

Oxfordshire Softball Association

Disciplinary Policy and Procedures

2025 version 1.1 14 April 2025

Contents

Introduction.....	2
Purpose and Scope	2
Safeguarding concerns	2
Definitions.....	3
Standards.....	3
Principles.....	3
Confidentiality	4
Record keeping	4
Gross Misconduct	4
Senior OSA Individual to co-ordinate matters.....	4
Initial meeting and possible Informal Resolution.....	5
Disciplinary Practice	5
Establishing the facts	5
Informing the Subject of the problem.....	6
Hold a meeting to discuss the problem.....	6
Meeting with the disciplinary committee	6
Timing of the meeting.....	6
Disciplinary meeting process.....	7
Announcement of outcome	7
Other potential disciplinary matters arising from the investigations.....	8
Opportunity to appeal	8
Appeal procedure	8
Additional Information	8
Suspension pending investigations	8
Time Limits and Resignations	8
Safeguarding considerations	9
Welfare and support.....	9

Example indiscretions and tariff guidelines.....	10
Offences and recommended penalties	10
Process Flow Chart	12

Introduction

Every participant within the Oxfordshire Softball Association (OSA), incorporating the Oxford Softball League, is responsible for ensuring that all are treated fairly and equitably. Where this does not occur, where behaviour is outside the boundaries of these expectations and where one or more complaints about a participant are received, these disciplinary procedures may be invoked.

Purpose and Scope

Matters in the field of play should be dealt with within the WBSC and local league rules of play and umpire guidance. However, serious matters of violent conduct, threatening behaviour or anything bringing the league or OSA into disrepute may invoke these procedures, as may a complaint, or where a player was ejected from a game, or where a player has made repeated transgressions. Very serious matters which break the laws of England and Wales should be referred to the police. In these cases, an OSA investigation may still be required, given the police may not pursue the matter or there is a delay to police investigations.

Safeguarding concerns

Matters involving safeguarding concerns may be investigated via the procedures outlined here. However, please note that serious safeguarding concerns are likely to be passed on to the British Softball Federation Safeguarding and Welfare Officer and the equivalent at Baseball Softball UK. BSF/BSUK may have their own procedures, or they may wish to take part and follow the OSA procedures. If there is a safeguarding or welfare concern, the OSA's Safeguarding Officer should be involved (see also *Safeguarding considerations* on page 9).

Definitions

<i>Disciplinary committee</i>	A small (usually three member) committee to consider the evidence gathered, meet with the Subject and rule on a likely outcome.
<i>Informal resolution</i>	Outcome not involving disciplinary consequences, but monitoring and support of the Subject may be deemed appropriate. See <i>Initial meeting</i> and possible Informal Resolution on page 5.
<i>Investigatory team</i>	Two or three trustworthy individuals appointed by the Senior OSA Individual . See <i>Establishing the facts</i> (on page 5) for details.
<i>Notes/evidence kept in confidence</i>	Notes of investigations and disciplinary action should be kept in confidence for at least two years (but see page 4). However, it should be anticipated that later OSA Chairs, safeguarding officers and any other member of the Executive with a reasonable need to inspect such notes may do so.
<i>Senior OSA Individual</i>	This is the individual tasked with establishing the procedures surrounding any investigation and/or disciplinary process. The individual may be the Chair of the league, but may be another Executive member or another independent senior member of the league appointed by the Chair or Executive, especially if the Chair is considered compromised by the complaint or situation
<i>Subject</i>	The alleged transgressor or subject individual of the complaint.

Standards

OSA has a code of conduct (see <https://www.oxfordsoftball.uk/resources/>) to which participants, game players and spectators are expected to adhere. Guidance and advice may also come from our national bodies (BSF and BSUK) as to inclusion, safeguarding and other matters. Behaviour which goes beyond these codes and guidelines or which constitutes *Gross Misconduct* (see below) may result in complaints and/or referrals to the disciplinary processes outlined in this document.

Principles

In disciplinary matters, informal resolution is greatly preferred, but outcomes and observations may be noted for future consideration should similar matters arise.

Similarly, **Subjects** of a complaint or disciplinary proceedings may often be able to curtail proceedings by admitting fault and taking a voluntary penalty.

