



ENGLAND NETBALL		
 	SAFEGUARDING DISCIPLINARY REGULATIONS	
	Responsible Officer	Safeguarding & Welfare Manager
	Group Owner	Executive Team
	Date created / modified	Jan 2024
	Version	1.2
	Review date	Jan 2026
	Applicable for	These regulations are mandatory. They apply to England Netball Staff, Clubs, Regional Management Boards, County Netball Associations, volunteers and anyone carrying out Recognised and Authorised Netball Activity acting in any capacity within netball.
	Summary	England Netball is committed to ensuring netball is an inclusive sport to be enjoyed by all. We accept our responsibility to take appropriate steps to safeguard all Children, Young People and Adults at Risk who are involved in the sport, in whatever capacity that may be.

Version Control:

Person Responsible	Version and summary of changes	Date
Safeguarding & Welfare Manager	Version 1.2 addition of Sanction Table (Appendix A), Change of signatory from CMG Chair to EN LSO and general amendments to make document easier to follow.	13/05/22
Safeguarding & Welfare Manager	Version 1.3. Inclusion of EN staff in jurisdiction Minor changes to wording and links to related policies	12/2/24

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INTRODUCTION

England Netball is committed to creating and maintaining a safe and positive environment for all Children or Young People and Adults at Risk involved in the Sport. As part of this commitment, and alongside the Safeguarding Children & Young People in Netball Policy and Safeguarding Adults at Risk Policy, England Netball has published these Safeguarding Disciplinary Regulations, which provide a framework for the investigation and determination of safeguarding matters. The approach adopted by England Netball in relation to safeguarding matters will focus entirely on the need to protect the health and welfare of Children or Young People and Adults at Risk. England Netball will take all necessary steps to ensure these protections are in place.

The Safeguarding Disciplinary Regulations are effective from 12th February 2024. These Regulations will be reviewed by the CMG on an on-going basis and, in conjunction with the England Netball Board will implement any required amendments. On a bi-annual basis, the Board of England Netball will review and amend the Regulations (during which review period they remain valid). All changes will be published on the England Netball website.

Where any conflict exists or arises between the Safeguarding Disciplinary Regulations and any other England Netball Regulations relating to investigating and determining safeguarding matters, the Safeguarding Disciplinary Regulations will take precedence.

1. INTERPRETATION

The Safeguarding Disciplinary Regulations adopt the definitions contained in the England Netball Disciplinary Regulations, save where expressly varied below.

The following words shall have the meaning set out opposite them:

Adult at Risk	Someone who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and as a result of their care needs is unable to protect themselves.
Appeal Tribunal	a tribunal made up of one or three members appointed in accordance with the NSP Rules to hear and determine an appeal against an Arbitral Tribunal Decision
Arbitral Tribunal	a tribunal made up of one or three members appointed in accordance with the NSP Rules
Case Management Group (CMG)	any group established by the Board from time to time to oversee safeguarding cases and to make summary determinations
Child or Young Person (Children or Young People)	is defined in law and by England Netball as anyone under the age of 18.
Club	a collection of individuals that come together from time to time in the form of a netball club through which some or all of those individuals' become members of England Netball.
Complainant	a person who makes an allegation or submits a Complaint under the Safeguarding Disciplinary Regulations.
Complaint	A formal or informal expression of dissatisfaction with the actions or behaviour of a Member, Connected Participant or any member(s) of staff under the Safeguarding Disciplinary Regulations.
County	An association of Leagues, Clubs, groups and schools as determined by the Board in accordance with the Memorandum of Association or the Articles of Association or other Membership Regulations.
DBS	the Disclosure and Barring Service.
DBS Code of Practice	the code of practice for registered persons and other recipients of disclosure information through the DBS checking service from time to time in force.
Decision	a written or oral decision of the CMG, the Board, an Arbitral Tribunal appointed by the NSP or an Appeal Tribunal appointed by the NSP in accordance with the Safeguarding Disciplinary Regulations, and/or the NSP Rules.
England Netball Disciplinary Regulations	the disciplinary regulations of England Netball from time to time in force.

