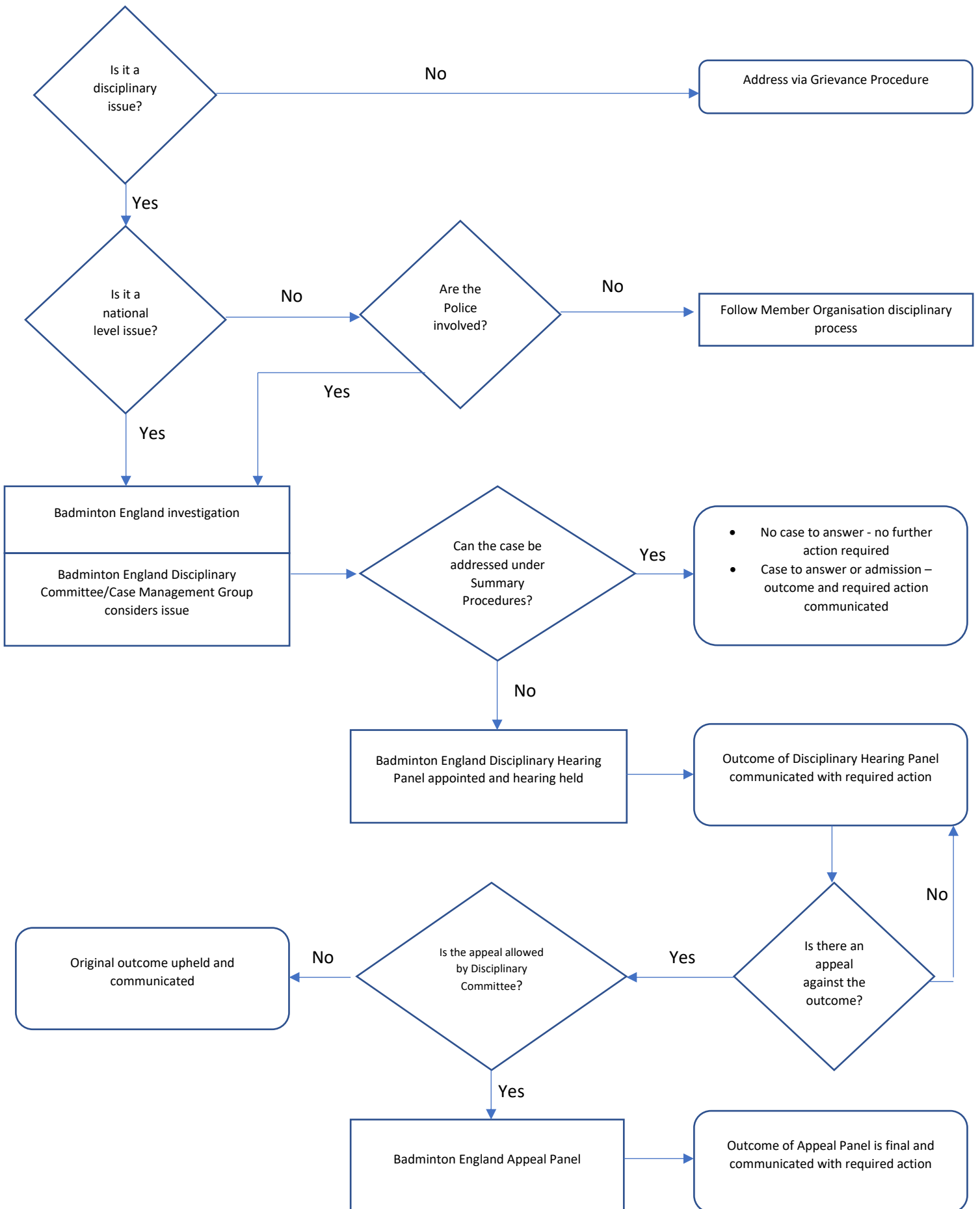


**APPENDIX 1 – DETERMINING APPROPRIATE PROCESS**

	GRIEVANCE	DISCIPLINARY		
		CLUB	MEMBER ORGANISATION	BADMINTON ENGLAND
<b>Behaviour</b>	A grievance relates to a concern, problem or complaint from one person within the voluntary badminton network about another. This may occur at club or county level and may involve people within the same club or county or from different clubs or counties.	Breach of club constitution/rules	Abusive or offensive behaviour (non-violent) Misuse of social media or other forum causing offence Fail to follow rules or directions of County Badminton Association (not coaching-related)	<ul style="list-style-type: none"> <li>• Breach of safeguarding policy/guidance</li> <li>• Sexual harassment</li> <li>• Harassment of official or player</li> <li>• Bullying</li> <li>• Violent or dangerous conduct</li> <li>• Breach of Sports Betting and Integrity policy</li> <li>• Dishonesty, Theft or fraud related to badminton</li> <li>• Discriminatory behaviour</li> <li>• Coach failing to comply with codes of conduct</li> <li>• Mis-representation of coaching or other qualifications relevant to badminton</li> <li>• Abuse of drugs and/or alcohol.</li> <li>• Criminal conviction which could, in the reasonable opinion of Badminton England, bring Badminton England and/or the sport of badminton into disrepute</li> <li>• Tournament issued Black Card</li> <li>• Fail to comply with previously issued sanction</li> </ul>
<b>Process</b>	Grievance procedure	Club follows process in Badminton England Disciplinary Regulations under its constitution	Member Organisation Disciplinary Process	Badminton England Disciplinary Process
<b>Appeal</b>	Club grievance to relevant County Badminton Association  Member Organisation grievance to Badminton England	To relevant County Badminton Association	To Badminton England	As per Badminton England Disciplinary Regulations



