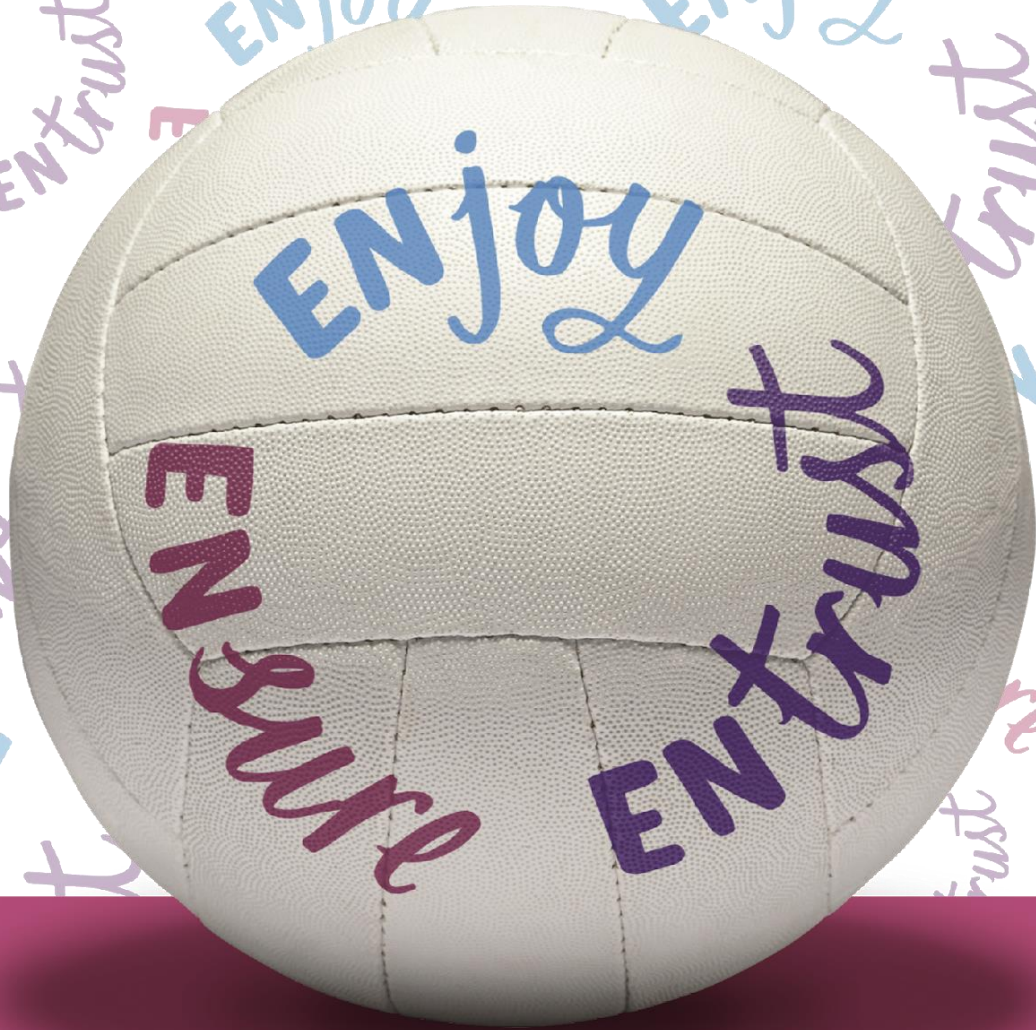


MyGame



# Safeguarding Disciplinary Regulations

Valid from April 2019

Last Reviewed March 2021

**CONTENTS**

1. Interpretation	Page 4
2. Confidentiality	Page 6
3. Jurisdiction	Page 6
4. Grounds for Disciplinary Action	Page 6
5. Criminal Convictions and Statutory Lists	Page 6
6. Action Following Receipt of Complaint	Page 7
7. Interim Suspension	Page 8
8. Investigation	Page 9
9. Case Management Group Decision	Page 10
10. Summary Procedure	Page 10
11. Disciplinary Procedure	Page 11
12. Appeals	Page 11
13. Enforcement of Decisions	Page 11
14. Publication of Decisions	Page 12
15. Exclusion of Liability	Page 12
16. Contact Details	Page 12

## INTRODUCTION

England Netball is committed to creating and maintaining a safe and positive environment for all Young People and Adults at Risk involved in the Sport. As part of this commitment, and alongside the Safeguarding Young People in Netball Policy and Safeguarding Adults 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 young people and adults: England Netball will take all necessary steps to ensure these protections are in place.

