

Pickleball in the Park Association Member Code of Conduct and Disciplinary Policy

PREAMBLE

It is expected that the members of the Pickleball in the Park Association will at all times act in a courteous manner to all other people they play with or come into contact with at Club events or in the course of Club business. Although this expectation will be foremost in the minds of all members in most cases, there will be the odd occasion when this Code of Conduct has to be used.

DEFINITIONS

“Board of Management” means the elected committee members of the Club and the Club President.

“Club President” means the person so elected to hold that position. “Club” means the Pickleball in the Park Association

1. Introduction

The purpose of this code is to assist members of the Club to know and understand the standards of behaviour expected and shall apply always when at Club events and when conducting Club business. This is to ensure everyone can enjoy the amenities provided by the Club in a safe and responsible manner.

The policy sets out the disciplinary process and outlines to all members, players and the public how to make a complaint and how the disciplinary process of the Club works.

The Code of Conduct applies to all members of the Club. Infractions of this Code will be assessed by a Disciplinary Committee. Serious infractions could result in suspension or cancellation of membership at any time without refund or other disciplinary action as maybe required. This Code supports and is subject to the Constitution of the Club. The constitution takes precedence in the event of any inconsistency.

2. Code of Conduct

As a member of the Club a certain standard of behaviour is expected that reflects the basic requirements of good sportsmanship, integrity, honesty, courtesy and respect to be shown to all other members, competitors, Club officials, staff and the public. Without limiting the basic requirements of good sportsmanship, integrity, honesty, courtesy and respect, matters of conduct likely to reflect unfavourably are but not limited to, include:

- Breach of the Club’s Constitution
- Failure to adhere to the rules and etiquette of the game of pickleball together with the Club’s rules, regulations and instructions.
- Use of threatening, abusive, profane, insulting language or gestures to another person
- Bad temper, club throwing in anger and dangerous manner, deliberate damage or abuse of pickleball equipment and Club property
- Physical violence, threatening and/or intimidating behaviour
- Actions that damages the character, goodwill, property or community view of the Club
- Bringing into disrepute by use of social media the game of pickleball, the Club, the Club’s rules and regulations, Club officials, and members.
- Sexual harassment or racial vilification of any kind including any conduct, comment, gesture or contact that is likely to cause offence or humiliation with respect to gender, religion, race and colour
- Unsportsmanlike conduct and unnecessary gamesmanship

A member engaging in any behaviour that may be detrimental to the game of pickleball or the Club is in breach of the Code of Conduct and should be reported to the Club President if the behaviour occurs at a club event or in the course of conducting club business.

It is in the best interests of the game that such behaviour is reported. All members are encouraged and have a duty to report such behaviour. Once a complaint is made under Section 4 below, then the person making the complaint, and the members of the Disciplinary Committee, will hold both the complaint and the determination of it entirely confidential and will not speak of the complaint, except in the proper course of the administration of the complaint procedure and the decisions of the Disciplinary Committee.

3. Disciplinary Committee

The Board of Management of the Club may appoint a Disciplinary Committee to oversee the complaints procedure set out in Section 4 and to conduct investigation, hearings and impose penalties within the guidelines in Section 4 as may be deemed necessary. A Disciplinary Committee shall be a special purpose committee and will have three members. The members of a Disciplinary Committee may be constituted by Board Members or such other members of the Club as the Board may appoint. The Disciplinary Committee will be responsible for implementing this policy in a fair and impartial manner. Where anyone (or more) of the members of the Disciplinary Committee is unable to act (either through absence or a conflict of interest) then the Board of Management will appoint a replacement member to either temporarily or permanently fill the vacancy in the Disciplinary Committee.

If the Board of Management does not appoint a Disciplinary Committee or if the Board of Management deems the matter one which requires special attention, then the Board of Management may deal with the complaint. Any member of the Management Committee that has a conflict of interest or is a witness to the alleged behaviour shall not be eligible to be part of the Disciplinary Committee. A quorum for the constitution of a Disciplinary Committee formed by the Board of Management shall be three. If there are insufficient numbers to form a quorum by the Board of Management (because of conflict of interest or being witnesses to the alleged behaviour) the eligible members of the Board of Management may appoint an ordinary member or members of the Club to form a quorum.

4. Complaints Procedure

Complaints may be made by any person including a member, visiting guests and members of the public. All complaints formally received will be recorded in the Clubs complaint register.