**APPENDIX 2 – BADMINTON ENGLAND DISCIPLINARY PROCESS**

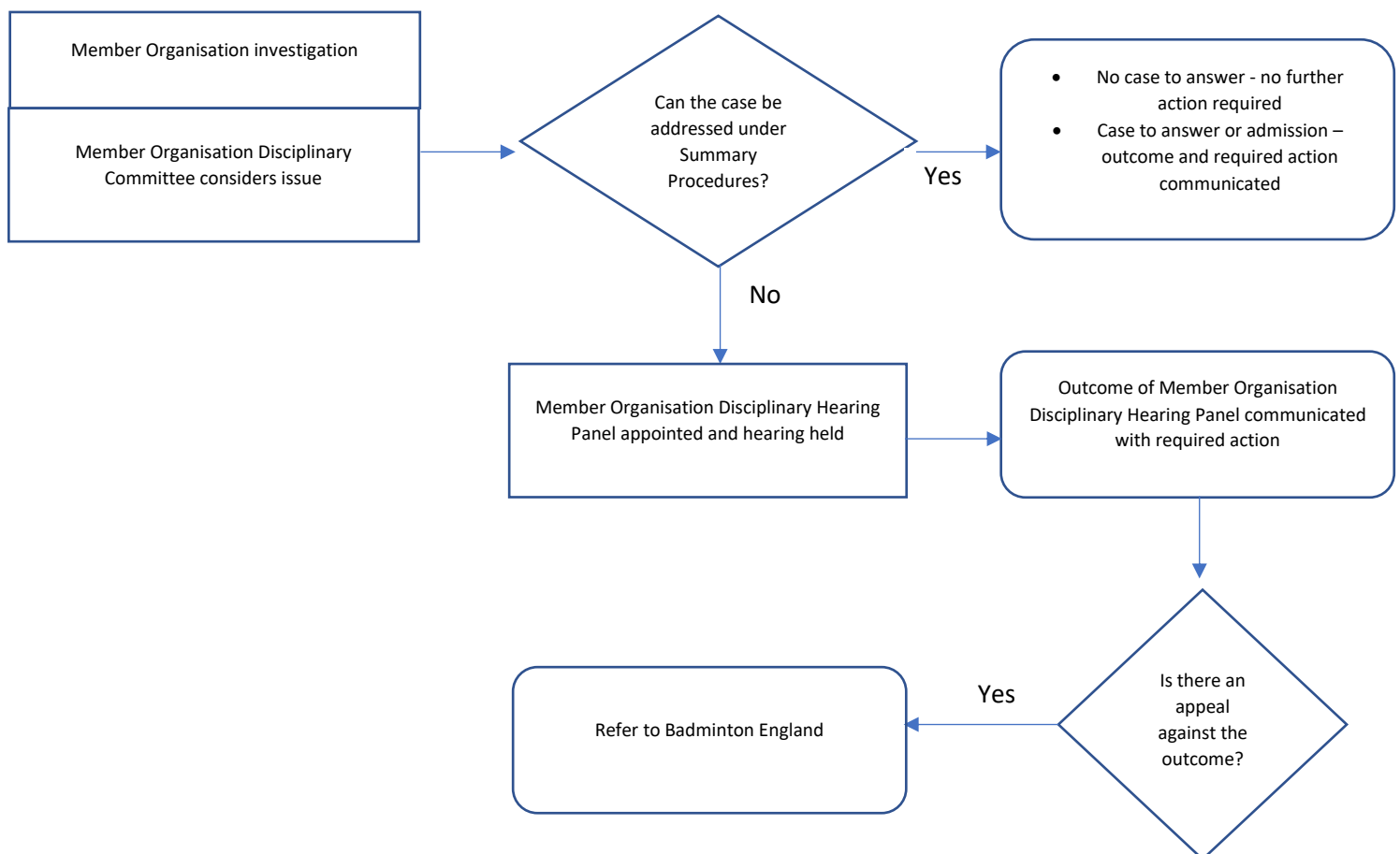


### APPENDIX 3 – MEMBER ORGANISATION DISCIPLINARY PROCESS

Member Organisation means the County Badminton Associations, the Badminton Umpires Association of England, the Badminton Line Judges Association of England and any other organisations admitted to membership of Badminton England in a general meeting

Badminton clubs should follow this process for any disciplinary proceedings they need to conduct under their constitution. In the event of an appeal taking place against a club decision, the appeal should be heard by the relevant County Badminton Association

To identify which issues it is appropriate to consider under this process, please refer to the Badminton England Disciplinary Regulations



## APPENDIX 4 - BADMINTON ENGLAND DISCIPLINARY OFFICER ROLE DESCRIPTION

REPORTING TO: Badminton England Disciplinary Committee and the Chief Executive Officer of Badminton England

### Role Purpose

To act on behalf of Badminton England to enact the Disciplinary Regulations.

### Main Duties

- To assist Badminton England to uphold and fulfil the Badminton England Disciplinary Regulations.
- To be the first point of contact within Badminton England for any disciplinary matters
- To be the first point of contact with the Member Organisation Disciplinary Officers for any disciplinary matters. To act as the first point of contact for coaches, volunteers, parents and children/young people in badminton where disciplinary concerns have been identified. To receive complaints and assist Badminton England to implement the Disciplinary Regulations under delegated powers at Member Organisation level.
- To liaise with the Member Organisation Disciplinary Officer to determine which body should deal with a complaint, and subject to normal data protection safeguards, to freely exchange information between them.
- To appoint a Badminton England Disciplinary Hearing Panel charged with the responsibility of adjudicating on a specific matter as and when required, which is constituted in a way as to ensure a fair and objective hearing.
- To implement Badminton England's reporting and recording procedures for Disciplinary hearings.
- To sit on the Badminton England Disciplinary Committee and make recommendations for improvements in the disciplinary process, learning from experience in Disciplinary Hearing Panels at all levels.
- To ensure Badminton England acts fairly towards all coaches, players, members and other persons in investigating and dealing with alleged instances of unacceptable conduct or performance.
- To promote and ensure confidentiality is maintained.
- To have a commitment to, and promote equality, diversity and inclusion.
- To keep up to date on all relevant legislation affecting the role and Badminton England's Regulations, Policies, Codes and Practices.

