

SCOTTISH WOMEN'S
YOUTH FOOTBALL



SCOTTISH WOMEN'S
HIGHLANDS & ISLANDS LEAGUE



Disciplinary Procedures for Team Staff/officials' Misconduct in Scottish Women's Football Leagues

Season 2019

Scottish Women's Football Youth Leagues
Scottish Women's Football Youth League Cups
Scottish Women's Football Youth Cups

Scottish Women's Football National Performance League | U15
Scottish Women's Football National Performance League Cup | U15

Highlands and Islands League & League Cup

1.0 **Introduction**

1.1 These Disciplinary Procedures ("Procedures") primarily apply to members of Team Staff who have a managerial or coaching role with a club participating in Women's Youth/Recreational Football and or are names as an official of the club. The procedures relate to incidents of misconduct committed by such persons before, during or after matches and which are subject of report(s) by match officials (referees and/or assistant referees). Included within the Procedures is a system for the application of automatic suspensions.

1.2 Misconduct reports which are submitted by match officials on officials, such as chairpersons, secretaries and committee members will not be subject to the system of automatic suspensions and will be referred directly to the relevant Committee.

1.3 For the purposes of these Procedures, the following definitions shall apply:

"Team Staff" shall mean those individuals, other than players, authorised to represent a club within the technical area at any match (including the Team Officials).

"official" shall mean any person having a function or duty or position involving authority or trust within a club or recognised football body, including any such person who is able to exercise control over the majority of the board of any such club or recognised body (whether or not such person is himself/herself intimated to the Register of Competitions as holding the office of director).

2.0 **Receipt and Issue of Reports from Match Officials**

2.1 On receipt of a report from a match official on an incident before, during or after a match involving a member of Team Staff/official, a copy of the report(s) will be issued to the individual concerned by the League/Cup Administrator. A match official may submit only one report of misconduct on a member of Team Staff/official e.g. if a further misconduct incident follows after an initial incident, both matters should be contained in the one report. A copy of the correspondence will be issued to the individual's club.

2.2 When a member of Team Staff is notified of the match official's report, he/she will be given the opportunity to accept or to appeal the suspension to be automatically imposed in accordance with these Procedures. If the member of Team Staff takes the latter option, he/she is required to request that the case be referred to the relevant Committee for consideration. In such cases, he/she will have the opportunity to make a personal appearance before the committee or to have the case dealt with in his/her absence.

2.3 In the event that a member of Team Staff does not respond to the League/Cup Administrator's correspondence, it will be assumed that he/she has accepted the application of the automatic suspension.

3.0 **Appeal Against Automatic Suspension**

3.1 An appeal requires to be received by the League/Cup Administrator by return and no later than seven days after the date of the letter being issued to the member of Team Staff . In his/her letter of appeal, the member of Team Staff is required to provide his/her comments on the report(s) from the match official(s) and to state the grounds for the automatic suspension not being applied.

3.2 It is open to the member of Team Staff's club to submit a response in support of the member of Team Staff's appeal.

3.3 It is open to the member of Team Staff to make reference to witnesses in his/her reply and for statements from any such witnesses to be included with the reply or to be provided separately by any witness.

3.4 On receipt of such an appeal, the automatic suspension will be set aside pending the outcome of the case's consideration by the relevant Committee.

- 3.5 On its completion of its consideration of such cases, the relevant Committee reserves the right to increase the suspension due to be imposed to deter any frivolous appeals or obvious delaying tactics on the part of the member of Team Staff
- 3.6 It is open to the committee to find the member of Team Staff guilty of an offence or offences of a lesser nature to that which he/she was reported for.
- 3.7 The committee otherwise retains discretion to deal with each case on its merits. The range of sanctions open to the committee to impose on a member of Team Staff is:
- to impose a suspension from the touchline areas, etc.; or
 - to impose a financial sanction; or
 - to impose a combination of any or all of the foregoing; or
 - to take no action.
- 3.8 Should the committee decide that the standard automatic suspension be applied, or decide that a lesser sanction be applied, the member of Team Staff will be advised that the decision of the committee is final and binding and shall not be the subject of an appeal.
- 3.9 The commencement date for suspensions imposed by the relevant Committee is five working days from the date of the meeting at which the suspension was imposed unless for any reason details of the suspension was not intimated to the member of Team Staff at such meeting, in which case it will be effective five working days after the date on which the decision was intimated by recorded delivery letter to the person concerned.

4.0 **Suspensions**

- 4.1 Unless the report from the match official is appealed by the club official, the following level of suspensions will automatically apply dependent upon the disciplinary record of the member of Team Staff over the determining period (i.e. the current and preceding two seasons):

First report of misconduct : 2 match suspension from the Playing Zone (as defined in Paragraph 11)

Second report of misconduct : 4 match suspension from the Playing Zone

Third report of misconduct : 6 match suspension from the Playing Zone

- 4.2 In the event that a member of Team Staff contests the application of an automatic suspension and his/her appeal is successful (i.e. he/she is found not guilty of the charge), the report of misconduct will be removed completely from the member of Team Staff's disciplinary record and will not count when determining the level of suspension for any subsequent report received.
- 4.3 In the event that a member of Team Staff contests the application of an automatic suspension and his/her appeal is partially successful (i.e. he/she is found guilty but a lesser sanction is imposed), the report of misconduct will be recorded in the member of Team Staff's disciplinary record and will count when determining the level of suspension for any subsequent report received.