Confidentiality

It is the responsibility of the people involved in a disciplinary process to ensure that the matters discussed remain confidential. However, there may be situations in which it is necessary to provide information to others to ensure that the process is handled effectively and fairly, and that those who might be impacted by it are duly informed.

Inappropriate access to, or disclosure of, personal or sensitive personal data (whether verbal or in writing) constitutes a data breach and must be reported to the appropriate individual in BSUK who is responsible for data protection and GDPR matters.

Record keeping

Records of complaints and disciplinary proceedings are generally to be preserved for two years before disposal. The contemporary chair of OSA has the responsibility to ensure that records are kept satisfactorily, including defining who has access to such information. The chair may not necessarily hold the records directly, but they are still responsible for the records' safe preservation. The chair may decide that the records are best held by BSF or BSUK. Records relating to safeguarding incidents are likely to be preserved by BSUK for longer, according to their data-retention schedules and the risk levels represented by the incident.

Gross Misconduct

Gross misconduct is unacceptable or improper behaviour of a very serious nature. Acts that constitute gross misconduct are so serious or have such serious consequences that they may result in serious penalties, or even expulsion from the Oxford League and OSA without notice for a first offence.

Examples of gross misconduct could include, but are not limited to, the following:

- Theft, fraud, cheating
- Fighting, assault on another person, or threat of physical violence
- Deliberate damage to property, including buildings, fittings, or equipment
- Deliberate acts of abuse, or abusive behaviour
- Discrimination, bullying, harassment or victimisation
- Inappropriate behaviour around minors

Senior OSA Individual to co-ordinate matters

Upon receipt of a complaint, or in dealing with a matter relating to gross misconduct or repeated offending, the chair of the league may appoint a **Senior OSA Individual**. Where the Chair is seen to be compromised by the complaint or situation (e.g. if present during the transgression and possibly seen to be less than impartial), the OSA Executive Committee minus the chair (and anyone else similarly compromised) may appoint the Individual. Thus, the Individual may be the Chair of the league, another Executive member or another independent senior member of the league.

Initial meeting and possible Informal Resolution

Minor misconduct can generally be dealt with through informal action. Informal action will usually take the form of a conversation between the **Subject** and the **Senior OSA Individual**.

During the meeting, the Senior OSA Individual will:

- Outline the concerns and the impact that the alleged incident may have had on others
- Listen to the Subject's explanation carefully and take notes
- If required, ask further questions to help them understand the Subject's position and check that they have all the relevant information
- Discuss any support needs of the Subject, and any improvements that they feel will be necessary for the Subject to make
- Confirm any review and monitoring periods, if applicable

Following the meeting, the Senior OSA Individual is to share a written summary of discussion with the Subject. They may also share the summary with the OSA Executive Committee, where appropriate but the matters must be held in confidence (see *Record keeping*, above). If the matter is to go no further, this may be considered a verbal warning, unless the Senior OSA Individual considers that there was no case to answer.

If the informal discussion fails to result in a reasonable agreement, or if the Senior OSA Individual considers the matter to be too serious to deal with informally, or if complainants have made it clear that an informal resolution would be an unsatisfactory outcome, then formal action is likely to be taken.

Disciplinary Practice

Establishing the facts

Note that, if the disciplinary matter arose during a game of softball, the umpire is expected to send in a report within three days of the game. The **Senior OSA Individual** may have to request such a report, but umpires should use their discretion and be pro-active and not wait for such a request.

Unless the matter is very clear indeed, a formal investigation is to be carried out. The Senior OSA Individual is to appoint two or three trustworthy individuals, unconnected with the **Subject** or the situation in which the matter or incident arose. This **investigatory team** should not form part of the eventual **disciplinary committee**, which may have to be convened later.

The investigatory team is to write a short report which considers the what, where, when matters, plus anything which has been established that outlines the seriousness of the matter (e.g. why some individuals feel very aggrieved).

Informing the Subject of the problem

At this stage, the **Senior OSA Individual** is to inform the **Subject** in writing of the current status of the complaint or matter that has been under investigation. The matter to be addressed should be put clearly to the Subject. The Subject is encouraged to respond in writing to make a statement.