## APPENDIX 5 - DISCIPLINARY OFFICER ROLE DESCRIPTION (FOR USE BY MEMBER ORGANISATIONS AND CLUBS)

REPORTING TO: Member Organisation Committee (amend as appropriate)

### Role Purpose

To act on behalf of the Member Organisation (amend as appropriate) to instigate the Disciplinary Regulations in cases delegated from the Badminton England Disciplinary Officer or reported directly to the County Disciplinary Officer.

### Main Duties

- To assist Badminton England to uphold and fulfil the Badminton England Disciplinary Regulations.
- To be the first point of contact with the Badminton England Disciplinary Officer.
- To act as the first point of contact for coaches, volunteers, parents and children/young people in badminton where disciplinary or safeguarding concerns have been identified in the Member Organisation and its remit.
- To receive Complaints and assist Badminton England to implement the Disciplinary Regulations under delegated powers at Member Organisation level.
- To liaise with the Badminton England Disciplinary Officer as necessary to determine which body should deal with a complaint where there is uncertainty, and subject to normal data protection safeguards, to freely exchange information between them.
- To appoint a Member Organisation Disciplinary Hearing Panel charged with the responsibility of adjudicating on disciplinary matters in the remit of the Member Organisation, which is constituted in a way as to ensure a fair and objective hearing.
- To implement Badminton England's reporting and recording procedures for disciplinary hearings. To sit on the Member Organisation committee and attend Member Organisation meetings where necessary.
- To ensure the Member Organisation acts fairly towards all coaches, county squad players, Members of the Member Organisation and other persons in investigating and dealing with alleged instances of unacceptable conduct or performance.
- To promote and ensure confidentiality is maintained.
- To have a commitment to, and promote equality, diversity and inclusion.

## APPENDIX 6

### TERMS OF REFERENCE – BADMINTON ENGLAND SAFEGUARDING CASE MANAGEMENT GROUP

Badminton England is committed to creating and maintaining a positive environment for all those who play and enjoy our sport.

We recognise our responsibility to safeguard, protect and promote the welfare of children and young people under the Children Act 2004 and Working Together to Safeguard Children 2018; and to safeguard the welfare of all adults involved in badminton in England in accordance with the Care Act 2014.

#### **1. Purpose**

- 1.1 To ensure that all concerns and incidents referred to the Group that are related to the safeguarding of young people and adults at risk are dealt with fairly and equitably within appropriate timescales. This includes criminal records disclosure information being considered and decisions made on a consistent and equitable basis.

#### **2. The Role of the Case Management Group**

- 2.1 To act independently and transparently in respect of safeguarding matters and to advise Badminton England generally on matters of safeguarding policy, strategy and procedures.
- 2.2 To support the decision-making process by the Safeguarding Lead on the initial approach to all reported cases related to the welfare and protection of children and adults at risk. Principally these relate to agreeing appropriate required action both internally and/or via external referral to statutory agencies.
- 2.3 To analyse any reports commissioned and determine whether any further actions are required, in relation to the risk a person presents and how risk can be appropriately managed.
- 2.4 To support the making of decisions as to what level each case will be dealt with i.e. minor poor practice which may be referred back to a club for management through their complaints/disciplinary procedures with advice, or suspected abuse of a child or adult which requires dealing with at a national level through Badminton England disciplinary procedures.
- 2.5 To investigate thoroughly any concerns which may be referred back to Badminton England from a statutory agency and to ensure appropriate action is taken with regard to either further process, risk assessment or the instigation of disciplinary procedures
- 2.6 To consider any criminal records disclosure information in accordance with Badminton England's Safe Recruitment Policy and DBS Disclosure Protocols document.
- 2.7 To advise on referrals of individuals to the Disclosure and Barring Service.
- 2.8 To advise others within the organisation about actions they may need to take, such as initiating disciplinary proceedings, such action may be referred to the Board of Directors for determination from time to time
- 2.9 To recommend, where a case meets the threshold for a panel hearing, an appropriate level of sanction to be applied by panel members.
- 2.10 To monitor and review progress on all cases and to identify any trends emerging which may require a review or revision of existing policies and procedures.

