred to Scottish Para-Football and deemed to be an offence under Scottish Para-Football Confidentiality and/or Data Protection Procedures. Any referral may result in a sanction being applied.

4.9 Para-Football Game Leader Organisation have the ability to place a fine on Players, Officials, and Clubs being found guilty of an offence

4.10 Appeal against a sending-off

4.10.1 Players have the right to appeal a sending off to the relevant Para-Football Game Leader Organisation. Any appeal against a caution must be lodged with the relevant secretary not later than 5pm on the 5 days after the date on the notice.

4.10.2 The grounds of the appeal must be specified in the letter of appeal. The permitted grounds of appeal are;

4.10.3 Mistaken identity

4.10.4 Player did not commit the offence

4.10.5 These appeal do not require to be face to face appeal meetings and can be completed through technology

4.11 Appeal against a Serious Offence and Dated Suspension

4.11.1 All appeals against a serious offence and Dated Suspension must be heard by the Scottish Para-Football Disciplinary Committee which will consist of

Scottish Para-Football Secretary

Scottish Para-Football Board Member

Relevant Para-Football Game Leader Organisation Board Member

- 4.11.1 All appeal heard by Scottish Para-Football must be appeal in person during the Appeals meeting (unless due to unforeseen circumstances) which will be arranged and communicated by Scottish Para-Football
- 4.11.2 Appeals must be made in writing to Scottish Para-Football and the relevant Para-Football Game Leader Organisation no later than 5 days after the date on the complaints notice received by the Player or Official and the registered Club
- 4.11.3 Along with the written appeal notice a cheque made to Scottish Para—Football £20 inclusive of Value Added Tax. If appeal is accepted the £20 cheque will be returned.
- 4.11.4 Scottish Para-Football Disciplinary committee may add an extension to the Suspension if the committee deems the appeal has been made frivolous
- 4.11.5 Suspensions will be suspended until the Appeals Committee has met and decision made
- 4.11.6 Players / Officials and Clubs do not have the right to a second appeal
- 4.11.7 Any appeal will be heard in accordance with the guidelines for appeal procedures

5. Powers of the Scottish Para-Football Disciplinary Committee

- 5.1 To deal with appeals from Clubs, Players or Officials against a Serious Offence of Dated Suspension applied by a Para-Football Game Leader Organisation.
- 5.2 The Appeals Committee shall have the power to;
 - 5.2.1 Affirm the decision of the body who decision is appealed against
 - 5.2.2 Uphold the appeal by setting aside the decision appealed against and quashing any sanction imposed
 - 5.2.3 Uphold the appeal in part by setting aside part only of the decision appealed against
 - 5.2.4 Substitute for the decision appealed against a decision to find the appellant to have breached an alternative disciplinary rule
 - 5.2.5 Order a lesser or an increased sanction to that imposed by the Para-Football Game Leader Organisation
 - 5.2.6 Refer the case, or any part of it, back to the Para-Football Game Leader Organisation whose decision is appealed against or to a freshly constituted disciplinary committee
 - 5.2.7 Where is conducts a re-hearing to –determine the case afresh
 - 5.2.8 Take any step which, in the exercise of its discretion, the Appeals Committee considers it would be appropriate to take in order to deal justly with the case in question;
 - 5.2.9 If the appeal is dismissed the appeal deposit will be retained and the appellant may be held liable in all or part of the expenses of the meeting, subject to the discretion of the Disciplinary committee
 - 5.2.10 If the appeal is successful the appeal deposit will be returned to the appellant and the body defending the appeal may be held liable in all or part of the expenses of the meeting, subject to the discretion of the Disciplinary committee

5.2.11 If the appeal is partially successful the return of the appeal deposit shall be at the discretion of the Disciplinary committee

5.2.12 An appeal may be withdrawn by an appellant prior to the hearing of the case by notifying Scottish Para-Football of such in writing. The appeal will, upon Scottish Para-Football's receipt of such notification, be deemed to be abandoned and the original decision against which the appellant initially took exception, will be regarded as final and binding. Upon the withdrawal of an appeal, the appeal deposit will be automatically forfeited. The appellant may be held liable in all or part for the expenses of the appeal procedure subject to the discretion of the Scottish Para-Football Appeals Committee.

5.3 Misconduct during a Disciplinary Committee Meeting

5.3.1 If during the course of any Scottish Para-Football Disciplinary committing meeting any party so misconducts themselves that in the view of the committee chairman a proper hearing cannot take place unless the party is removed, the chair may order;

5.3.2 That the party is removed from the meeting for so long as his/her conduct make it necessary; and/or

5.3.3 That the hearing proceeds in the party's absence

6. Powers of Scottish Para-Football Board

6.1 To deal with routine business which is relative to the observance of the Constitution and any other policies or procedures of Scottish Para-Football and which does not come within the scope any other committees or Para-Football Game Leader Organisations

6.2 To deal with any misconduct reports relating directly to Para-Football Game Leader Organisations or Members of Para-Football Game Leader Organisation Boards