The Safeguarding Disciplinary Regulations are effective from 1<sup>st</sup> April 2019. These Regulations will be reviewed by the Case Management Group on an on-going basis and, in conjunction with the Chief Executive, 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:

<b>Appeal Tribunal</b>	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
<b>Arbitral Tribunal</b>	a tribunal made up of one or three members appointed in accordance with the NSP Rules
<b>Case Management Group</b>	any group established by the Board from time to time to oversee safeguarding cases and to make summary determinations
<b>Club Safeguarding Officer</b>	the person with lead responsibility within a club for ensuring 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.
<b>Complainant</b>	a person who makes an allegation or submits a Complaint under the Safeguarding Disciplinary Regulations.
<b>Complaint</b>	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.
<b>DBS</b>	the Disclosure and Barring Service.
<b>DBS Code of Practice</b>	the code of practice for registered persons and other recipients of disclosure information through the DBS checking service from time to time in force.
<b>Decision</b>	a written or oral decision of the Case Management Group, 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.
<b>England Netball Disciplinary Regulations</b>	the disciplinary regulations of England Netball from time to time in force.
<b>Interim Suspension</b>	a suspension, restriction, condition or penalty imposed in accordance with the Safeguarding Disciplinary Regulations.
<b>Lead Safeguarding Officer</b>	the person who is from time to time appointed to receive, and act upon safeguarding matters, including investigating and prosecuting cases.
<b>Member</b>	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 Chairman 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).

<b>National Safeguarding Panel (NSP)</b>	a panel of safeguarding experts operated by the independent arbitration and mediation body, Sport Resolutions (UK). It provides: <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 Young People and Adults at Risk.</p>
<b>NSP Expert Risk Assessment</b>	expert risk assessment of an individual's suitability to work with Young People and Adults at Risk carried out by an individual or individuals with relevant and requisite expertise and as appointed by the NSP;
<b>National Safeguarding Regulations (NSP Rules)</b>	The procedural rules of the NSP, as from time to time in force, which are incorporated by reference in the Safeguarding Disciplinary Regulations and which can be found at: <p><a href="https://www.sportresolutions.co.uk/uploads/related-documents/NSP_Rules_2015_redraft_7_April_2015_-_SB_approved_17_April_2015.pdf">https://www.sportresolutions.co.uk/uploads/related-documents/NSP_Rules_2015_redraft_7_April_2015_-_SB_approved_17_April_2015.pdf</a></p>
<b>Respondent</b>	the person or entity who or which is the subject of a Complaint under the Safeguarding Disciplinary Regulations.
<b>Sanction</b>	a restriction, condition or penalty imposed under the Safeguarding Disciplinary Regulations, whether by the Case Management Group, an Arbitral Tribunal or Appeal Tribunal appointed by the NSP. Note that a Sanction which amounts to a permanent suspension or removal from membership must be ratified by the Board.
<b>Sports Resolutions</b>	The trading name of the Sports Dispute Resolution Panel Ltd - Company No. 3351039);
<b>Summary Offence</b>	a matter determined by the Case Management Group as suitable for disposal pursuant to regulation 9 of the Safeguarding Disciplinary Regulations.
<b>Summary Procedure</b>	the procedure set out in regulation 10 below.
<b>Child or Young Person (Young People/Person)</b>	anyone under the age of 18.
<b>Adult (at Risk)</b>	any person aged 18 years or over. This also considers people who are, or may be, in need of community care services by reason of mental health, disability, age or illness and who are or may be unable to take care of themselves or protect themselves against significant harm or exploitation, commonly known as an Adult at Risk.
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 effected at the end of the second Working Day following the day of posting and, in proving a document was so sent, it shall be sufficient to prove with a receipt of posting that the envelope containing it was properly addressed, prepaid and posted. Service of a document sent by electronic mail shall be deemed to be effected immediately, it shall be sufficient to prove with a copy of the sent email properly addressed and dated.
- 1.6 For the purposes of calculating a period under the Safeguarding Disciplinary Regulations, such period shall begin to run on the day following 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, save that if the period, so calculated, ends on a Non-Working Day, then it shall be deemed to end on the next Working Day.
- 1.7 Proceedings, findings or decisions of the Lead Safeguarding Officer, Case Management Group 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.
- 1.8 If any part of the Safeguarding Disciplinary Regulations is held invalid, unenforceable or illegal for any reason, they 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 Save to the extent that disclosure and/or publication is provided for in accordance with regulation 14, the NSP Rules or otherwise in accordance with the law, all matters considered under the Safeguarding Disciplinary Regulations, will be regarded as confidential and used only for the purposes of the Safeguarding Disciplinary Regulations.
- 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 England Netball's Disciplinary Proceedings.
- 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 Lead Safeguarding Officer (or such other recipient of DBS information on behalf of England Netball) may disclose DBS information obtained under the Safeguarding Disciplinary Regulations to persons considering Complaints under the Safeguarding Disciplinary Regulations in the course of their duties.