### **3. Membership and Chairing**

- 3.1 The group will nominate an independent member to take the role of Chair.
- 3.2 Group members shall be appointed for a three year term with the option for this to be renewed to a maximum of 3 terms.
- 3.3 The Case Management Group will consist of a maximum of 7 members which will have both paid staff members of Badminton England and independent volunteers with safeguarding young people / adults at risk expertise
- 3.4 The staff members will be people who have relevant knowledge and expertise to enable the group to fulfil its purpose. They may be drawn from a coaching, safeguarding, disciplinary, event management, HR or other background which meets the needs of the group.
- 3.5 There will be at least three independent members with professional safeguarding experience. Independent members will be recruited via an open recruitment process against an agreed role description.
- 3.6 The Chief Executive Officer (CEO) of Badminton England will approve all appointments to the Case Management Group. The secretariat function of the group will be managed by the safeguarding team of Badminton England.

### **4. Reporting**

- 4.1 The Case Management Group will report directly to the CEO of Badminton England.
- 4.2 However, the group is empowered by the CEO of Badminton England to make decisions on action required in respect of cases without influence or prejudice by others in the organisation.

### **5. Voting and Quorums**

- 5.1 All nominated members of the Case Management Group have an equal role in the determination of action and equal voting rights.
- 5.2 In the event of equal divided opinion, the Chair of the Case Management Group will have the deciding authority
- 5.3 At each meeting the quorum will be half the number of voting members +1.

### **6. Agenda and Supporting Papers**

- 6.1 In all instances the agenda and meeting papers should be circulated by the Chair or the meeting secretary.
- 6.2 The sharing of all confidential paperwork will be via the secure system 'Sharepoint' which is only accessed by current CMG members.
- 6.3 The Chair is responsible for drafting the items for the agenda. The Chair may decide to liaise with the meeting secretary on the information to input into the document(s).
- 6.4 Sufficient time should be programmed into the diary to allow for agenda preparation and to ensure that all members are aware of any papers they are expected to draft. Agenda and meeting papers should be circulated 7 working days before the date of the meeting.
- 6.5 The Chair retains the right to reject a late paper and to postpone the discussion of the item to the next meeting.
- 6.6 All substantive issues and matters requiring a decision should not be considered unless accompanied by appropriately timed paperwork.

## **7. Minutes and Meetings**

- 7.1 The meeting secretary should accurately take the minutes of the group. Minutes should not be verbatim but should capture the main points of discussion in order to provide the rationale for all decisions and actions.
- 7.2 Case Management Group Minutes are saved into the protected safeguarding drive of Badminton England and shared via Sharepoint accordingly only with those who are eligible to view them.
- 7.3 In the first instance the meeting secretary should send the draft minutes, actions and decisions to the Chair within 72 hours (excluding weekend and bank holidays) of the meeting. The Chair should amend if/as necessary before either circulating to the attendees directly or passing back to the Meeting Secretary for distribution within the timelines agreed. The intention is to circulate minutes to all attendees within 10 working days of the meeting. Comments on minutes, actions or decisions should be sent back to the Meeting Secretary and Chair within 10 working days of the date of distribution.
- 7.4 Minutes are strictly confidential and made available to CMG members only. However, in exceptional circumstances they may be shared where this is justified in order to safeguard children and/or adults at risk or where required in support of potential legal action. This action may only be taken if agreed by the CEO or Chair of CMG.
- 7.5 It is the responsibility of the Chair to ascertain the progress of any action.
- 7.6 Reports and notes to be considered at a meeting should be distributed to the group members at least 7 days prior to the date of that meeting.
- 7.7 The Chair is responsible for setting the meeting dates for the year, though he or she may liaise with the meeting secretary to find suitable dates.
- 7.8 The Case Management Group will normally meet 6 times a year
- 7.9 The minute secretary shall be responsible for booking the meeting room and any refreshments.
- 7.10 The date and time of the next meeting should appear on the foot of each set of minutes.
- 7.11 In the event of a matter requiring more urgent attention, for example to agree an interim suspension or to discuss a serious reported concern, the Chair will convene CMG members to communicate via conference call, and /or email at short notice.