6.3 To sanction the creation of New Para-Football Game Leader Organisation or the structures of current Para-Football Leader Organisations and their membership to Scottish Para-Football

6.4 To accept the playing and competition rules for Para-Football Game Leader Organisations

6.5 To manage the appeal process of Serious Offences and Dated Suspension cases

7. Individual, Players, Officials, Club, Leagues or Associations cited to appeal before either a Para-Football Game Leader Organisation or Scottish Para-Football

7.1 Para-Football Game Leader Organisation or Scottish Para-Football will confirm in writing to an alleged party in breach, at their previously notified address, and in the case of a player or official, to his club that they are being cited to appear before the relevant committee, the

7.2 The alleged party in breach will be advised:-

7.2.1 of the reason for their citation;

7.2.2 of the date, time and place of the Disciplinary Committee meeting;

7.2.3 that they have the right to appear and make representations; and

- 7.2.4 that in the case of a player he has the right to be accompanied by a parent or guardian and/or a registered club official who was a registered official of that club at the time of the alleged offence.
- 7.3 A copy of any report(s) submitted in connection with the case will be issued to the alleged party in breach at their previously notified address. The alleged party in breach will be given the opportunity to respond in writing prior to the meeting. All written responses will be made available to all Disciplinary Committee members and any other person who has been cited to the meeting. All letters must be lodged not less than seven days prior to the date of the meeting. An alleged party in breach will not be allowed to refer to any item of correspondence that has not been submitted timeously, unless so allowed by the Disciplinary Committee in exceptional circumstances.
- 7.4 The Disciplinary Committee will be entitled to view, at its discretion, accredited video recordings of the misconduct under investigation. The viewing of such recordings will be carried out in the presence of Disciplinary Committee members and any other person who has been cited to the meeting. The person or committee submitting video evidence will be responsible for supplying all equipment needed to view the recording. All video recordings must be lodged not less than seven days prior to the date of the meeting. A party will not be allowed to refer to any video recording that has not been submitted in this fashion.
- 7.5 In the event of an alleged party in breach failing to attend a meeting and failing to submit a written application to have the case recited, the case will be dealt with by the Disciplinary Committee in their absence, taking into consideration all the evidence available. The Disciplinary Committee may place the party in breach under a Precautionary Suspension until the party in breach makes written application for a hearing and appears before the relevant committee.
- 7.6 The Disciplinary Committee may require Match Official(s) or any other witness, to be in attendance at any such meeting. Any Match Official(s), so required, shall be entitled to travel expenses and may be accompanied by a colleague.
- 7.7 Any alleged party in breach cited to appear before the Relevant Committee has the right to be accompanied and/or represented as follows:
- 7.7.1 All players may be accompanied by a registered club official and/or a parent/guardian;
- 7.7.2 Players may have a registered club official or parent/guardian speak on their behalf;
- 7.7.3 A club official may be accompanied by another registered official of the club. Only one official will be allowed to speak;
- 7.7.4 A club may be represented by two registered officials of the club. Only one official will be allowed to speak on the club's behalf;
- 7.7.5 Match Officials may be accompanied by a member of the Referee's Association.
- 7.8 The standard of proof at all meetings shall be on the balance of probability.
- 7.8.1 The committee shall not be bound by judicial rules governing the admissibility of evidence. The committee may establish the facts by any means it considers to be appropriate,

including admissions and by its own interpretation of evidential material, such as electronic recordings.

7.8.2 Evidence from any witness relied upon by any party may be considered by the committee in such form (normally in writing) that it considers to be appropriate.

7.8.3 Where facts which the committee considers to be material are disputed the committee may generally provide for cross examination. However it is recognised and accepted that the committee will operate less formally than a court of law and a committee may decide to allow such alternative procedure to enable the testing of evidence as it considers to be appropriate.

7.9 Committee's deliberations in general:

7.9.1 The Committee's deliberations should be undertaken in private and accordingly shall not be disclosed to the parties.

7.9.2 Where the Disciplinary Committee is unable to make a decision unanimously then a decision may be made by the majority of the Committee members.

7.9.3 Whilst it is anticipated that Disciplinary Committees will generally make a single decision of the Case(s) referred to it, the Committee may, if it considers it to be appropriate, make more than one decision at different times on different aspects of the Case to be decided.

7.9.4 A "part decision" is a decision which determines some (but not all) of the Case which the Committee is to decide in the proceedings. A part decision should specify the matters to which it relates.

7.10 Issuing of information arising from proceedings Subject to any obligation imposed by law, the Scottish Para-Football and its officers will not be obliged to release any information to parties arising from proceedings.

7.11 The decision of the Disciplinary Committee will normally be intimated to the individual or club at the meeting but may in certain circumstances not be so intimated. In either case, the notification of decision will be confirmed by the Scottish Para-Football, in writing, to the alleged party in breach at the previously notified address. In the case of an individual the decision will also be intimated to his club complete with any fine.

