



## ESSEX TENNIS DISCIPLINARY CODE PROTOCOL

### **Jurisdiction and disciplinary matters**

The aim of this disciplinary code protocol is to provide a framework within which Essex Tennis can work with Members to maintain satisfactory standards of conduct. The standards of conduct expected of all Members are set out in the Essex Tennis Rules, Policies and Procedures including the Code of Conduct. These documents can be located at [Policies, Procedures and Safeguarding - Essex Tennis](#) and [Constitution and Rules of Essex Tennis - Essex Tennis](#)

These are made by Essex Tennis in relation to any disciplinary matters which include without limitation the following:

- alleged breaches of Essex Tennis Rules;
- alleged breaches of Essex Tennis Policies;
- alleged breaches of Essex Tennis Code of Conduct;
- any matter in which a Member engages in any conduct which is inappropriate, unlawful, unsporting or behaves in a manner which is unacceptable or opposed to the general interests of Essex Tennis or which brings it into disrepute.

Where appropriate the LTA Disciplinary Code will be used to deal with cases that warrant it. This document can be located at [lta-disciplinary-code-with-effect-from-1-january-2023.pdf](#)

The Procedures apply to all Members of Essex Tennis.

For the avoidance of doubt, where an issue constitutes a safeguarding matter, this Protocol will only be applied following the conclusion of any statutory and/or LTA investigation.

The Protocol and Policies may be amended by Essex Tennis at any time and at its sole discretion and such amendments shall be effective from the date stated.

Essex Tennis shall not be liable to any person, including without limitation, any Member, for any loss, howsoever caused, whether direct, indirect, financial or consequential arising out of or in connection with any action taken under the Protocol.

Disciplinary proceedings shall be commenced against a Member in accordance with the Policy when the County Secretary receives a Notice of Complaint or becomes aware of a disciplinary matter referred to above and will follow the Essex Tennis Complaints and Appeal Process.

In the event that the County Chair, Treasurer or Secretary is involved in a disciplinary matter, either as Complainant or Respondent then they shall not be involved in any part of the disciplinary process relating to the matter.

### **Notice of complaints**

A Complaint following the Complaints and Appeals Process may be lodged with the County Secretary with a copy to the County Treasurer or the County Chair by any person or body which shall include without limitation, another Member, an employee/officer/volunteer of the County Association, the Council or a member of the public, in relation to an alleged disciplinary matter.



If the Complaint concerns the County Secretary, the Complainant may submit it to the County Chair together with a copy to the County Treasurer instead.

The Notice of Complaint shall be made in writing within 4 days of the alleged incident, or failing that as soon as practically possible thereafter and shall set out details of the Complaint giving as much details as possible including when, what and where it occurred, who was present/involved and an indication as to the desired outcome including, where applicable, the nature of the alleged breach.

### **Initial investigation**

The purpose of an investigation under this Protocol is to establish a fair and balanced view of the facts relating to any disciplinary complaint before deciding whether there is a case to answer. The scope and extent of the investigation will vary depending on the nature of the complaint and will vary from case to case.

On receipt of the Notice of Complaint or of the County Secretary otherwise becoming aware of an alleged disciplinary matter regarding a Member, the County Secretary will as soon as practically possible forward the complaint to the Chair of Essex Tennis to investigate the complaint and will let the Complainant know that the complaint process has started.

Where possible the Chair (or their nominated Council member) will commence an initial investigation into the matter in order to gather information and evidence and will try to deal with the complaint directly with the complainant. If this proves successful, the Chair will normally confirm the outcome directly with the complainant.

Where the Chair feels it is not possible/appropriate to be dealt with by one council member, a panel of 3 will be set up from members of Essex Tennis Council.

The members of the panel will be provided with all necessary information & documents, and may ask the complainant and any others involved to provide additional details. At its sole discretion the panel may hold a hearing (whether or not such a hearing is requested by any party) and ask all parties to attend it to present their case. This hearing will normally be held within 21 days of the original complaint being lodged and any decision made will normally be communicated by email within another 7 days.

All discussions & meetings will be noted/minuted and Council will be informed, the detail will be held on file in the County records for a period of 5 years

Where a complaint is upheld the Disciplinary panel will recommend to Essex Tennis Council the imposition of an appropriate penalty which **may** include one or more of the following sanctions:

- a) warn, as to future conduct;
- b) suspend, from county activities for a specified period;
- c) remove, from county activities permanently.

Members are expected to co-operate fully and promptly with any investigation and the Respondent and the Complainant will be advised in writing explaining the reasons why the Complaint has upheld or been dismissed.

### **Confidentiality**

The County Association will deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All Members must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.



## **Disciplinary matters involving children or adults at risk**

Where a disciplinary matter involves a Child or an Adult at Risk, the County Association, the Disciplinary panel and/or Appeal panel must be mindful of the needs of the person in question and take these into account when deciding:

- a) the format of proceedings, including whether special measures are required, or adjustments need to be made to the Procedure
- b) Any action to be taken against such a person
- c) the experience, knowledge and training of the members of the Disciplinary panel

Written permission should be obtained from any parent/carer of a Child or Adult at Risk who is asked to attend a hearing.

Where a Child or Adult at Risk is asked to attend a hearing, they shall be afforded the opportunity to do so accompanied by their parent/carer or an appropriate adult. The Disciplinary panel shall take steps to satisfy itself that the Child or Adult at Risk fully understands the purpose and potential outcomes of the hearing.

For the avoidance of doubt, the refusal of a Child, their parent/ carer or an Adult at Risk to co-operate shall not preclude the County Association from taking disciplinary action.

## **Appeal**

Appeals may only be made after 14 days have elapsed and they must also be made within 40 days of the decision being notified to the complainant. The complainant must state the basis for any appeal, for example new evidence or lack of due process.

Any appeal to the decision must be made by email/post only to the County Secretary together with a copy to the County Treasurer or County Chair within 40 days of receipt of the decision. The County Secretary/alternate will confirm receipt of the appeal by email/post and inform the Chair who will start the appeal procedure.

The appeal will be heard by a relevant appeals panel of 3 or more, set up by the Chair including at least 3 members of the Essex Tennis Council and will not include more than one from the original complaints panel. The panel will normally meet within 21 days of the appeal being lodged and any decision made will normally be communicated by email/post within another 7 days.

The decision of the appeal panel will be final.

- Postal complaints to Essex Tennis, Redbridge Sports Centre, Forest Road, Ilford IG6 3HD
- Email complaints to:  
County Secretary at [wendy@essextennis.org.uk](mailto:wendy@essextennis.org.uk)  
County Chair at [alan@alanrayner.co.uk](mailto:alan@alanrayner.co.uk)  
County Treasurer at [mikejones@essextennis.org.uk](mailto:mikejones@essextennis.org.uk)