5.0 **Four (or more) Reports of Misconduct**

In the event that a fourth (or greater number) misconduct report is received in respect of a member of Team Staff within the determining period, the case will be referred directly to the relevant Committee.

6.0 **Determining Period For Suspension**

A rolling 3-season period will be used to determine the suspension to be imposed. In effect, a member of Team Staff's record over the current and preceding two seasons will be taken into account.

7.0 **Starting Date of Automatic Suspension**

A suspension will, generally, be imposed from the 14th day following the date of the match when the misconduct occurred.

8.0 **Application of Automatic Suspension**

- 8.1 The automatic suspension will apply to all football until such time as the relevant team of the member of Team Staff's club, commensurate with his/her position with his/her club, has completed the requisite number of matches.
- 8.2 If a member of Team Staff's role covers more than one team, the automatic suspension will apply to the "highest" level i.e. the highest Age Group level if the member of Team Staff is involved in a working role with other teams of his/her club and the misconduct has occurred at a lower Age Group level.
- 8.3 Prior to issuing correspondence to the member of Team Staff in accordance with Paragraph 2.1, the Scottish FA will establish the extent of the member of Team Staff's working role with his/her club to verify the application of the automatic suspension to be imposed.

9.0 **Outstanding Suspensions**

Any suspension, or part thereof, which remains outstanding at the end of a season, or any extension thereof, must be served from the commencement of the following season

10.0 **Reports of Excessive Misconduct**

- 10.1 When submitting a report on a member of Team Staff, a match official may indicate he/she considers that the nature of that misconduct is excessive and worthy of direct consideration by the relevant Committee beyond the standard application of a suspension.
- 10.2 "Excessive Misconduct" shall include, but not be limited to, prolonged incidents of misconduct, the continued use of offensive, abusive and insulting language, calling a match official a cheat, failure to comply with a referee's requests, the adoption of threatening and aggressive behaviour towards a match official.
- 10.3 In such cases, the procedures for the imposition of the automatic suspension will be applied and the member of Team Staff will be advised that the case is also being referred to the relevant Committee. He/she will have either the opportunity to make a personal appearance before the committee or to have the case dealt with in his/her absence. If he/she does wish to make a personal appearance, he/she will also be required to indicate if he/she accepts or disputes the report(s).
- 10.4 It is open to the member of Team Staff's club to submit a response in support of the member of Team Staff's appeal.
- 10.5 It is open to the member of Team Staff to make reference to witnesses in his/her reply and for statements from any such witnesses to be included with the reply or to be provided separately by any witness.
- 10.6 The member of Team Staff will be given the opportunity of accepting the application of the automatic suspension at the outset of the case. If the opportunity is declined, the suspension will be set aside pending the outcome of the Committee hearing.
- 10.7 The response from the member of Team Staff, indicating his/her position on the various matters requiring to be addressed by him/her as outlined in the foregoing sub-paragraphs, requires to be received by the League/Cup Administrator no later than seven days after the date of the letter issued to the member of Team Staff.
- 10.8 On the completion of its consideration of the case, the relevant Committee reserves the right to increase the automatic suspension if it is considered the member of Team Staff's misconduct is of a sufficiently serious nature to warrant such a course of action. It is also open to the committee to find the member of Team Staff guilty of an offence or offences of a lesser nature to that which he/she was reported for.

11.0 **Terms of Suspension**

During a suspension, a player or member of Team Staff is excluded from the Playing Zone at any match played under the jurisdiction of the Scottish FA until the expiry of the suspension. The "Playing Zone" is the area used by players and Team Staff at a match and shall extend to both team's dressing rooms, the match officials' dressing rooms, the players' tunnel to the pitch, any corridors leading to and/or connecting the said rooms and the players' tunnel to the pitch, the technical areas and substitutes' benches, and the track and playing surface. The exclusion shall apply from one hour prior to the scheduled time of kick-off of a match until 15 minutes following the referee having signalled the end of the match. For the avoidance of doubt, the exclusion continues to apply during extra time and/or kicks from the penalty mark when required in any match.

12.0 **Fines**

- 12.1 The relevant Committee reserves the right, in its discretion, to impose a fine on an official in regard to any case which it deals with. The committee, however, utilises a guideline of £50 as a basis for determining fines to be imposed on an official.
- 12.2 A period of 30 days, from the date of the letter issued confirming the Committee's decision, is given to an official to remit payment of a fine.
- 12.3 Any failure to remit payment of a fine within the stipulated period will be reported to the relevant Committee.

13.0 **Suspensions of Player/Managers and Player/Coaches etc.**

Where a player/manager or a player/coach is suspended in either capacity, he/she shall also be suspended from his/her playing, managing and/or coaching activities on the same basis.