7.12 Notification of decision:

7.12.1 Correcting an award

7.12.1.1 The Committee may correct a notification of decision, so as to:

7.12.1.1.1 Correct a clerical, typographical or other error in the notification of decision arising by virtue of accident or omission;

7.12.1.1.2 Clarify or remove any ambiguity in the notification of decision; or

7.12.1.1.3 Correct a procedural irregularity by raising standing orders of the meeting and citing the alleged party in breach to a new disciplinary hearing.

7.12.2 The Committee may make such correction:

- 7.12.2.1 On its own initiative; or
- 7.12.2.2 On an application by any party.
- 7.12.3 A Party making an application under Paragraph
- 7.12.2 Must send a copy of the application to the other party(s) at the same time as the application is made. Such an application is only valid if made within five working days of the communication or delivery of the notification of decision concerned.
- 7.12.4 A correction or clarification may only be made under this Paragraph where it is made within ten working days of the communication or delivery of the notification of decision being made.
- 7.12.5 The Committee should, before deciding whether to correct a notification of decision, give each party a reasonable opportunity to make representations about the proposed correction.
- 7.12.6 A corrected notification of decision is to be treated as if it was made in its corrected form on the day on which the decision was made.

7.13 Final and binding:

- 7.13.1 A Committee's decision may only be challenged by an appeal as set out in these disciplinary procedures. Such appeals shall be conducted in accordance with this disciplinary procedure. Subject thereto, the decision shall be the full, final and complete decision of the Case(s) and will be final and binding on the parties and there shall be no further right of challenge in respect of Decisions of Committees.
- 7.13.2 Subject to any applicable rights of appeal, the decision shall be complied with by members and associated persons. A disciplinary committee shall have the power to determine that a person or body is in breach of this Paragraph
- 7.13.2 and may impose such sanction as is provided for in the disciplinary procedures in respect of any such breach.
- 7.13.3 Without limitation to the authority of the disciplinary committee to regulate its own procedure, where at any time in the course of any proceedings, there has been a breach of procedure, a breach of the rules of natural justice, or a failure to follow any decision given, this shall not invalidate the proceedings or a decision unless the breach has been such as to seriously and irremediably prejudice the position of the alleged party in breach.
- 7.13.4 Where there has been a breach of procedure, a breach of the rules of natural justice, or a failure to follow any decision given, this shall not invalidate the proceedings or a decision where a Party has either failed to exercise a right of appeal which, had it been exercised, may have purged any unfairness or other breach of the rules of natural justice or has exercised a right of appeal which has purged any unfairness or other breach of the rules of natural justice.

8. Powers of the Appeals Committee and Appeals Board

- 8.1 To deal with appeals from a member Club, a member Club's registered Player or registered Club Official against a decision of a League, Association, Club, Appeals against decisions of the Appeals Committee must be made to Scottish Para-Football.

- 8.2 The Appeals Committee shall have the power to:-
- 8.2.1 Affirm the decision of the body whose decision is appealed against;
 - 8.2.2 Uphold the appeal by setting aside the decision appealed against and quashing any sanction imposed;
 - 8.2.3 Uphold the appeal in part by setting aside part only of the decision appealed against;
 - 8.2.4 Substitute for the decision appealed against a decision to find the appellant to have breached an alternative disciplinary rule;
 - 8.2.5 Order a lesser or an increased sanction to that imposed by the body whose decision is appealed against;
 - 8.2.6 Refer the case, or any part of it, back to the body whose decision is appealed against or to a freshly constituted disciplinary committee;
 - 8.2.7 Where it conducts a re-hearing, to-determine the case afresh;
 - 8.2.8 Take any step which, in the exercise of its discretion, the Appeals Committee considers it would be appropriate to take in order to deal justly with the case in question;
 - 8.2.9 If the appeal is dismissed the appeal deposit will be retained and the appellant may be held liable in all or part of the expenses of the meeting, subject to the discretion of the Appeals Committee;
 - 8.2.10 If the appeal is successful the appeal deposit will be returned to the appellant and the body defending the appeal may be held liable in all or part of the expenses of the meeting, subject to the discretion of the Appeals Committee;
 - 8.2.11 If the appeal is partially successful the return of the appeal deposit shall be at the discretion of the Appeals Committee;
- 8.3 To investigate any item referred to it by the Board making recommendations to the Board that they may wish to further consider.
- 8.4 Misconduct during a committee meeting
- 8.4.1 If during the course of any appeals committee meeting any party so misconducts themselves that in the view of the committee chairman a proper hearing cannot take place unless the party is removed, the chairman may order:
 - 8.4.1.1 that the party is removed from the meeting for so long as his conduct makes it necessary; and/or
 - 8.4.1.2 that the hearing proceeds in the party's absence.
- 8.5 The Appeals Committee and the Appeals Board shall have the power at any time when it is considered in their opinion that a breach of procedures has taken place to suspend Standing Orders and instruct the original body to remove any previous decisions that may have been taken and start the procedure as a new item of business.