Interim Suspension	a suspension, restriction, condition or penalty imposed in accordance with the Safeguarding Disciplinary Regulations.
Lead Safeguarding Officer (LSO)	the person who is appointed to receive, and act upon safeguarding matters, including investigating cases.
Member	any individual or organisation appointed as a Personal or Group Member in accordance with England Netball's Articles of Association. Where an organisation is a Member, the leader of the organisation (usually the Chair of the management group/committee) will be held to account on behalf of the organisation (Sanctions, including Interim Suspensions, may be applied to the organisation).
National Safeguarding Panel (NSP)	<p>a panel of safeguarding experts operated by the independent arbitration and mediation body, Sport Resolutions (UK). It provides:</p> <p>(i) independent investigations and reviews in relation to safeguarding matters;</p> <p>(ii) independent arbitration in relation to safeguarding matters; and</p> <p>(iii) expert risk assessment of an individual's suitability to work with Children and Young People and Adults at Risk.</p>
National Safeguarding Regulations (NSP Rules)	<p>The procedural rules of the NSP (as amended from time to time) can be accessed here:</p> <p>D 2 – NSP Rules 2021.docx (sportresolutions.com)</p>
NSP Expert Risk Assessment	expert risk assessment of an individual's suitability to work with Children and Young People and Adults at Risk carried out by an individual or individuals with relevant and requisite expertise and as appointed by the NSP;
Recognised and Authorised Netball Activity	Means recognised versions of the game that have been authorised by England Netball
Region	an association of County Associations as determined by the Board, in accordance with the Memorandum or the Articles or the Membership Regulations.
Respondent	the person or entity subject of a Complaint under the Safeguarding Disciplinary Regulations.
Safeguarding Officer (for the Club/County/Region)	the person with lead responsibility within a Club/County/Region for ensuring safe recruitment, that the appropriate DBS checks are completed by personnel; communicating safeguarding awareness, advising on good practice and acting on concerns, in accordance with the England Netball Safeguarding Policies.
Sanction	a restriction, condition or penalty imposed under the Safeguarding Disciplinary Regulations, whether by the CMG, an Arbitral Tribunal or Appeal Tribunal appointed by the NSP. Note: A Permanent Suspension/Lifetime Ban or removal of Membership must be ratified by the England Netball Board.

Sport Resolutions	The trading name of the Sports Dispute Resolution Panel Ltd (Company No. 3351039)
Summary Offence	a matter determined by the CMG as suitable for actioning in accordance with Regulation 9 below.
Summary Procedure	the procedure set out in Regulation 10 below.
Working Day	<u>any</u> day other than a Saturday, Sunday or public holiday in England and Wales

- 1.1 Words denoting the singular number include the plural number and vice versa, and words denoting gender neutral pronouns, include all genders.
- 1.2 Headings are inserted for convenience only and do not affect the construction of the Safeguarding Disciplinary Regulations. The order of the Safeguarding Disciplinary Regulations is not determinative of their application and is discretionary.
- 1.3 The word 'shall' is mandatory and the word 'may' is permissive.
- 1.4 Any notice or other communication required to be served or sent for the purposes of the Safeguarding Disciplinary Regulations may be delivered by hand or sent by pre-paid post addressed to the last place of residence, using first class mail, first class recorded delivery, special delivery, or electronic mail. Care must be taken to ensure that all documentation served should be done in a secure manner.
- 1.5 Service of a document sent by post shall be deemed to have been affected at the end of the second Working Day following the day of posting. A receipt of posting including proper address, prepaid and posted is sufficient to prove posting. Service of a document sent by electronic mail shall be deemed to be effective immediately. A copy of this email properly addressed, and dated is sufficient to prove it was sent.
- 1.6 Where either the Respondent or Complainant was under 14 years of age at the date of the incident to which the Complaint or matter relates, correspondence will be addressed to their parent/carer or guardian.
- 1.7 Where either the Respondent or Complainant was between 14 and 18 years of age at the date of the incident, correspondence will be copied to their parent/carer or guardian as well as to them.
- 1.8 For the purposes of calculating a period under the Safeguarding Disciplinary Regulations, such period shall begin on the day after the day when a notice or other communication is given. Non-Working Days occurring during the period are included in calculating the running of that period, unless the period, so calculated, ends on a Non-Working Day, then it shall be deemed to end on the next Working Day.
- 1.9 Proceedings, findings or decisions of the LSO, CMG or an Arbitral Tribunal or Appeal Tribunal appointed by the NSP shall not be invalidated by reason of any minor defect, irregularity, omission, or technicality unless this raises a material doubt as to the reliability of the proceedings, findings or decisions.
- 1.10 If any part of the Safeguarding Disciplinary Regulations is held invalid, unenforceable, or illegal for any reason, all other parts shall remain in force (apart from that part, which shall be treated as if it had been deleted to the extent to which it is invalid, unenforceable or illegal).