## 3. Jurisdiction

- 3.1 England Netball, and where relevant the NSP, has jurisdiction under the Safeguarding Disciplinary Regulations over:
  - 3.1.1 all Members and Connected Participants;
  - 3.1.2 all individuals, Clubs, associations and other organisations involved in any capacity in the Sport, 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 young person or an adult.

#### 4. **Grounds for Disciplinary Action**

- 4.1 Disciplinary action may be taken under the Safeguarding Disciplinary Regulations where there is evidence that an organisation and/or individual(s) has harmed the safety and/or wellbeing of a young person or an adult, or whose conduct (whether within (or related to) the Sport or not) is deemed to pose an actual or potential risk of harm to the safety and/or welfare of a young person, young people or an adult.
- 4.2 In reaching a decision as to whether there are grounds for disciplinary action to be taken in accordance with clause 4.1, account will be taken of 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 policies on Recruitment, Selection, and Retention of persons with access to young people;
  - (c) England's Netball's policies on staff and volunteer recruitment;
  - (d) England Netball's Taking and Use of Photographs and Recorded Images of Young People Guidance;
  - (e) England Netball's Disclosure and Barring Service Disclosure and Privacy Policy;
  - (f) England Netball's Anti Bullying and Harassment Policy;
  - (g) England Netball's Recognising and Responding to Concerns and Reporting Procedures;
  - (h) England Netball's Recruitment of Ex-Offenders Policy;
  - (i) England Netball's Safeguarding Adults Policy.

#### 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 young person or an adult (at risk), or recorded a caution in respect of an offence against a 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 young people or an adult (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 Case Management Group 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. The sanction may be appealed in accordance with clause 12.3.

#### 6. **Action following receipt of a Complaint or becoming aware of a safeguarding matter**

- 6.1 Upon receipt of a complaint, an allegation, or becoming aware that a person or organisation has engaged in conduct which directly or indirectly adversely affects the welfare and safety of a young person or an adult, and/or places them at risk, the Lead Safeguarding Officer shall decide whether to:
- 6.1.1 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);
  - 6.1.2 instigate an investigation under the Safeguarding Disciplinary Regulations;