9. Appeals against a Decision of the Scottish Para-Football Board or Para-Football Game Leader Organisation

- 9.1 A party exercising a right of appeal under this section shall be referred to as an “Appellant”.
- 9.2 Any individual, player, official or club who is disciplined by either the Relevant Committee will have the right of appeal against the decision of that Disciplinary Committee to the Appeals Committee of the SPF. The appellant will be advised of this right in the letter intimating or confirming the decision.
- 9.3 A player may only appeal on his own behalf. A registered official may only appeal on his own behalf. A club may appeal on behalf of a player, a registered club official or the club. A league or association may appeal on behalf of a registered league or association official or the league or association.
- 9.4 An appeal from any individual, player, registered official, club, league or association must be lodged by recorded signed for or special delivery to Scottish Para-Football. Each decision appealed against must be recorded on a separate letter of appeal and covered by separate appeal fees.
- 9.5 Appeal fees are as follows:
- 9.5.1 Player - £30.
- 9.5.2 Others - £60.
- 9.6 The letter of appeal must set out fully the facts or circumstances which are the grounds of appeal. Such letters will be copied to all members of the Appeals Committee and to the registered official of the body (committee) whose decision is appealed. In all other respects regarding procedures or the rights to be accompanied.
- 9.7 An appeal shall only be permitted on one or more of the following grounds:
- 9.7.1 The Disciplinary Committee failed to give the appellant a fair hearing;
- 9.7.2 The Disciplinary Committee acted out with its power;
- 9.7.3 The Disciplinary Committee issued a decision which it could not properly have issued on the facts of the case;
- 9.7.4 The sanction imposed by the Disciplinary Committee was excessive or inappropriate.
- 9.8 Appeals that relate to any matter affecting the result of a cup-tie or which would interrupt the playing of a competition shall not be entertained as per the Articles of Association of the Scottish Football Association unless the appeal concerns the procedures adopted by the relevant Disciplinary Committee.
- 9.9 The Appeals Committee meeting shall not be conducted as a re-hearing of the case nor shall fresh evidence be submitted or heard, except in the event that:
- 8.9.1 The appellant attended the original Disciplinary Committee meeting;
- 8.9.2 A separate formal written request is made for a re-hearing by the appellant at the same time as the letter of appeal at paragraph 9.6 above is lodged; and

- 8.9.3 The Chair of the Appeals Committee consents to such request and decides that the Appeal shall be conducted as a re-hearing, which will not be granted except in exceptional circumstances where:
- 8.9.3.1 The grounds of appeal outline substantive grounds for treating the case as exceptional and for allowing a re-hearing; and/or
 - 8.9.3.2 New material evidence is presented along with such request, as paragraph
- 8.9.2 above, and the Chairman considers that such new material provides exceptional grounds for allowing a re-hearing.
- 9.10 An Appeal may be withdrawn by the appellant prior to the Appeals Committee meeting by notifying Scottish Para-Football writing. The Appeal will, upon the Scottish Para-Football receipt of such notification, be deemed to be abandoned and the original decision, against which the appellant initially took exception, will be regarded as final and binding. Upon the withdrawal of an Appeal, the Appeal deposit will be automatically forfeited. The Appellant may be held liable in all or part for the expenses of the Appeal procedure subject to the discretion of the Appeals Committee/Appeals Board.
- 9.11 If appeal proceedings brought by a player are deemed by the Appeals Committee or board to be trivial or frivolous, then the Appeals Committee or board shall have the power to increase any Match Suspension by a maximum of two matches.

Appendix 1

Fixed Penalty Guidelines for standard offences

Code	Offence	Suspension
A1	Serious Foul Play A player is guilty of serious foul play if they use excessive force or brutality against an opponent when challenging for the ball when it is in play; A tackle that endangers the safety of an opponent must be sanctioned as serious foul play; Any player who lunges at an opponent in challenging for the ball from the front, from the side or from behind using one or both legs, with excessive force and endangering the safety of an opponent is guilty of serious foul play.	2 Games
A2	Violent Conduct Violent conduct is when a player uses or attempts to use excessive force or brutality against an opponent when not challenging for the ball, or against a team-mate, team official, match official, spectator or any other person, regardless of whether contact is made. In addition, a player who, when not challenging for the ball, deliberately strikes an opponent or any other person on the head or face with the hand or arm, is guilty of violent conduct unless the force used was negligible	
A2.1	Punching an opponent / attempting to punch	4 Games or Full League Day
A2.2	Kicking an opponent / attempting to kick	4 Games or Full League Day
A2.3	Pushing an opponent (if force used was excessive)	4 Games or Full League Day
A2.4	Striking an opponent / attempting to strike	4 Games or Full League Day
A2.5	Attempted Head-butting	4 Games or Full League Day
A3	Denying an opposition team or an opponent a goal or an obvious goal scoring opportunity as defined by law 12	1 Game
A4	Offensive, insulting or abusive language and / or gestures	2 Games
A5	Receiving a second caution in the same match	1 Game

Cautions for unsporting behaviour

There are different circumstances when a player must be cautioned for unsporting behaviour including if a player:

- attempts to deceive the referee, e.g. by feigning injury or pretending to have been fouled (simulation)
- changes places with the goalkeeper during play or without the referee's permission ()
- commits in a reckless manner a direct free kick offence
- handles the ball to interfere with or stop a promising attack
- commits a foul which interferes with or stops a promising attack, except where the referee awards a penalty kick for an offence which was an attempt to play the ball
- denies an opponent an obvious goal-scoring opportunity by an offence which was an attempt to play the ball and the referee awards a penalty kick
- handles the ball in an attempt to score a goal (whether or not the attempt is successful) or in an unsuccessful attempt to prevent a goal
- makes unauthorised marks on the field of play
- plays the ball when leaving the field of play after being given permission to leave
- shows a lack of respect for the game
- uses a deliberate trick to pass the ball (including from a free kick) to the goalkeeper with the head, chest, knee etc. to circumvent the Law, whether or not the goalkeeper touches the ball with the hands
- verbally distracts an opponent during play or at a restart

Appendix 2

Guidelines for serious offences

Introduction

These guidelines are intended for guidance purposes only and any sanction is to be used on the evidence presented to the disciplinary committee. This shall be considered as standard procedure.

Please Note all cases of Serious Offences and Dated Suspensions must be forwarded to Scottish Para-Football which must include the Report of the incident.

A breach of serious offences listed in appendix 2 will be considered an “Aggravated Breach” where it includes a reference whether express or implied, to any one or more of the following: ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.

When suspension is less than 6 months, Para-Football Game Leader Organisation can decide to suspend a player / official for a set number of league days.

Should you require any further advice or information on the Guidelines for Serious Offences or the submission of suspension sheets please contact Scottish Para-Football

(A) All Participants within Scottish Para-Football / Game Leader Organisations

Code Offence

S001 Concern regarding Safeguarding Policies

For breach of the Safeguarding Policy of Scottish Para-Football the individual will be expelled from membership and will be reported to the Disqualified from Working with Vulnerable Group Lists

(B) Players

Code Offence

S01 Match or League Official assault

Maximum Suspension – 2 years

S02 Physical threatening a Match or League Official and/or attempting to lay hands on a Match or League Official

Maximum Suspension – 6 months

S03 Verbally threatening a Match or League Official

Maximum Suspension – 2 months or 2 League Days

S04 Physical assault on any official or spectator

Maximum Suspension – 1 year

S05 Serious violent conduct

(a) e.g. – When a player is not seriously injured and can continue to participate in the game

Maximum Suspension – 3 months or 3 League Days

- (b) e.g. – When a player is seriously injured, can take not further part in the game and/or requires specialist / medical treatment**

Maximum Suspension – 1 year

S06 Head-butting

e.g. – When a player is not injured and does not require any treatment

Maximum Suspension – 2 months or 2 League Days

- (b) e.g. – When a player is not seriously injured, received treatment and can continue to participate in the game**

Maximum Suspension – 3 months or 3 League Days

- (c) e.g. – When a player is seriously injured, can take no further part in the game and/or requires specialist / medical treatment**

Maximum Suspension – 1 year

S07 Spitting at an opponent or any other person

Spitting on or at a Match or League Official to be considered as a Match or League Official assault, refer to S01, in all other cases involving a player

Maximum Suspension – 6 months

S08 Playing while using an assumed name

Maximum Suspension – 6 months

S09 Playing or participating while under suspension

Maximum Suspension – 3 months or 3 League Days

S10 Making a discriminatory comment or gesture (must be refereed to Scottish Para-Football)

This offence will be committed when a comment or gesture makes any reference, whether express or implied, to any one or more of the following: ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability

Maximum Suspension – 6 months

S011 Sending an offensive electronic communication or posting offensive material on a website or social media

Maximum Suspension – 6 months

S012 Knowingly, recklessly and/or without reasonable inquiry provide false, misleading and/or inaccurate information in respect of alleged rule breaches

Maximum Suspension – Expulsion of the player

S013 Failing to respond or correspondence received from relevant Secretary from Para-Football Game Leader Organisation or Scottish Para-Football

Precautionary Suspension until request complied with

S014 Playing while registered for another club

Maximum Suspension – 3 months or 3 League Days

S015 Gambling on a Para-Football Game Leader Organisation match or receive a bonus or any other inducement to influence the result of a match or otherwise affect the conduct of a match

Maximum Suspension – Expulsion from Scottish Para-Football

(C) Officials

S030 Match of League Official assault

Maximum Suspension – Expulsion from Scottish Para-Football

S031 Physically threatening a Match or League Official and/or attempting to lay hands on a Match or league Official

Maximum Suspension – Expulsion from Scottish Para-Football

S032 Verbally threatening a Match or League Official

Maximum Suspension – 1 year

S033 Physical assault on any official or spectator

Maximum Suspension – Expulsion from Scottish Para-Football

S034 Spitting at an opponent or any other person

Spitting on or at a Match Official to be considered as Match Official assault, refer to S030. In all other cases involving an official