Complaints must be made in the first instance to the Club President within seven (7) working days of the matter occurring. Any complaint must be then submitted in writing within 10 days to the Club Secretary. Upon receipt of written complaint, the nature of the offence will be assessed and graded in accordance with Section 5 below. The Club President will then take the following actions:

- a. If the matter is Grade 1, of a minor nature, the Club President shall consider whether a prima facie case has been established and if so satisfied, will discuss the complaint with the person(s) involved and deal with the complaint by either dismissing the complaint or deal with it by way of the first step in Appendix 2 whereupon the matter will be closed;
- b. If the matter is Grade 1, but the person involved has already had step one of Appendix 2, then the Club President will discuss the complaint with the person(s) involved and either dismiss the complaint or deal with it by way of the second step in Appendix 2;
- c. If the matter is a Grade 2 or 3 offences, or involves a Grade 1 suspension, the Club President will carry out a preliminary investigation and gather all the facts of the complaint as is reasonably available within seven (7) days from the receipt of the written Complaint notice. This may include speaking to the accused person and getting a written report from that person. If the Club President is satisfied that a prima facie case is established the matter will then be referred to The Disciplinary Committee in accordance with paragraph 6. The Club President will be responsible for keeping all parties involved, informed about the complaints process.

5. Grading of Complaints

All complaints and charges are to be graded 1 to 3 with one being the lightest grading and three the most serious. This is done by reference to Appendix 1 and the following notes.

The Club President is required to determine the grading of the offence (if satisfied that a prima facie case has been established). The grading allocated will determine the action to be taken and the potential penalty that may apply. Therefore consistency of grading across offences is important and it is a requirement that records

are kept, to support the grading process. On some occasions, the Club President may not recommend a grading because of the seriousness of an incident and may automatically refer the charge to the Disciplinary Committee or the Board of Management.

6. Disciplinary Committee Functions

The Disciplinary Committee will meet on an as required basis to perform the following functions:

- Review complaints, information, notices in relation to grade 1 offence's and ensure consistency in application
- Consider all grade 2 and 3 complaints and appeals to a grade 1 penalty
- Where necessary hold investigations, including a hearing into the complaint or appeal

Notice of any hearing of the Disciplinary Committee shall be given, in the case of a complaint, to the person or persons the subject of the complaint and the complainant; and in the case of an appeal, to the persons affected by the appeal and the appellant.

The notice will specify the date time and place of any hearing and will be accompanied by copies of all material relevant to the complaint. The notice will also specify if the hearing is to be attended by written submissions or whether the parties are required to attend in person, with the opportunity to have representation attend also. Hearings will be in private with only the accused and his/her representative and the Disciplinary Committee. Such notices, submissions, etc may be served by way of electronic media.

No formal legal representative or counsel shall be entitled to attend, provided that the Disciplinary Committee may receive such legal advice as it deems necessary. Any participant to the hearing will advise if a conflict of interest could be lodged by any party.

7. Decisions and Penalties

If a complaint is upheld by the Disciplinary Committee, it shall give its decision in writing, within five (5) days of such hearing, with reasons for the decision and any penalty imposed.

It would be expected that the Disciplinary Committee will deal severely with proven cases of serious misconduct and in some cases the conduct may constitute a criminal offence in which case the matter should be referred to the Police.

Appendix 1

General examples of grading of complaints of conduct likely to bring the game into disrepute (this is not an exhaustive list)

Grade 1 Offences

- Failure to comply with authorised instructions and signage
- Improper treatment of equipment, including throwing of paddles in anger and dangerous manner
- Ill-mannered behaviour

Grade 2 Offences

- Behaviour bringing the club or game of pickleball into disrepute
- Theft of minor items
- Excessive or offensive bad language
- Verbal abuse, threatening or intimidating behaviour to another person
- Breaking paddles or other equipment

Grade 3 Offences

- Any serious misuse of alcohol or drugs at club events
- Serious theft
- Assault of a member, a Club official, a player, a guest or a member of the public
- Racial vilification, sexual or verbal harassment
- Denigration of the Club, the Management of the Club (including the Board of Directors or an individual member of the Board), whether by electronic means or otherwise.

Appendix 2

Grade 1 Offence

If no previous offences any one of the following process will be adopted:

1. Verbal warning with notice on file
2. Written warning issued to member
3. Penalty of suspension imposed by Disciplinary Committee

If the next incident is a Grade 2 offence, then that process will override the above.

Grade 2 Offence

If no previous offences any one of the following process will be adopted depending on the seriousness of the offence:

1. Written warning issued to member
2. Penalty of suspension imposed by Disciplinary Committee
3. Penalty of expulsion as determined by the Disciplinary Committee

If the offence is considered serious, or there are other recent offences, then a step can be passed at the discretion of the Disciplinary Committee.

Grade 3 Offence

Depending on the seriousness of the offence any one of the following actions may be adopted; 1. Written warning issued to member

2. Penalty of suspension imposed by Disciplinary Committee
3. Penalty of expulsion as determined by the Disciplinary Committee

Step 1 will only be taken if the offence is of a lesser scale otherwise a penalty of suspension will usually be imposed.

Prior Offences: In determining an appropriate action after a complaint has been proved, the Disciplinary Committee may take into account any previous matters concerning the member that has or have been proved and dealt with by a Disciplinary Committee.