Hold a meeting to discuss the problem

Ideally, *within two weeks* of informing the Subject of the problem, the **investigatory team** and **Senior OSA Individual** should meet with the **Subject** to discuss the matter. This should allow the Subject to put any mitigating circumstances forward, or to admit responsibility. One member of the investigatory team again takes notes.

If they so request, the Subject should be allowed to have a friend or representative accompany them to such a meeting, for advice or to take notes.

The investigatory team shall outline the evidence that it has gathered, allowing notes to be taken of the Subject's point of view at this stage. The Subject now has the opportunity to respond to the allegations and set out any mitigating factors that they think the investigatory team and, subsequently, the disciplinary committee should consider. The Senior OSA Individual should outline the highest possible sanction that could ultimately be imposed. One possible outcome at this stage, would be for the investigatory team and Senior OSA Individual to deem that an informal resolution has been reached, or that there is no real case to answer. Unless this is the case, the matter moves on to a **disciplinary committee**.

Meeting with the disciplinary committee

The **Senior OSA Individual** now appoints a small (usually three member) committee to rule on a likely outcome. The members of the committee should not be seen to have any conflicts of interest. The Senior OSA Individual should not be a member of the **disciplinary committee**.

The disciplinary committee should consider the evidence before them and may go back to the investigatory team to ask them to clarify or possibly further investigate matters where important information is seen to be missing.

Once the matters of the case are clearly established, the disciplinary committee should meet with the **Subject**, who again may be accompanied by a friend or representative, for advice or to take notes.

Timing of the meeting

The disciplinary committee should propose a time for the meeting which should ideally be *within one week* of the investigatory team's meeting with the Subject. If the Subject appeals that they cannot attend on that date, the meeting may be re-scheduled, ideally within a *subsequent further week*, but certainly within a *subsequent further two weeks*.

It is possible that the Subject may refuse to attend the disciplinary meeting. In this case, the disciplinary meeting should go ahead without the active participation of the Subject.

Disciplinary meeting process

Initially, the disciplinary committee meets without the Subject present. One member should adopt the role of Chair and another should take clear notes. The disciplinary committee then comes to a likely ruling on the penalty or consequence (including no penalty or consequence) that should be conferred on the Subject. In the subsequent meeting with the Subject (ideally held immediately after the penalty/consequence decision is made), the committee:

- Briefly outlines the situation that has brought matters to this point
- Asks the Subject if they have anything to say before the meeting begins
- Asks the Subject if they would like to suggest a consequence or outcome.

If the Subject's recommendation is similar or more onerous to that considered by the disciplinary committee, then proceedings could be halted there and then, as long as the committee is in agreement that this sounds like a favourable outcome. Otherwise, the committee should:

- Outline the evidence that has been gathered, and why the matter is considered serious
- Hear the response from the Subject (but note that the Subject has already had the opportunity to respond to the allegations and set out any mitigating factors to the investigatory committee)
 - The disciplinary committee may ask further questions to help them understand the Subject's response
- Make clear the penalty or consequence that should be conferred on the Subject (see page 10 below)
- Take clear notes which should be kept, in confidence (see *Record keeping*, above)

See also *Other potential disciplinary matters arising from the investigations*, below. These may have to be considered by the committee before disbanding.

Announcement of outcome

The Chair of the **disciplinary committee** and the **Senior OSA Individual** agree on the content of a written 'letter' which should be delivered to the **Subject** within 3 days of the disciplinary hearing. The letter outlines the complaint/matter causing the disciplinary measures, why it was important, the mitigations raised by the Subject and the rationale for the penalty (if any).

It is at the discretion of the disciplinary committee as to whether the matter, and indeed the letter, needs to be publicised or not. The committee also has a responsibility to complainants: they must be informed of the outcome, but possibly not of all of the detail.

Other potential disciplinary matters arising from the investigations

It is possible that the **Subject** may raise matters, or make allegations about others, including the Subject's accusers. These should be brought to the attention of the disciplinary committee and it should be that group's discretion as to whether these matters may themselves require investigation by the **investigatory team**.

For example, the Subject may report that the complainant(s) had a role in initiating or escalating the issue being investigated. The disciplinary committee must consider the evidence presented, and whether there are grounds for also investigating the complainant(s). Further, the complainant(s) have a right to defend themselves against unexpected claims made by a Subject.

Opportunity to appeal

An intention to appeal must be lodged, in writing, by the Subject within one week of the disciplinary hearing. Beyond this time, the conclusions of the disciplinary committee and any penalties will stand.

Appeal procedure

Should a written appeal be raised by the Subject and received by the Senior OSA Individual within this time, all of the notes and summaries, along with the Subject's written appeal are to be passed to BSUK. BSUK is likely to follow its own procedures but may also wish to make further investigations and interview the Subject.

BSUK's ruling will be final.

Additional Information

Suspension pending investigations

Suspension from games, or from any involvement in Oxford Softball Association activities should be avoided, if possible, in all but the most serious accusations, or for situations with safeguarding concerns. However, the OSA may need to be seen to be taking grave complaints seriously and may need to suspend the Subject pending investigation. Clearly where a suspension is made, it is imperative that the investigation and disciplinary process should conclude as soon as possible.

Time Limits and Resignations

In extreme circumstances, it may not be possible to meet the deadlines outlined in this document. Nevertheless, as much as possible of the investigation should be done early. Players or members of OSA may resign and/or refuse to work with these processes. Disciplinary outcomes have to take place before the start of the following season if a player is absent for the remainder of the season in which the alleged incident took place.

Safeguarding considerations

Where the behaviour in question involved players under the age of 18, or otherwise vulnerable individuals, the penalties considered may be harsher. A report should be made to the British Softball Federation Safeguarding and Welfare Officer and the equivalent at Baseball Softball UK, where that role exists. Indeed if the safeguarding concern is significant, the matter may be passed to them before OSA carries out its disciplinary procedures. If safeguarding or welfare is a concern, the OSA's Safeguarding Officer (or equivalent) should be part of the disciplinary committee.

Welfare and support

Note that in cases where safeguarding and welfare is a factor, support and monitoring is likely to be required. The disciplinary committee may also recommend a move of team, especially where the original team has junior players or vulnerable adults.

Example indiscretions and tariff guidelines

Offences and recommended penalties

The following are guidelines only but may assist in warning the Subject as to the possible outcome of disciplinary proceedings. They may also assist the disciplinary committee in deciding an appropriate penalty.

Penalties may include:

- No action
- Verbal warning (with note on record)
- Written warning
- Excluded for a number of league matches
- Ejection from the league

Matter	Possible penalties	If this is a repeat problem
Truculent or belligerent behaviour	If on field, likely to be dealt with by the umpire. If serious, a note may be taken and passed to the Umpire Chief or Executive Committee. Possible verbal warning may ensue.	Following investigation, a written warning may be appropriate
Persistent criticism of umpires	As above.	As above. If a previous penalty had been set, exclusion from one or two matches may be appropriate.
Cheating on field or bringing the sport into disrepute	As above. However, if an investigation is deemed necessary, a verbal or written warning may be appropriate.	As above.
Repeated swearing or inappropriate behaviour around under-18 or vulnerable players	A verbal or written warning may be appropriate for a first-time offence. However, a recommended move of team and stronger penalties could be considered for more serious offences.	Exclusion from a number of league matches or ejection from the league must be considered.

Matter	Possible penalties	If this is a repeat problem
Theft or deception	Written warning, exclusion for a number of games, ejection from the league would be considered, depending on severity. (Likely referral to the police.)	Ejection from the league would have to be considered.
Serious verbal assault	A verbal or written warning may be appropriate for a first-time offence.	Exclusion from a number of league matches or ejection from the league must be considered.
Deliberate damage to property, including buildings, or equipment	Written warning, exclusion for a number of games, ejection from the league would be considered, depending on severity. (Likely referral to the police.)	Ejection from the league would have to be considered.
Threatening or violent behaviour	Depending on the severity, exclusion for a number of league matches should be considered or, for the most serious incidents, ejection from the league.	Ejection from the league would have to be considered.
Racist or serious behaviour which challenges BSUK's Equality, Diversity and Inclusion (EDI) Policy	As above.	As above.
Serious safeguarding concerns	<i>Not applicable. The matter would have been passed to BSF/BSUK and probably the police.</i>	

Process Flow Chart