14.0 **Misconduct of officials**

The relevant Committee reserves the right to take such action it considers may be merited upon the completion of its investigation into any report of misconduct by an official who does not have a managerial or coaching role. The range of sanctions open to the Committee to impose on an official is:

- to issue a severe censure and/or a warning as to his/her future conduct.
- to impose a suspension from the touchline areas, etc.;
- to impose a financial sanction; or
- to impose a combination of any or all of the foregoing; or
- to take no action.

15.1 **Personal Appearances**

- 15.2 Should a member of Team Staff/official wish to make a personal appearance before the relevant Committee, he/she will be advised of the date, venue and time of the hearing.
- 15.3 The match official(s) concerned will be required to attend the hearing unless the member of Team Staff/official indicates that he/she does not dispute the report(s) and wishes only to mitigate any potential sanction. The member of Team Staff/official will be required to give an indication to this effect in his/her initial correspondence in relation to the case.
- 15.4 In the event that either the member of Team Staff/official and/or match official(s) is/are unable to attend on the advised meeting date, the hearing will be postponed until such time as all parties are available to attend a committee meeting. The Committee reserves the right to deal with the case after two postponements.
- 15.5 On application to the relevant Committee, a member of Team Staff/official may be accompanied and represented by an accredited official of his/her club.
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16.0 **Procedures for the Conducting of Personal Appearances**

- 16.1 The relevant Committee shall have the power to regulate the procedures at a disciplinary hearing as it considers appropriate and expedient to enable a case to be determined.
- 16.2 The member of Team Staff/official and any accredited official of his/her club who may accompany and represent him/her, shall be admitted to the hearing, together with the referee and any other relevant match official or other such person who submitted a report on the case in question.
- 16.3 The Committee shall be entitled to take account of the evidence of any witness as is made apparent to it in any form.
- 16.4 At the commencement of the hearing, the Chairperson shall confirm the identities of the persons admitted to the hearing and introduce the Committee members.
- 16.5 The Committee shall satisfy itself that the member of Team Staff/official is aware of the reasons for his/her presence at the hearing and of the potential consequences if the charge of misconduct is proved to the satisfaction of the Committee.
- 16.6 The referee and any other person in support of the charge shall be given the opportunity to comment upon his/her report.
- 16.7 The member of Team Staff/official and/or his/her representative shall be given the opportunity to comment upon his/her written submission to the Committee.
- 16.8 The referee and any other person in support of the charge shall be given the opportunity of supplementing his/her report.
- 16.9 The member of Team Staff/official and/or his/her representative shall be given the opportunity of supplementing his/her own written submission.
- 16.10 At any time, the Chairperson, and through him/her, members of the Committee, may ask questions of any of the parties. The Committee may draw such inferences as it considers appropriate from the failure of the person charged to give evidence or answer a question put to him/her.
- 16.11 The opportunity of cross questioning shall be given to those who have presented evidence.
- 16.12 The member of Team Staff/official and/or his/her representative shall have the right to ask questions relevant to the matters in issue of any person who gives evidence in support of the charge.
- 16.13 Evidence from any witnesses called by the member of Team Staff/official or by the Committee shall be heard. After making his/her statement and answering questions put to him/her by the Committee and the member of Team Staff/official, a witness shall leave the hearing.
- 16.14 Prior to the parties being invited to leave the hearing, the member of Team Staff/official and/or his/her representative shall be given the opportunity of making a closing submission based upon the evidence presented.
- 16.15 The Committee shall consider the evidence and submissions presented to it and determine whether the member of Team Staff/official has been found guilty of misconduct or not. The standard of proof applied by the Committee will be whether the case in respect of the member of Team Staff/official has been proven on the balance of probabilities. The Committee may, if required, request the presence of the parties again for further questioning.
- 16.16 After reaching its decision, the Committee shall recall the member of Team Staff/official and his/her representative. The Chairperson shall announce whether the member of Team Staff/official has been found guilty of misconduct or not. It is open to the Committee to find the member of Team Staff/official guilty of an offence or offences of a lesser nature to that which he/she was reported for.
- 16.17 If the member of Team Staff/official has not been found guilty of misconduct the hearing will be declared closed.

- 16.18 If the member of Team Staff/official has been found guilty of misconduct, he/she and his/her representative shall be advised accordingly. The member of Team Staff/official and his/her representative will be given the opportunity to make a statement or plea in mitigation.
- 16.19 At the conclusion of the statement or plea in mitigation, the member of Team Staff/official and his/her representative shall withdraw whilst the Committee determines the sanction to be imposed on the member of Team Staff/official.
- 16.20 The member of Team Staff/official and his/her representative shall then be re-admitted and advised of the decision of the Committee, which shall subsequently be confirmed in writing to him/her.
- 16.21 Except for cases where the terms of Sub-Paragraph 3.8 apply, the member of Team Staff/official shall be advised that he/she has a right of appeal to Scottish Women's Football and shall be provided with the relevant details. This information shall also be confirmed in writing to him/her.
- 17.0 Failure to Reply to Correspondence

Any failure to reply to the League/Cup Administrator's correspondence will render the member of Team Staff/official liable to being sanctioned by the relevant Committee by the imposition of a warning, fine or suspension.