## **8. Functions**

- 8.1 The Case Management Group will consider matters as set out in its terms of reference or as requested by the Board of Directors or CEO, taking advice as appropriate.
- 8.2 The Case Management Group will assume powers delegated to it by the Board of Directors, such powers to be reviewed every 2 years.

## **9. Delegated Powers**

- 9.1 The Case Management Group may make decisions on Badminton matters that are fully consistent with the agreed strategic aims and policies of Badminton England as set out in the following documents:

- 9.1.1 Safeguarding and Protecting Young People in Badminton Policy
- 9.1.2 Safeguarding Adults Policy



9.1.3 Equality and Diversity Policy

9.1.4 Codes of Conduct

9.1.15 Disciplinary Regulations

**10. Procedures and Training**

10.1 The membership, roles, function and protocols of the Case Management Group will be approved and agreed in time for its first meeting each governance year (1<sup>st</sup> July)

10.2 Any casual or other vacancies will be reviewed at the next Case Management Group meeting. Any changes to group membership should be notified to the CEO.

10.3 The terms of reference of the Case Management Group will be reviewed at least every two years.

10.4 The normal procedures and regulations of the Board of Directors also apply to the Case Management Group.

10.5 Members of the Case Management Group should take steps to maintain and develop their experience, knowledge and skills in this area.

## TERMS OF REFERENCE – BADMINTON ENGLAND DISCIPLINARY COMMITTEE

### 1. Purpose

- 1.1 The Disciplinary Committee is responsible to the Board of Directors for the functions prescribed in the Badminton England Disciplinary Regulations.

### 2. Membership and Chairing

- 2.1 The Chair of the Disciplinary Committee will be appointed by the Board of Directors and reported to the General Meeting.
- 2.2 In the absence of the Chair of the Disciplinary Committee at a meeting, those present will elect another member of the Disciplinary Committee to act as Chair for that meeting.
- 2.3 The Disciplinary Committee will consist of a maximum of six members – five approved by the Board of Directors as voting members, one of whom will be the Chair, along with the Disciplinary Officer.
- 2.4 The names of all appointed Disciplinary Committee members will be reported to the General Meeting, such appointments taking into account the skill sets required to fulfil the role of the Disciplinary Committee.
- 2.5 The Disciplinary Committee may invite non-Committee members to attend meetings from time to time but in a non-voting capacity.

### 3. Reporting

- 3.1 The Disciplinary Committee will report directly to the Board of Directors.

### 4. Voting and Quorums

- 4.1 Only appointed Disciplinary Committee members can vote.
- 4.2 At each meeting of the Disciplinary Committee, half of the number of voting members plus one will constitute a quorum.
- 4.3 In circumstances where urgent decisions are necessary between scheduled meetings of the Committee the use of tele-conferencing, e-mail and other appropriate means may be employed to obtain the views of Committee members.

### 5. Agenda and Supporting Papers

- 5.1 In all instances the agenda and meeting papers should be circulated by the Chair or the meeting secretary.
- 5.2 The Chair is responsible for drafting the items for the agenda. The Chair may decide to liaise with the meeting secretary on the information to input into the document(s).
- 5.3 Sufficient time should be programmed into the diary to allow for agenda preparation and to ensure that all members are aware of any papers they are expected to draft. Agenda and meeting papers should be circulated 7 working days before the date of the meeting.
- 5.4 The Chair retains the right to reject a late paper and to postpone the discussion of the item to the next meeting.
- 5.5 All substantive issues and matters requiring a decision should not be considered unless accompanied by appropriately timed paperwork.

## **6. Minutes and Meeting**

- 6.1 The meeting secretary should accurately take the minutes of the group. Minutes should not be verbatim but should capture the main points of discussion in order to provide the rationale for all decisions and actions.
- 6.2 Minutes and decisions should be recorded using the minute template and all actions should be recorded using an action register.
- 6.3 In the first instance the meeting secretary should send the draft minutes, actions and decisions to the Chair within 72 working hours of the meeting. The Chair should amend if/as necessary before either circulating to the attendees directly, or passing back to the Meeting Secretary for distribution within the timelines agreed. The intent should be to get minutes to all attendees within 10 working days of the meeting. Comments on minutes, actions or decisions should be sent back to the Meeting Secretary and Chair within 10 working days of the date of distribution.
- 6.4 It is the responsibility of the Chair to ascertain the progress of any action.
- 6.5 Reports and notes to be considered at a meeting should be distributed to the group members at least 7 days prior to the date of that meeting.
- 6.6 The Chair is responsible for setting the meeting dates for the year, though he or she may liaise with the meeting secretary to find suitable dates.
- 6.7 The Disciplinary Committee will normally meet 4 times a year.
- 6.8 The minute secretary shall be responsible for booking the meeting room and any refreshments.
- 6.9 The date and time of the next meeting should appear on the foot of each set of minutes.
- 6.10 In the event of a matter requiring more urgent attention, for example to agree an interim suspension or to discuss a serious reported concern, the Chair will convene Disciplinary Committee members to communicate via conference call, and /or email.

## **7. Functions**

- 7.1 The Disciplinary Committee will consider matters as set out in its terms of reference, cases referred to it by the Disciplinary Officer, or matters as requested by the Board of Directors, taking advice as appropriate.
- 7.2 The Disciplinary Committee will assume powers delegated to it by the Board of Directors.
- 7.3 The Board of Directors may modify and approve these powers as it sees fit.

## **8. Delegated Powers**

- 8.1 The Disciplinary Committee has the delegated powers to make decisions on badminton matters that are fully consistent with the agreed strategic aims and policies of Badminton England as set out in the following documents:
  - 8.1.1 Equality and Diversity Policy.
  - 8.1.2 Codes of Conduct.
  - 8.1.3 Disciplinary Regulations.

## **9. Procedures and Training**

- 9.1 The membership of the Disciplinary Committee will be reported to the General Meeting annually at its Autumn meeting.

- 9.2 Any casual or other vacancies will be reviewed at the next Disciplinary Committee meeting and recommendations presented to the Board of Directors at its next meeting for its confirmation.
- 9.3 The terms of reference of the Disciplinary Committee will be reviewed at least every two years.
- 9.4 The normal procedures and regulations of the Board of Directors also apply to the Disciplinary Committee.
- 9.5 Members of the Disciplinary Committee should take steps to maintain and develop their knowledge and skills, for example by attending appropriate training.

**10. The Role of the Disciplinary Committee**

- 10.1 To support the decision making process by the Badminton England Disciplinary Officer on the management of disciplinary cases reported into Badminton England. Principally these relate to agreeing appropriate required action both internally and/or via external referral to statutory agencies.
- 10.2 To support the making of decisions as to what level each case will be dealt with i.e. minor poor practice which may be referred back to a club complaints/disciplinary procedures with advice, or more serious matters which will be dealt with by Badminton England through the Badminton England Disciplinary Regulations.
- 10.3 To advise others within the organisation about actions they may need to take, such as initiating disciplinary proceedings, such action may be referred to the Board of Directors for determination from time to time.
- 10.4 To monitor and review progress on all cases and to identify any trends emerging which may require a review or revision of existing policies and procedures.
- 10.5 To appoint a pool of panel members from which a hearing panel (and, if necessary, an appeal panel comprising different panel members), will be identified for each of the specific matters, each panel member having relevant knowledge and/or expertise.