Maximum suspension – 1 year

S035 Playing a player under an assumed name

Maximum Suspension – Expulsion from Scottish Para-Football

S036 Playing a suspended player

Maximum Suspension – Expulsion from Scottish Para-Football

S037 Participating while under suspension

Maximum Suspension – Expulsion from Scottish Para-Football

S038 Physical assault on a player

Physical assault on a player up to and including 17 year olds

For breach of the Safeguarding Policy of Scottish Para-Football the Official will be expelled from membership and will be reported to the Disqualified from Working with Children Lists

Physical assault on a player above and including 18 year olds

For breach of the Safeguarding Policy of Scottish Para-Football the Official will be expelled from membership and will be reported to the Disqualified from Working with Vulnerable Adults Lists

S039 Making a discriminatory comment or gesture (must be referred to Scottish Para-Football)

This offence will be committed when a comment or gesture makes any reference, whether express or implied, to any one or more of the following: ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability

Maximum Suspension – Expulsion from Scottish Para-Football

S040 Sending an offensive electronic communication or posting offensive material on a website or social media

Maximum Suspension – Expulsion from Scottish Para-Football

S041 Making an illegal approach to a player registered for another Scottish Para-Football Club

Maximum Suspension – Expulsion from Scottish Para-Football

S042 Knowingly, recklessly and/or without reasonable inquiry provide false, misleading and/or inaccurate information in respect of alleged rule breaches

Maximum Suspension – Expulsion from Scottish Para-Football

S043 Failing to respond or correspondence received from relevant Secretary from Para-Football Game Leader Organisation or Scottish Para-Football

Precautionary Suspension until request complied with

S044 Breaching the Data Protection Act, in relation to passing personal information including tramlines, onto any other party for any reason except as designated within Scottish Para-Football policies and procedures

Maximum Suspension – Expulsion from Scottish Para-Football

S045 Disclosing information from a Committees deliberations to any third party

Maximum Suspension – Expulsion from Scottish Para-Football

S046 Playing a player who is registered for another club

Maximum Suspension – 6 months

S047 Offensive, insulting or abusive language or gesture

Maximum Suspension – 6 months

S048 Gambling on a Para-Football Game Leader Organisation match or receive a bonus or any other inducement to influence the result of a match or otherwise affect the conduct of a match

Maximum Suspension – Expulsion from Scottish Para-Football

(D) Clubs

- S070 Misconduct due to the actions of the club's player(s), official(s) and/or the clubs supporters**
- On receipt of information that causes concern to a Para-Football Game Leader Organisation a clubs fixtures may be suspended until a hearing takes place
- S071 Misconduct due to the actions of a clubs players**
- On receipt of information a clubs fixtures may be suspended
- Maximum Suspension – Expulsion from Scottish Para-Football
- Or
- A Fine not exceeding £250 and deduction of up to 10 League points
- S072 Misconduct due to the actions of the clubs official(s)**
- Maximum Suspension – Expulsion from Scottish Para-Football
- Or
- A Fine not exceeding £250 and deduction of up to 10 League points
- S073 Misconduct due to the actions of the clubs supporters**
- Maximum Suspension – Expulsion from Scottish Para-Football
- Or
- A Fine not exceeding £250 and deduction of up to 10 League points
- S074 Sending an offensive electronic communication or posting offensive material on a website or social media**
- Maximum Suspension – Expulsion from Scottish Para-Football
- Or
- A Fine not exceeding £250 and deduction of up to 10 League points
- S075 Making an illegal approach to player registered with another Scottish Para-Football Club**
- Maximum Suspension – Expulsion from Scottish Para-Football
- Or
- A Fine not exceeding £100 and deduction of up to 10 League points
- S076 Knowingly, recklessly and/or without reasonable inquiry provide false, misleading and/or inaccurate information in respect of alleged rule breaches**
- Maximum Suspension – Expulsion from Scottish Para-Football
- Or
- A Fine not exceeding £250 and deduction of up to 10 League points
- S077 Failing to respond to requests or correspondence received from relevant Para-Football Game Leader Organisation or Scottish Para-Football**

Precautionary Suspension until request complied with

Or

Maximum Suspension – Expulsion from Scottish Para-Football

S078 Playing an ineligible player is a relevant Para-Football Game Leader Organisation fixture

Three points will be deducted for every league match in which the player was ineligible and has played and a fine not exceeding £250

Within Cup fixture team will forfeit the cup fixture and a fine not exceeding £250

S079 Breaching the Data Protection Act, in relation to passing personal information including tramlines, onto any other party for any reason except as designated within Scottish Para-Football policies and procedures

Maximum Suspension – Expulsion from Scottish Para-Football

S080 Playing in an unauthorised football match

A fine not exceeding £500

S081 Playing a player who is registered for another club

A fine not exceeding £250

S082 The club using an unregistered official(s)