2. CONFIDENTIALITY

- 2.1 All matters considered under the Safeguarding Disciplinary Regulations, will be regarded as confidential and used only for the purposes of the Safeguarding Disciplinary Regulations, unless disclosure and/or publication is provided for in accordance with Regulation 14, the NSP Rules or otherwise in accordance with the law.

- 2.2 All parties considering or making a Complaint under the Safeguarding Disciplinary Regulations will be required to keep all matters confidential and may be subject to action under England Netball's Disciplinary Regulations if this is not followed.
- 2.3 Disclosure of DBS information obtained under the Safeguarding Disciplinary Regulations will be subject to the DBS Code of Practice. For the avoidance of doubt, the LSO (or such other recipient of DBS information on behalf of England Netball) may disclose DBS information to persons considering Complaints under the Safeguarding Disciplinary Regulations in the course of their duties.

3. JURISDICTION

- 3.1 the Safeguarding Disciplinary Regulations shall apply to:
 - 3.1.1 all Members and Connected Participants;
 - 3.1.2 England Netball staff
 - 3.1.3 all individuals, Clubs, associations, and anyone carrying out Recognised and Authorised Netball Activity in any capacity in the Sport of Netball, whether or not Members of England Netball. For the avoidance of doubt, this includes all players and anyone working within the Sport (in a paid or voluntary capacity, and whether as an employee or on a self-employed basis or otherwise) including all coaches, umpires, referees, and other officials.
- 3.2 England Netball, and where relevant the NSP, shall have jurisdiction under the Safeguarding Disciplinary Regulations to consider any matter which comes to its attention by any means (including, without limitation, the media) relating to the safety and/or welfare of a Child or Young Person or an Adult at Risk.
- 3.3 The Safeguarding Disciplinary Regulations have retrospective effect and may be applied in relation to conduct which occurred prior to the implementation of these Regulations.

4. GROUNDS FOR INVOKING SAFEGUARDING DISCIPLINARY REGULATIONS

- 4.1 Action may be taken under the Safeguarding Disciplinary Regulations where a person, Club, or organisation is suspected of causing harm to a Child or Young Person or an Adult at Risk or is likely to have caused harm to a Child or Young Person or an Adult at Risk whether linked to their netball activity or not.
- 4.2 In reaching a decision as to whether there are grounds for action to be taken in accordance with Regulation 4.1, consideration will be given to any failure to comply with England Netball's policies, guidance and procedures including, but not limited to:
 - a) [England Netball's Safeguarding Young People in Netball Policy](#)
 - b) [England Netball's Safeguarding Adults at Risk Policy](#)
 - e) [England Netball Policy on Employment of Ex-offenders](#)
 - f) [England's Policy on Taking and Use of Photographs and Recorded Images](#)
 - g) [England Netball's Disclosure & Barring Service \(DBS\) Disclosure](#)
 - h) [England Netball's Anti-Bullying and Harassment Policy](#)
 - i) [England Netball's Recognising and Responding to Concerns](#)

5. CRIMINAL CONVICTION AND STATUTORY LISTS

- 5.1 For the avoidance of doubt, where a person:

- 5.1.1 has been convicted of a criminal offence against or concerning a Child or Young Person or an Adult at Risk, or recorded a caution in respect of an offence against a Child or Young Person or an Adult at Risk; and/or
- 5.1.2 is included, or placed, on any statutory list barring, or restricting, their working with Children or Young People or Adults at Risk:

The conviction, caution or inclusion on a list shall be conclusive proof of grounds for action to be taken against that person by England Netball. This means that the CMG shall be entitled to impose an immediate Sanction, commensurate and proportionate to the severity of conviction, caution and/or the inclusion on a statutory barring list; (in line with Appendix A: Sanction Table). The Sanction may be appealed in accordance with Regulation 12.3.

6. CASE MANAGEMENT

- 6.1 Where a person of concern is a member of staff employed by England Netball, internal Disciplinary Regulations shall also apply. These Safeguarding Regulations will take precedence in respect of ensuring the welfare and safety of children, young people or adults at risk. The CMG will be kept informed of any EN staff cases to ensure that safeguarding practices and protocols followed.
- 6.2 Upon receipt of a Complaint, an allegation, or becoming aware that a person or organisation is suspected of causing harm to a Child or Young Person or an Adult at Risk, or is likely to have caused harm to a Child or Young Person or an Adult at Risk, the LSO shall decide whether to:
 - 6.2.1 refer the matter to the relevant statutory agencies, the police or any other public or investigatory authority for further consideration (and to review the matter following consideration by a relevant statutory agency).
 - 6.2.2 instigate an investigation under the Safeguarding Disciplinary Regulations (Regulation 8).
 - 6.2.3 refer the matter for resolution at local level by a Club, Region, County, or other organisation.
 - 6.2.4 refer the matter for investigation by the NSP (Regulation 11).
 - 6.2.5 refer the matter for an NSP Expert Risk Assessment of an individual's suitability to work with Children or Young People and Adults at Risk.
- 6.3 Where an individual has been charged with a criminal offence, or is the subject of an investigation by the police, Children's or Adult Care Services, or any other public or investigatory authority, in respect of conduct which is, or may be, grounds for disciplinary action under regulation 4, the LSO may:
 - 6.3.1 postpone consideration of the matter pending the outcome of any such proceedings/investigations; and/or
 - 6.3.2 impose an Interim Suspension pending the outcome of any such proceedings/investigation.
- 6.4 Where an investigation is commenced under regulation 6.1.2, the LSO may at any stage decide to cease, or postpone the investigation if, during the investigation, they decide to refer the matter under Regulations 6.1.1, 6.1.3, 6.1.4, 6.1.5 or to the CMG.
- 6.5 It will be at the discretion of the LSO whether to commence or proceed with an investigation under the Safeguarding Disciplinary Regulations where the Complainant does not consent to their identity being disclosed to the Respondent.
- 6.6 In circumstances in which the investigation involves communicating with, taking evidence from or interviewing an Adult at Risk or a Child or Young Person, and the issues to be investigated are of a sensitive nature, it shall be at the discretion of the LSO to delegate the investigation, or certain parts of the investigation, to the NSP who will appoint an investigator to assist the LSO or deal with the investigation in a way that is appropriate for the sensitive nature of the matter.

7. INTERIM SUSPENSION

- 7.1 Except for a member of England Netball staff (see 6.1 above), in the circumstances set out at Regulations 6.2.1, 6.2.2, 6.2.4 and 6.2.5 the LSO has the power to impose an immediate Interim Suspension if it is considered, by reference to the factors listed below that it is appropriate to exclude an individual concerned from any involvement in the sport which might involve access to Children or Young People or Adults at Risk, until the conclusion of all proceedings under the Safeguarding Disciplinary Regulations.
- 7.2 If a case is related to a member of EN staff then the LSO and Head of People agree whether an interim suspension is required and work to ensure that the application of internal disciplinary policy and procedure and safeguarding disciplinary regulations ensure the welfare and safety of children, young people or adults at risk takes precedent.
- 7.3 In determining whether an Interim Suspension should be imposed, the LSO shall give consideration, to the following non exhaustive list of factors:
- 7.3.1 whether the safety and/or welfare of Children or Young People or Adults at Risk are, or may be, at risk of harm;
 - 7.3.2 whether the Complaint or matter is of a serious nature;
 - 7.3.3 whether an Interim Suspension is necessary or proportionate to allow the conduct of any proceedings, investigation or risk assessment (carried out by the LSO, any other authority/ body or the NSP); and
 - 7.3.4 whether the reputation of England Netball, a Member, a Connected Participant, any member or members of staff or the sport could be harmed if an Interim Suspension was not imposed.
- 7.4 Where an Interim Suspension is imposed, the LSO shall, in writing, notify the Respondent, and at the LSO's discretion, any Club, County or Region, volunteer and member of staff, with which the Respondent is associated as soon as reasonably practicable and shall otherwise publish the decision in accordance with Regulation 14.
- 7.5 The CMG shall review an Interim Suspension regularly, in proportion with the length of the suspension, and shall take into consideration the factors set out in Regulation 7.2 in determining whether the continuation of the Interim Suspension is justified.
- 7.6 Where an Interim Suspension is imposed pending investigation by the police, Children's or Adult Care Services or any other public or other investigatory authority, or in circumstances where a criminal charge has been brought, England Netball, through the LSO, shall, where possible, liaise with and maintain an ongoing dialogue with the relevant investigating body.
- 7.7 Any breach of an Interim Suspension shall constitute grounds for disciplinary action under the England Netball Disciplinary Regulations.

8. INVESTIGATION (UNDER SAFEGUARDING DISCIPLINARY REGULATIONS)

- 8.1 Where England Netball instigates, or continues with, an investigation under the Safeguarding Disciplinary Regulations, the LSO shall make all (or any further) inquiries necessary to establish the facts and circumstances of the Complaint or matter.
- 8.2 The LSO shall determine at the investigation stage whether it is necessary to give the Respondent notification of the Complaint. In determining the appropriate course of action in this regard, the LSO shall have regard to, and liaise with, the Complainant.

- 8.3 To the extent that it is necessary, as part of the investigation process, to inform the Respondent, and obtain information and evidence from the Respondent, the LSO should inform the Respondent that their response is required within a specified period of time.
- 8.4 In conducting the inquiries set out at Regulation 8.1, the LSO may contact and obtain information from the following (non-exhaustive) list of individuals and relevant sources:
- 8.4.1 the Complainant and the Respondent.
 - 8.4.2 the police.
 - 8.4.3 Children’s Services or Adult Care Services.
 - 8.4.4 any other relevant public investigating authority.
 - 8.4.5 any authority involved in the protection and welfare of Children or Young People and Adults at Risk.
 - 8.4.6 any other person or party as deemed appropriate in the discretion of the LSO
- 8.5 In carrying out their function, the LSO (Sport Resolution on the LSO’s behalf or other appropriately qualified person or representative , if authorised by the Chief Executive or Company Secretary) shall have the power to require:
- 8.5.1 the attendance, upon reasonable notice, of any individual or representative of any organisation referred to in Regulation 3.1 to answer and provide information; and/or
 - 8.5.2 the production, upon reasonable notice, by any individual or organisation referred to at Regulation 3.1, of documents, information or other material in whatever form held; and/or
 - 8.5.3 where considered appropriate, that the Respondent or any individual to whom the matter relates, undertakes an Enhanced DBS Disclosure check; and/or
 - 8.5.4 that the Respondent or any other individual to whom the matter relates, undertakes an NSP Expert Risk Assessment.
- 8.6 Any failure to comply with a reasonable request or requirement as part of the investigation carried out under the Safeguarding Disciplinary Regulations may amount to grounds for disciplinary action under the England Netball Disciplinary Regulations and an Interim Suspension under the England Netball Disciplinary Regulations may be imposed until that person has complied with any outstanding requests.
- 8.7 At the completion of an investigation, the LSO shall report to the CMG who shall decide the appropriate course of action in accordance with Regulation 9.
- 8.8 At any stage of the investigation, the LSO may use the services of, or delegate the remainder of an investigation to, an investigator appointed by the NSP.
- 9. CASE MANAGEMENT GROUP DECISION**
- 9.1 Upon receipt of a report under Regulation 8.7 the CMG shall:
- 9.1.1 Invoke the Summary Procedure (Regulation 10) (if the Respondent admits the Complaint, or the CMG is satisfied that the Complaint or the matter is appropriate for the Summary Procedure);
or
 - 9.1.2 Submit for Investigation by the NSP (in accordance with the NSP Rules) if the Respondent does not admit the Complaint, and/or if the CMG is not satisfied that the Complaint is appropriate for the Summary Procedure,

- 9.1.3 Dismiss the Complaint; if satisfied that there is no case to answer.
- 9.1.4 Refer to EN Disciplinary Regulations (Regulation 3) and inform the Complainant accordingly. Should the Complainant decide to activate a Complaint under the England Netball Disciplinary Regulations, they must do so within 14 Working Days of the CMG's Decision.
- 9.2 The CMG may at any stage, and in its absolute discretion, refer the matter to the police, any relevant statutory agency or social services, or refer the matter to the NSP for further investigation or for an NSP Expert Risk Assessment.
- 9.3 The CMG cannot make suspension or sanction decisions in respect of a member of England Netball staff in relation to their employment contract. Internal Disciplinary Policy and Procedure will be followed in those circumstances.
- 10. SUMMARY PROCEDURE**
- 10.1 Conduct or behaviour which the LSO/CMG determine as a Summary Offence, can be dealt with by way of remedial action (in line with Appendix A: Sanction Table), without the need for further investigation.
- 10.2 In this event the LSO, in agreement with the CMG, shall send written notice to the Respondent:
- 10.2.1 confirming that the matter will be dealt with under the Summary Procedure.
- 10.2.2 including a summary of the supporting facts and evidence; and
- 10.2.3 requesting any additional evidence or mitigation to be submitted in writing to the LSO, for the attention of the CMG within 7 Working Days.
- 10.3 The CMG shall consider all further evidence and mitigation submitted by the Respondent pursuant to Regulation 10.2.3 and shall then impose the appropriate Sanction. The CMG shall be entitled, in its discretion, and again subject to the Respondent's consent, to request a meeting with the Respondent to clarify any points or matters raised by the Respondent in accordance with Regulation 10.2.3.
- 10.4 The CMG may at any stage, and having reviewed the evidence, refer the matter to the NSP for further investigation, or for determination by the NSP, in accordance with the NSP Rules, and which are incorporated by reference to this regulation.
- 10.5 The CMG may, in its discretion, appoint an expert to assist or advise the CMG on a specific issue.
- 10.6 The standard of proof shall be the balance of probabilities in relation to determinations and Decisions of the CMG.
- 10.7 The LSO, in agreement with the CMG shall (as soon as reasonably practicable but not more than 7 days after the Decision) notify the Respondent of the Sanction and shall otherwise publish the matter in accordance with Regulation 14.
- 10.8 A Decision made, or Sanction imposed, by the CMG under the Summary Procedure shall be final and binding on all parties, save to the extent that the CMG imposes an immediate Sanction in accordance with Regulation 5, in which case the Respondent shall be entitled to appeal only on the basis that the sanction imposed was grossly disproportionate, in accordance with regulation 12.3.
- 11. INVESTIGATION BY THE NSP**
- 11.1 If the matter is referred to the NSP in accordance with Regulation 9.1.2 or Regulation 10.5, England Netball shall submit the case (in the form of a Request for Arbitration in accordance with the NSP Rules,) to the NSP Secretariat.

- 11.2 As soon as the case is submitted to the NSP Secretariat the jurisdiction of the NSP will be immediately invoked and the NSP Secretariat, President and members of the NSP shall deal with the matter in accordance with the roles ascribed to each of them respectively in the NSP Rules.
- 11.3 By incorporating the NSP Rules, the parties (defined as applicant and respondent in accordance with the NSP Rules,) shall be taken to have agreed that relevant case shall be heard and resolved in accordance with the NSP Rules and to be bound by a determination made in accordance with the NSP Rules. This shall constitute an agreement to arbitrate and proceedings under the NSP Rules shall constitute arbitration proceedings with a seat or legal place in London, England, for the purposes of triggering the application of the Arbitration Act 2010.
- 11.4 The LSO (or any legal or other representative on the LSO behalf) shall present the case to any Arbitral Tribunal or appeal panel appointed by the NSP on behalf of England Netball and in accordance with the NSP Rules.

12. APPEALS

- 12.1 The Respondent and/or England Netball may appeal against a Decision or Sanction imposed by the Arbitral Tribunal appointed pursuant in accordance with the NSP Rules,
- 12.2 The appeal must be in writing and referred to as a notice of appeal. The notice of appeal must be addressed to the NSP Secretariat and be received within 21 days of the Arbitral Tribunal Decision. The notice of appeal shall contain the information and documents referred to in the NSP Rules, and the NSP Rules shall govern the appeal.
- 12.3 Any Decision made by the CMG in accordance with the Summary Procedure set out at regulation 10 shall be final and binding on the parties. However, to the extent that the CMG imposes an immediate Sanction in accordance with Regulation 5, the Respondent shall be entitled to appeal only on the basis that the sanction imposed was grossly disproportionate. Such appeal shall be made in accordance with the NSP Rules, save that the Appellant shall be appealing a CMG Sanction, in accordance with Regulation 5, as opposed to an Arbitral Tribunal Decision, and the appeal shall be limited to a review of the Sanction imposed by the CMG and shall not involve a rehearing of the issues already determined by any court, regulatory body or other public body of competent authority.

13. ENFORCEMENT OF DECISIONS

- 13.1 Members and Connected Participants must take all steps necessary to ensure compliance with any Interim Suspensions, Decisions made, or Sanction imposed under the Safeguarding Disciplinary Regulations (whether by the CMG, an Arbitral Tribunal or an Appeal Tribunal appointed by the NSP).
- 13.2 If a Member or Connected Participant fails to comply with its obligations under Regulation 13.1, such conduct shall itself be grounds for disciplinary action under the England Netball Disciplinary Regulations

14. PUBLICATION OF DECISIONS

- 14.1 England Netball may publish Interim Suspensions, Decisions and Sanctions made or imposed under the Safeguarding Disciplinary Regulations on a 'need to know' basis, in such form and manner, and to such extent as it deems necessary, for the purposes of enforcement of, or compliance with the Decision or Sanction (whether by the CMG or by an arbitral panel or an appeal panel appointed by the NSP)
- 14.2 For the avoidance of doubt, in addition to providing notice to the Respondent, England Netball will, at its discretion, advise the relevant Safeguarding Officer for the Club, County or Region with which the Respondent is associated, or through which the Respondent is known, or reasonably believed, to have access to Children or Young People or Adults at Risk of any Interim Suspensions, Decisions and Sanctions.
- 14.3 England Netball will also inform the Complainant of an Interim Suspension, Decision and/or Sanction where it deems appropriate.

15. EXCLUSION OF LIABILITY

England Netball shall not be liable to any individual or organisation for any loss arising out of action taken, Decisions, or Sanctions imposed under the Safeguarding Disciplinary Regulations.

16. CONTACT

All correspondence should be marked private and confidential and sent to;

Lead Safeguarding Officer, England Netball, 3rd Floor, Sport Park, 3 Oakwood Drive, Loughborough, LE11 3QF
Or besafe@englandnetball.co.uk

APPENDIX A - SANCTION TABLE

<p>Example Behaviours;</p> <ul style="list-style-type: none"> • Poor practice one off incidents • Swearing, peer on peer bullying • Breach of supervision requirements i.e. ratios • Contact with under 18 over social media • Three or more low level concerns (fully documented with actions taken by club) • Breach of Safeguarding Policy (including coaching without a current DBS check) • Harassment • Abuse of official /player under 18 or Adult at Risk (non-sexual) • Violent or dangerous conduct (non-contact) • Failure to comply with previously issued sanction • Repeat offence within 3 years • Encourage play with an injury i.e. broken digit • Over-coaching • Sexual harassment • Violent or dangerous conduct (physical contact) • Statutory reports – abuse/assaults • Any criminal offence • Behaviour or concerns leading to a LADO Referral
<p>Sanctions Available, (but not limited to);</p> <p>No sanction given due to mitigating circumstances.</p> <p>Corrective Advice given to Respondent</p> <p>Agreed Letter of Apology from Respondent</p> <p>Mediation (where both parties agree)</p> <p>Education – compliance with recommended courses/refresher training/specific training where available (and completed in a given timeframe)</p> <p>Written warning outlining the areas of concern which must be addressed by the Respondent</p> <p>Monitoring/Supervision of Respondent for a specified period of time</p> <p>Interim suspension from one or more of the following:</p> <ul style="list-style-type: none"> • Playing netball (in either all circumstances or specific cases e.g. with under 18's) • Coaching (in either all circumstances or specific cases e.g. under 18's) • Umpiring (in either all circumstances or specific cases e.g. under 18's) • Volunteering (in either all circumstances or specific cases e.g. under 18's) • Attendance at competitions/club activity/local netball events • Attendance at International or Ticketed Events <p>Permanent exclusion from any or all England netball activities on any terms considered appropriate (following ratification by the EN Board)</p> <p>Extending period of suspension until Respondent has complied with any requirements made by EN</p> <p><i>Suspend, revoke or place any restrictions on a club or organisation for a specified period of time</i></p> <p>Any other decision which the LSO/CMG/NSP deem appropriate having regard to the circumstances in the case</p> <p>Decisions will be made on a case-by-case basis, taking into consideration any mitigating and/or aggravating factors</p>