



DISCIPLINE CODE -

GUIDANCE FOR REGIONAL ASSOCIATIONS AND AFFILIATED LEAGUES

THE DISCIPLINARY CODE

The Disciplinary Code aims to improve standards of behaviour by providing a clear, consistent and transparent process for handling discipline matters, to ensure everyone involved in basketball has a positive experience,

It sets out certain behaviours that will be treated as Serious Cases and details the procedures that must be followed. It is intended to build confidence in reporting and ensure any complaints or concerns are handled appropriately and fairly.

Regional Associations and Affiliated Leagues will be instrumental in making sure the Disciplinary Code and the framework it provides are successfully followed and embedded throughout the game.

This brief guide will cover the following:

- Serious case overview
- Identifying Discrimination and Aggravated Breaches
- Identifying Serious Cases towards or by a Match Official
- The role of Regional Associations and Affiliated Leagues
- The impact on Regional Associations and Affiliated Leagues
- Reporting cases to Basketball England

SERIOUS CASE OVERVIEW

Serious cases include, but are not limited to, the following:

- Abusive or offensive language or behaviour that makes reference to a protected characteristic, whether in person, in writing, or on social media. These are referred to as 'Aggravated Breaches'.
- Any act of victimisation or discrimination.
- Violent or threatening language and/or behaviour towards a Match Official.
- Any other matter deemed appropriate by The Association at their sole discretion.

Other cases, for example, could include inappropriate language or behaviour, or bringing the game into disrepute, by a person in a role with notable authority or prominence. This would include any allegations of offences committed by match officials.

IDENTIFYING DISCRIMINATION AND AGGRAVATED BREACHES

When defining discrimination, Basketball England follows the Equality Act 2010. Discrimination can be any of the following:

- Direct discrimination – treating someone with a protected characteristic less favourably than others.
- Indirect Discrimination – provisions or practices with the effect of putting someone with a protected characteristic at a disadvantage.
- Harassment – behaviour linked to a protected characteristic that violates dignity or creates an offensive environment
- Victimisation – Unfair treatment of any individual because they have raised or reported an act of discrimination

Protected characteristics are listed in the Equality Act 2010 as: Age, Disability, Gender Reassignment, Marriage or Civil Partnership, Pregnancy or Maternity, Race, Religion or Belief, Sex, Sexual Orientation.

The Disciplinary Code in Basketball describes as Aggravated the use of language of behaviour that makes reference, whether explicitly or implied, to another person's ethnic origin, colour, race, age, nationality, religion or belief, gender, gender reassignment, sexual orientation, or disability.

In most instances, Aggravated breaches could also be considered as Harassment under the Equality Act. They are comments or behaviour making reference to a protected characteristic that cause offence.

It is possible that both Aggravated breaches and Discrimination will be reported to a Regional Association or Affiliated League. It is important to look out for and be aware of offensive language or behaviour making reference to any of the listed characteristics, as well as identifying allegations of discrimination.

Remember that perception is key, if it is usually or reasonably taken as a reference to a protected characteristic then it should be treated as such. The intent or meaning of the person making the comment isn't relevant.

If you are in any doubt or unsure whether or not a matter would be considered as a serious offence, it is always worth reporting it to BE, who will be able to provide guidance and will confirm whether the matter will stay at local or regional level, or will be handled centrally.

IDENTIFYING SERIOUS CASES TOWARDS OR BY A MATCH OFFICIAL

Some incidents involving match officials will be considered as serious offences and will need passing to BE.

Offences **towards** match officials include any violent conduct towards a match official including any confrontational behaviour involving physical contact with the match official; or any words or behaviour that make a match official feel physically threatened, whether or not the threat is realistic.

Offences **by** a match official will always be considered serious offences as the default position, however on some occasions BE may oversee or delegate an investigation and any charging back to the Regional Association or league if it is deemed appropriate to do so. Always report any allegations of any offences by match officials to BE, who will then advise of the next steps.

THE ROLE OF REGIONAL ASSOCIATIONS AND AFFILIATED LEAGUES

Clubs, coaches, parents, players and match officials are all likely to approach their Regional Association or Affiliated League as the first point of contact when they have something to report. Knowing how to identify serious cases, which will need passing to Basketball England, is vital. **Any words that make reference to a protected characteristic (defined above), or any allegation of discrimination should immediately be passed to BE as soon as they are received. BE will then lead the investigation and process any charges.**

It is not for the Regional Association or the League to make a decision on the authenticity of the allegation, or to decide whether or not to pass it on. Participants within basketball will expect the Regionals Officers and League Officials to act with integrity and to have correct knowledge of the processes that are in place. If there is

any uncertainty about what to do when a complaint is received always ask BE for assistance. It is far better to report something that didn't need reporting, than not report something that should have been reported.

It should be emphasised that the Associations and Leagues have a responsibility to report any serious incidents directly to Basketball England, and failure to do so may result in action against the Officials or the League. This enables the League to rebut any pressure not to report matters.

THE IMPACT ON REGIONAL ASSOCIATIONS AND AFFILIATED LEAGUES

There is a clear impact on Regional Associations and Affiliated Leagues, as outlined above. Participants will be relying on Associations and Leagues being able to identify serious cases and pass these on to BE. The process will hopefully alleviate pressure on volunteers within the Associations and Leagues, because there is no longer an expectation that complex matter are dealt with internally. This will free up volunteer time to focus on delivering a successful League.

REPORTING CASES TO BASKETBALL ENGLAND

As stated throughout the document, Regional Associations and Affiliated Leagues have a responsibility to pass matters on to BE. This can be done by emailing integrity@basketballengland.co.uk. It will be helpful to include all information that has been provided within the email, including any statements, emails or video links that you may have been sent. It will also be useful to include the names of the team(s) involved, the date of the match/incident, and the names of any appointed officials at the match. The support and assistance of the Regional Associations and Affiliated Leagues will be vital to the success of the new process.