A fine not exceeding £100

S083 The club playing a suspended player

A fine not exceeding £250

S084 Playing a player under an assumed name

Maximum Suspension – Expulsion from Scottish Para-Football

S085 Playing a suspended player

Maximum Suspension – Expulsion from Scottish Para-Football

S086 Club official participating while under suspension

Maximum Suspension – Expulsion from Scottish Para-Football

S087 Gambling on a Para-Football Game Leader Organisation match or receive a bonus or any other inducement to influence the result of a match or otherwise affect the conduct of a match

Maximum Suspension – Expulsion from Scottish Para-Football

(E) Para-Football Game Leader Organisation – *These discipline breaches will be dealt with directly by Scottish Para-Football*

S120 Disclosing information from a Committees deliberations to any third party

- Maximum Sentence a fine not exceeding £250
- S121 Breaching the Data Protection Act, in relation to passing personal information including tramlines, onto any other party for any reason except as designated within Scottish Para-Football policies and procedures**
- Maximum Sentence a fine not exceeding £250
- S122 Allowing a club(s) not affiliated to Scottish Para-Football to participant in any league and/or association match(s)**
- Maximum Sentence a fine not exceeding £250
- S123 Failing to respond to requests or correspondence received from Scottish Para-Football**
- Maximum Sentence – Expulsion from Scottish Para-Football
- S124 Misconduct due to the actions of a League Official(s)**
- A fine not exceeding £250
- S125 Sending an offensive electronic communication or posting offensive material on a website or social media**
- A fine not exceeding £250
- S126 Knowingly, recklessly and/or without reasonable inquiry provide false, misleading and/or inaccurate information in respect of alleged rule breaches**
- A fine not exceeding £250
- S127 Gambling on a Para-Football Game Leader Organisation match or receive a bonus or any other inducement to influence the result of a match or otherwise affect the conduct of a match**
- Maximum Suspension – Expulsion from Scottish Para-Football
- S128 Not meeting the rules within Scottish Para-Football Constitution**
- Maximum Suspension – Expulsion from Scottish Para-Football
- S129 Not ensuring clubs have registered using the relevant Registration System**
- Maximum Suspension – Expulsion from Scottish Para-Football
- S130 Allowing Clubs and Official, Coaches to participate without undertaking Scottish Para-Football Protection Policies**
- Maximum Suspension – Expulsion from Scottish Para-Football

Appendix 3

Scottish Para-Football guidelines for the implementation of a Scottish Para-Football Precautionary Suspension

1. A Precautionary Suspension is not a form of disciplinary action.
 - 1.1 A Precautionary Suspension is designed to protect all parties concerned and as such is not a sanction in itself
 - 1.2 If a party subject to a Precautionary Suspension is subsequently found in breach of these rules then the Precautionary Suspension may be taken account of by the relevant Para-Football Game Leader Organisation when issuing a sanction
2. A Precautionary Suspension may be applied to any party allegedly in breach of these rules where it is determined that there is a good reason to suspect that a member club, registered official or player may have acted in one or more of the following way
 - 2.1 By acting in a manner that;
 - 2.1.1 Constitutes serious violent conduct
 - 2.1.2 Cause harm or the risk of harm
 - 2.1.3 Raises significant concerns about the conduct for any party
 - 2.2 By breaching the Safeguarding Children Policy; and/ or
 - 2.3 By breaching the Safeguarding Protected Adults Policy;
 - 2.4 Where a Precautionary Suspension is being contemplated by the relevant secretary of a Para-Football Game Leader Organisation or Scottish Para-Football shall write to the party allegedly in breach inviting that party to a hearing no later than 5 working days from the date of intimation of such a hearing
 - 2.5 The party allegedly in breach shall be entitled to attend this hearing and make representations, or submit written submissions, opposing the imposition of a Precautionary Suspension.
 - 2.6 If the party allegedly in breach does not attend the hearing or provide any reason for their absence then the hearing may be conducted in their absence
3. A Precautionary Suspension may be applied without a hearing to any party allegedly in breach of these rules where it is determined that there is good reason to suspect that any member Club, registered official or player may have acted in one or more of the following ways
 - 3.1 By breaching a disciplinary sanction
 - 3.2 By failing to respond to request or correspondence received from relevant secretary of Para-Football Game Leader Organisation or Scottish Para-Football
4. A Precautionary Suspension will be applied for a period of time until
 - 4.1 An investigation has been carried out
 - 4.2 The case has been concluded by the relevant disciplinary committee of Scottish Para-Football Protection panel or Para-Football Game Leader Organisation Protection panel