- 6.1.3 refer the matter for resolution at local level by a Club, Region or other organisation;
  - 6.1.4 refer the matter for investigation by the NSP;
  - 6.1.5 refer the matter for an NSP Expert Risk Assessment of an individual's suitability to work with young people and adults (at risk).
- 6.2 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 other investigatory authority, in respect of conduct which is, or may be, grounds for disciplinary action under regulation 4, the Lead Safeguarding Officer may:
- 6.2.1 postpone consideration of the matter pending the outcome of any such proceedings/investigations; and/or
  - 6.2.2 impose an interim suspension pending the outcome of any such proceedings/investigation.
- 6.3 Where an investigation is commenced under regulation 6.1.2, the Lead Safeguarding Officer 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 Case Management Group.
- 6.4 It will be at the discretion of the Lead Safeguarding Officer 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.
- 6.5 In circumstances in which the investigation involves communicating with, taking evidence from or interviewing an adult (at risk) or a young person, and the issues to be investigated are of a sensitive nature, it shall be at the discretion of the Lead Safeguarding Officer to delegate the investigation, or certain parts of the investigation, to the NSP who will appoint an investigator to assist the Lead Safeguarding Officer or deal with the investigation in a way that is appropriate for the sensitive nature of the matter.
- 7. Interim Suspension**
- 7.1 In the circumstances set out at regulations 6.1.1, 6.1.2, 6.1.4 and 6.1.5 the Lead Safeguarding Officer has the power to impose an immediate interim suspension if it is considered, by reference to the factors listed at regulation 7.2, that it is appropriate to exclude an individual concerned from any involvement in the sport which might involve access to young people or adults (at risk), until the conclusion of all proceedings/investigations referred to at regulations 6.1.1, 6.1.2, 6.1.4 or 6.1.5, or under the Safeguarding Disciplinary Regulations generally.
- 7.2 In determining whether an Interim Suspension should be imposed, the Lead Safeguarding Officer shall give consideration, inter alia, to the following non exhaustive list of factors:
- 7.2.1 whether the safety and/or welfare of young people or adults (at risk) are, or may be, at risk of harm;
  - 7.2.2 whether the complaint or matter is of a serious nature;
  - 7.2.3 whether an Interim Suspension is necessary or proportionate to allow the conduct of any proceedings, investigation or risk assessment (carried out by the Lead Safeguarding Officer, any other authority/ body or the NSP); and
  - 7.2.4 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.
- 7.3 Where an interim suspension is imposed, the Lead Safeguarding Officer shall, in writing, notify the Respondent together with any Club, County or Region, volunteers and members of staff, with which the Respondent is associated as soon as reasonably practicable and shall otherwise publish the decision in accordance with regulation 14.



- 7.4 The Case Management Group shall review an interim suspension regularly, in proportion with the length of the suspension, and the Case Management Group shall take into consideration the factors set out in regulation 7.2 in determining whether the continuation of the interim suspension is justified.
- 7.5 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 Lead Safeguarding Officer, shall, where possible, liaise with and maintain an ongoing dialogue with the relevant investigating body.
- 7.6 Any breach of an interim suspension shall constitute grounds for disciplinary action under the England Netball Disciplinary Regulations.
- 8. Investigation**
- 8.1 Where England Netball instigates, or continues with, an investigation under the Safeguarding Disciplinary Regulations, the Lead Safeguarding Officer shall make all (or any further) inquiries necessary to establish the facts and circumstances of the complaint or matter.
- 8.2 The Lead Safeguarding Officer 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 Lead Safeguarding Officer 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 Lead Safeguarding Officer 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 Lead Safeguarding Officer 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 young people and adults (at risk);
  - 8.4.6 any other person or party as deemed appropriate in the discretion of the Lead Safeguarding Officer.
- 8.5 In carrying out their function, the Lead Safeguarding Officer (or another appropriately qualified person or representative on the Lead Safeguarding Officer's behalf if authorised by the Chief Executive) 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 a 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 Lead Safeguarding Officer shall report to the Case Management Group who shall decide the appropriate course of action in accordance with regulation 9.

8.8 At any stage of the investigation, the Lead Safeguarding Officer 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 Case Management Group shall:

9.1.1 if the Respondent admits the complaint, or the Case Management Group is satisfied that the complaint or the matter is appropriate for the summary procedure, decide that the summary procedure shall be invoked in accordance with regulation 10; or

9.1.2 if the Respondent does not admit the complaint, and/or if the Case Management Group is not satisfied that the Complaint is appropriate for the summary procedure, submit the matter for determination by the NSP, in accordance with the NSP rules, as amended from time to time, which rules are deemed to be incorporated by reference to this regulation;

9.1.3 if satisfied that there is no case to answer, dismiss the complaint;

9.1.4 if the matter falls properly to be dealt with under England Netball Disciplinary Regulations, and falls within the definition of a disciplinary offence in accordance with regulation 3 of the England Netball Disciplinary Regulations, inform the Complainant accordingly. To the extent that the Complainant decides to activate a complaint under the England Netball Disciplinary Regulations, they must do so within 14 working days of the Case Management Group's decision.

9.2 The Case Management Group 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.

## 10. Summary Procedure

10.1 In the event that it is considered, in accordance with regulation 9.1.1, that the summary procedure shall apply, the chairman of the Case Management Group shall send written notice to the Respondent:

10.1.1 confirming that the matter will be dealt with under the summary procedure;

10.1.2 a summary of the supporting facts and evidence; and

10.1.3 requesting any additional evidence or mitigation to be submitted in writing to chair of the Case Management Group within 7 Working Days.

10.2 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.

10.3 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.

10.4 The Case Management Group shall consider all further evidence and mitigation submitted by the Respondent pursuant to regulation 10.1.3, and shall then impose the appropriate sanction. The Case Management Group 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 10.1.3.

10.5 The Case Management Group 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, as amended from time to time, and which are incorporated by reference to this regulation.

- 10.6 The Case Management Group may, in its discretion, appoint an expert to assist or advise the Case Management Group on a specific issue.
- 10.7 The standard of proof shall be the balance of probabilities in relation to determinations and decisions of the Case Management Group.
- 10.8 The Chair of the Case Management Group 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.
- 10.9 A Decision made, or Sanction imposed, by the Case Management Group under the summary procedure shall be final and binding on all parties, save to the extent that the Case Management Group imposes an immediate sanction, in accordance with Regulation 5, in which case the Respondent shall be entitled to appeal on a review only basis, in accordance with regulation 12.3.

## 11. **Safeguarding Disciplinary Procedure (the National Safeguarding Panel)**

- 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, as amended from time to time) 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, as amended from time to time) 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 Lead Safeguarding Officer (or any legal or other representative on the Lead Safeguarding Officer's 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 of, or sanction imposed by, the arbitral tribunal appointed pursuant in accordance with the NSP Rules, as amended from time to time.
- 12.2 In accordance with the NSP Rules, as amended from time to time, 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, as amended from time to time, and the NSP Rules shall govern the appeal.
- 12.3 Any decision made by the Case Management Group 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 Case Management Group imposes an immediate sanction in accordance with regulation 5, the Respondent shall be entitled to appeal this sanction. Such appeal shall be made in accordance with the NSP Rules, save that the Appellant shall be appealing a Case Management Group 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 Case Management Group 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 suspension and any decision made, or sanction imposed (whether the sanction is imposed,

or the decision is made, by the Case Management Group, an arbitral tribunal or an appeal tribunal appointed by the NSP) under the Safeguarding Disciplinary Regulations.

- 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 (whether by the Case Management Group or by an arbitral panel or an appeal panel appointed by the NSP) 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/compliance with decisions and sanctions.

- 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 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 made, or sanctions imposed under the Safeguarding Disciplinary Regulations.

#### 16. **Contact**

All correspondence should be marked private and confidential and sent to the Lead Safeguarding Officer or, as necessary, the Chair of Case Management Group at the following address:

England Netball, 3<sup>rd</sup> Floor, Sport Park, 3 Oakwood Drive, Loughborough, LE11 3QF

Or

[besafe@englandnetball.co.uk](mailto:besafe@englandnetball.co.uk)