- 4.3 The party in breach responds to a request or correspondence received from the relevant Para-Football Game Leader Organisation or Scottish Para-Football
- 4.4 If the party in breach does not respond to a request or correspondence received from the relevant Para-Football Game Leader Organisation or Scottish Para-Football after a period of 2 months their membership will be terminated
5. A Precautionary Suspension may have some or all of the following conditions applied (this list is not exhaustive)
 - 5.1 A player will not attend matches involving the named club
 - 5.2 A player will not participate in matches against a named club
 - 5.3 A registered official will not attend matches involving a named club
 - 5.4 A registered official will not be involved in any football under the jurisdiction of Scottish Para-Football
 - 5.5 A registered official must make written application for a hearing and appear before the relevant committee of Scottish Para-Football protection panel
 - 5.6 Any other reasonable condition which in the whole circumstances seems necessary for the protection of players and/or vulnerable adults
6. The relevant Scottish Para-Football Game Leader Organisation or Scottish Para-Football may seek advice from the police, any relevant authority and/or Scottish Para-Football lawyer before placing any party in breach under a Precautionary Suspension
7. After any party has been placed under a Precautionary Suspension the relevant Para-Football Game Leader Organisation will inform the party under a Precautionary Suspension in writing of the reason for suspension (within the confines of sharing information) complete with any mandatory conditions that the party placed under Precautionary Suspension must observe
8. The Club of the party placed under a Precautionary Suspension will also be informed of the Precautionary Suspension but will not be given any reason.

Appendix 4

Guidelines for the consideration of possible sanctions to be applied when a party has been found in breach of the rules

1. These Disciplinary Procedures provide a set of guidelines to be imposed in respect of breaches of those rules and the maximum limit for such sanctions
2. All members of disciplinary committees when making decisions must be aware that sanctions imposed on players can have a serious impact on that player's future within the game and also away from the game
3. All members of disciplinary committees when making decision must ensure that any sanction applied is balanced, in line with similar cases and is not disproportionate
4. When issuing a notification of decision, the committee may apply such number of combination of sanctions as specified in the Disciplinary Procedures, and specify such time limit for compliance with each sanction as it considers appropriate
5. A committee shall be entitled to suspend the effect of any sanction or disposal for such period and on such conditions as it considers appropriate
6. Consider all issues directly relating to the incident, including
 - 6.2.1 Intentionally
 - 6.2.2 With deliberate action; and/or
 - 6.2.3 Recklessly, where the party's actions were not intentional, but were careless; and/or
 - 6.2.4 Whether the risk of committing an act of breach was or should have been apparent
- 6.3 Consider all issues directly relating to the incident, including
 - 6.3.1 The nature of the actions and the manner in which the breach occurred and how;
 - 6.3.2 The existence of provocation and whether the party acted in retaliation and/or self-defence
 - 6.3.3 The effect of the party's actions on the victim of the breach, including any injury caused and the extent of any injury
 - 6.3.4 The vulnerability of the victim of the breach
 - 6.3.5 The effect of the party's actions on the game, including whether it changed the nature of the match
 - 6.3.6 The level of premeditation
 - 6.3.7 Whether the breach was completed, or whether it amounted to an attempt and/or
 - 6.3.8 Any other on-field (where appropriate) or general issue relevant to the breach
- 6.4 Weigh up the factors set out in Paragraphs 6.1 to 6.3, decide as to the seriousness of the incident
- 6.5 Consider any aggravating factors, including
 - 6.5.1 Absence or lack of remorse and/or contrition on the part of the party
 - 6.5.2 Party's status as a persistent offender, if applicable

- 6.5.3 Prolongation of the incident
- 6.5.4 The continued use of offensive, abusive, and insulting language and/or behaviour
- 6.5.5 Calling a match official a cheat and/or calling a match officials integrity into question
- 6.5.6 Failure to comply with a match official requests
- 6.5.7 The adoption of aggressive behaviour towards a match official
- 6.5.8 The need for a deterrent to combat the particular pattern of offending
- 6.5.9 Whether the incident is sectarian, racist, sexual or otherwise discriminatory in nature
- 6.5.10 Whether the incident involved any element of physical violence
- 6.5.11 Whether a single incident (insofar as such incident is not refereed as separate breaches) compromises a breach of more than one Disciplinary rule
- 6.5.12 The party's conduct during proceedings including at the hearing
- 6.5.13 Where the party in breach has breached any Disciplinary Rule including where a censure has been applied, within the season in which the breach occurred then the Committee may increase the sanction for the breach, having regard to the number of previous breaches of the same Disciplinary Rule within that period and/or
- 6.5.14 Any other general aggravating factor considered to be relevant

Decide whether such factors cause the seriousness of the incident to increase within or beyond the range referred to in Paragraph 4.4 above.

- 6.6 Consider all mitigating factors, including
 - 6.6.1 The existence and timing of an acknowledgement of the breach by the party;
 - 6.6.2 A good disciplinary record;
 - 6.6.3 Good character
 - 6.6.4 The party's conduct during proceeding, including at the hearing
 - 6.6.5 The party's remorse for actions
 - 6.6.6 The time of the season when the sanction is being applied, e.g. are additional fixtures being allocated and / or
 - 6.6.7 Any other general mitigating factors

Decide whether such factors cause the seriousness of the incident to decrease in or below the appropriate range for the sanction to be imposed

- 6.7 Consider any other factors which the committee considers to be relevant to the level of sanction

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Scottish Para-Football
Charity Number: SC048491
Hampden Park Glasgow, G42 9AY
Email:

