



Disciplinary Procedures for Club Officials' Misconduct

1.0 Introduction

- 1.1 These Procedures primarily apply to officials who have a managerial or coaching position with a club, and also to other persons whose names are detailed on the Technical Area form for a match with the exception of named substitutes. The Procedures relate to incidents of misconduct committed by such persons before, during or after matches and which are subject of report(s) by match officials (referees, assistant referees and fourth officials). Included within the Procedures is a system for the application of automatic suspensions.
- 1.2 Misconduct reports which are submitted by match officials on other club officials, such as chairmen, secretaries, committee members and directors will not be subject to the system of automatic suspensions and will be referred directly to the Disciplinary Committee.
- 1.3 Without prejudice to the foregoing generality, allegations of Unacceptable Conduct by officials such as chairmen, secretaries, committee members or directors shall be referred directly to the Disciplinary Committee. The Disciplinary Committee shall have the discretion to investigate and/or consider such allegations and to take action no matter how the alleged act of misconduct and/or Unacceptable Conduct has come to its notice, whether or not mentioned in a match official's report. In this event, the Association shall follow the procedure as prescribed in Paragraph 3.3 of Section 6, "General Provisions" of the Disciplinary Procedures for Players' Misconduct.

For the purposes of these Procedures:

"Category" shall mean (i) female or male gender; (ii) colour, race, nationality (including citizenship) or ethnic or national origin; (iii) membership of a Religious Group or of a social or cultural group with any perceived religious affiliation; (iv) sexual orientation; (v) transgender identity; and (vi) disability;

"Conduct" shall mean conduct which is violent where there is (i) actual, attempted or threatened physical violence against a person or persons; or (ii) intentional damage to property;

"disability" shall mean physical or mental impairment of any kind;

"Disorderly Conduct" shall mean (i) conduct which stirs up or sustains or is likely or designed to stir up or sustain hatred or ill will against or towards a group of persons based on their membership or presumed membership of a group defined by reference to a Category or against an individual who is or is presumed to be, by the person or persons engaged in the Conduct to be a member of such group; (ii) using threatening, abusive or insulting words or conduct; or (iii) displaying any writing or other thing which is threatening, abusive or insulting;

"Religious Group" shall mean a group of persons defined by reference to their religious belief or lack of religious belief, membership of or adherence to a church or religious organisation, support of the culture and traditions of a church or religious organisation and/or participation in activities associated with such a culture or such traditions;

"transgender identity" shall mean any one or more of transvestism, transsexualism; inter-sexuality or change of gender;

"Unacceptable Conduct" shall mean Conduct and/or Disorderly Conduct as the context so requires.

- 1.4 Notwithstanding anything stipulated elsewhere herein, the Disciplinary Committee retains discretion to investigate and/or consider any case in which a club official's act of misconduct (including Unacceptable Conduct) or the circumstances pertaining to such misconduct (including Unacceptable Conduct) would appear in the opinion of the Disciplinary Committee to be of a serious nature, and to take such action upon the outcome of its investigation in accordance with the system of automatic suspensions. In such cases, the exercise of the Disciplinary Committee's discretion shall not be limited to incidents and acts of misconduct (including Unacceptable Conduct) which are the subject of a report by a match official. The Disciplinary Committee shall have the discretion to investigate and/or consider and to take action no matter how an alleged incident and/or act of misconduct (including Unacceptable Conduct) has come to its notice, whether or not mentioned in a match official's report.

- 1.5 In cases which are investigated on the basis of the foregoing paragraph, the case shall proceed in the manner prescribed for standard cases within these Procedures.
- 1.6 Those subject to these Procedures are referred to as "club officials".
- 1.7 In these Procedures an act of misconduct shall be deemed to include where appropriate Unacceptable Conduct.
- 2.0 Receipt and Issue of Reports from Match Officials
- 2.1 Match Officials must submit to the Association a report of misconduct by a Club Official within two days of the match.
- 2.2 On receipt of a report from a match official on an incident before, during or after a match involving a club official, a copy of the report(s) will be issued to the individual concerned by the SFA. A match official may submit only one report of misconduct on a club official e.g. if a further misconduct incident follows after an initial incident, both matters should be contained in the one report. A copy of the correspondence will be issued to the individual's club.
- 2.3 When a club official is notified of the match official's report, he will be given the opportunity to accept or to appeal the suspension to be automatically imposed in accordance with these Procedures. If the club official takes the latter option, he is required to request that the case be referred to the Disciplinary Committee for consideration. In such cases, he will have the opportunity to make a personal appearance before the committee or to have the case dealt with in his absence.
- 2.4 In the event that a club official does not respond to the SFA's correspondence, it will be assumed that he has accepted the application of the automatic suspension.
- 3.0 Appeal Against Automatic Suspension
- 3.1 An appeal requires to be received by the SFA by return and no later than seven days after the date of the letter being issued to the club official. In his letter of appeal, the club official is required to provide his comments on the report(s) from the match official(s) and to state the grounds for the automatic suspension not being applied.
- 3.2 It is open to the official's club to submit a response in support of the official's appeal.
- 3.3 It is open to the club official to make reference to witnesses in his reply and for statements from any such witnesses to be included with the reply or to be provided separately by any witness.
- 3.4 On receipt of such an appeal, the automatic suspension will be set aside pending the outcome of the case's consideration by the Disciplinary Committee.
- 3.5 On its completion of its consideration of such cases, the Disciplinary Committee reserves the right to increase the suspension due to be imposed to deter any frivolous appeals or obvious delaying tactics on the part of the club official.
- 3.6 It is open to the Disciplinary Committee to find the club official guilty of an offence or offences of a lesser nature to that which he was reported for.
- 3.7 The Disciplinary Committee otherwise retains discretion to deal with each case on its merits. The range of sanctions open to the Disciplinary Committee to impose on a club official is:
- to issue a severe censure and/or a warning as to his future conduct.
 - to impose a suspension from the touchline areas, etc.
 - to impose a financial sanction.
 - to impose a combination of any or all of the foregoing.
 - to take no action.
- 3.8 The commencement date for suspensions imposed by the Disciplinary Committee is seven days from the date of the meeting at which the suspension was imposed unless for any reason the details of the suspension were not intimated to the club official at such meeting, in which case it will be effective seven days after the date on which the decision was intimated

by recorded delivery letter to the person concerned.

- 3.9 Should the Disciplinary Committee decide that the standard automatic suspension be applied, or decided that a lesser sanction be applied, the club official will be advised that the decision of the Disciplinary Committee is final and binding and shall not be the subject of an appeal.

4.0 Suspensions

Unless the report from the match official is appealed by the club official, the following level of suspensions will automatically apply dependent upon the disciplinary record of the club official over the determining period (i.e. the current and preceding two seasons):

- First report of misconduct : 2 match suspension from Technical Area etc.
Second report of misconduct : 4 match suspension from Technical Area etc.
Third report of misconduct : 6 match suspension from Technical Area etc.

5.0 Four (or more) Reports of Misconduct

In the event that a fourth (or greater number) misconduct report is received in respect of a club official within the determining period, the case will be referred directly to the Disciplinary Committee.

6.0 Determining Period For Suspension

A rolling 3-season period will be used to determine the suspension to be imposed. In effect, a club official's record over the current and preceding two seasons will be taken into account.

7.0 Starting Date of Suspension

A suspension will be imposed from the 14th day following the date of the match when the misconduct occurred.

8.0 Application of Automatic Suspension

- 8.1 The automatic suspension will apply to all football until such time as the relevant team of the official's club, commensurate with his position with his club, has completed the requisite number of matches.
- 8.2 If a club official's role covers more than one team, the automatic suspension will apply to the "highest" level i.e. the first team if the official is involved in a working role with other teams of his club and the misconduct has occurred at the "lower" level.
- 8.3 Prior to issuing correspondence to the club official in accordance with Paragraph 2.2, the SFA will establish the extent of the club official's working role with his club to verify the application of the automatic suspension to be imposed.

9.0 Reports of Excessive Misconduct

- 9.1 When submitting a report on a club official, a match official may indicate he considers that the nature of that misconduct is excessive and worthy of direct consideration by the Disciplinary Committee beyond the standard application of a suspension.
- 9.2 "Excessive Misconduct" shall include, but not be limited to, prolonged incidents of misconduct, the continued use of offensive, abusive and insulting language, calling a match official a cheat, failure to comply with a referee's requests, the adoption of threatening and aggressive behaviour towards a match official.
- 9.3 In such cases, the procedures for the imposition of the automatic suspension will be applied and the club official will be advised that the case is also being referred to the Disciplinary Committee. He will have either the opportunity to make a personal appearance before the committee or to have the case dealt with in his absence. If he does wish to make a personal appearance, he will also be required to indicate if he accepts or disputes the report(s).

- 9.4 It is open to the official's club to submit a response in support of the official's appeal.
- 9.5 It is open to the club official to make reference to witnesses in his reply and for statements from any such witnesses to be included with the reply or to be provided separately by any witness.
- 9.6 The club official will be given the opportunity of accepting the application of the automatic suspension at the outset of the case. If the opportunity is declined, the suspension will be set aside pending the outcome of the Disciplinary Committee hearing
- 9.7 The response from the club official, indicating his position on the various matters requiring to be addressed by him as outlined in the foregoing sub-paragraphs, requires to be received by the SFA no later than seven days after the date of the letter issued to the club official.
- 9.8 On the completion of its consideration of the case, the Disciplinary Committee reserves the right to increase the automatic suspension if it is considered the club official's misconduct is of a sufficiently serious nature to warrant such a course of action.

10.0 Terms of Suspension

During a suspension, a club official is not permitted to occupy a place in or in the vicinity of the players' tunnel, technical area or substitutes' bench or on the track or playing surface at any match played under the jurisdiction of the Association until the expiry of the suspension.

The terms of the suspension apply from one hour prior to the scheduled time of kick-off of a match and until 5 minutes following the referee having signalled the end of the match. They apply also in the event of extra time and/or kicks from the penalty mark being required in any match involving the official's club, and to the Post Match Protocol.

For the avoidance of doubt, the terms of the suspension do not preclude the club official from being in his team's dressing room at any match.

11.0 Fines

11.1 The Disciplinary Committee reserves the right, in its discretion, to impose a fine on a club official in regard to any case which it deals with. The committee, however, utilises the following guidelines as a basis for determining fines to be imposed on a club official, which are appropriate to the status of the club by which he is employed:

Scottish Premier League	£1000
Scottish Football League Division 1	£500
Scottish Football League Divisions 2 and 3	£300
Non SPL and SFL Clubs	£200

11.2 A period of 30 days, from the date of the letter issued confirming the Disciplinary Committee's decision, is given to a club official to remit payment of a fine.

11.3 Any failure to remit payment of a fine within the stipulated period will be reported to the Disciplinary Committee and will automatically set in motion the terms of Article 130 of the SFA's Articles of Association.

12.0 Suspensions of Player/Managers and Player/Coaches etc.

The Disciplinary Committee reserves the right to extend a suspension from the Technical Area to cover playing activities in the cases of a player/manager or player/coach found guilty of misconduct committed in a managerial or coaching capacity.

13.0 Misconduct of Non-Technical Staff

The Disciplinary Committee reserves the right to take such action it considers may be merited upon the completion of its investigation into any report of misconduct by a club official who does not have a managerial or coaching role. The range of sanctions open to the Disciplinary Committee to impose on a club official is:

- to issue a severe censure and/or a warning as to his future conduct.

- to impose a suspension from the touchline areas, etc.
- to impose a financial sanction.
- to impose a combination of any or all of the foregoing.
- to take no action.

14.0 Personal Appearances

- 14.1 Should a club official wish to make a personal appearance before the Disciplinary Committee, he will be advised of the date, venue and time of the hearing.
- 14.2 The match official(s) concerned will be required to attend the hearing unless the club official indicates that he does not dispute the report(s) and wishes only to mitigate any potential sanction. The club official will be required to give an indication to this effect in his initial correspondence in relation to the case.
- 14.3 In the event that either the club official and/or match official(s) is/are unable to attend on the advised meeting date, the hearing will be postponed until such time as all parties are available to attend a committee meeting. The Disciplinary Committee reserves the right to deal with the case after two postponements.
- 14.4 On application to the Disciplinary Committee, a club official may be accompanied and represented by an accredited official of his club.
- 14.5 Television evidence may be used to examine incidents involving club officials, in the event that reports are submitted. It is open to the club official to refer to such evidence in his submission.

15.0 Procedures for the Conducting of Personal Appearances

- 15.1 The Disciplinary Committee shall have the power to regulate the procedures at a disciplinary hearing as it considers appropriate and expedient to enable a case to be determined.
- 15.2 The standard of proof applied by the committee will be whether the case in respect of the club official has been proven on the balance of probabilities.
- 15.3 The club official and any accredited official of his club who may accompany and represent him, shall be admitted to the hearing, together with the referee and any other relevant match official or other such person who submitted a report on the case in question.
- 15.4 The committee may require the attendance at the hearing of any witness. In any case where a witness required by the committee to attend the hearing refuses or fails to attend, the committee shall be entitled to take account of that witness' evidence as is made apparent to it in any other form.
- 15.5 At the commencement of the hearing, the Chairman shall confirm the identities of the persons admitted to the hearing and introduce the committee members.
- 15.6 The committee shall satisfy itself that the club official is aware of the reasons for his presence at the hearing and of the potential consequences if the charge of misconduct is proved to the satisfaction of the committee.
- 15.7 The referee and any other person in support of the charge shall be given the opportunity to comment upon his report.
- 15.8 The club official and/or his representative shall be given the opportunity to comment upon his written submission to the committee.
- 15.9 The referee and any other person in support of the charge shall be given the opportunity of supplementing his report.
- 15.10 The club official and/or his representative shall be given the opportunity of supplementing his own written submission.
- 15.11 At any time, the Chairman, and through him, members of the committee, may ask questions of any of the parties. The committee may draw such inferences as it considers appropriate from the failure of the person charged to give evidence or answer a question put to him.

- 15.12 The opportunity of cross questioning shall be given to those who have presented evidence.
- 15.13 The club official and/or his representative shall have the right to ask questions relevant to the matters in issue of any person who gives evidence in support of the charge.
- 15.14 Evidence from any witnesses called by the club official or by the committee shall be heard. After making his statement and answering questions put to him by the committee and the club official, a witness shall leave the hearing.
- 15.15 The committee shall be entitled to view, at its discretion, accredited televised match recordings of the incident under investigation in accordance with the guidelines approved by the Scottish Football Association. The viewing of such recordings will be carried out in the presence of the club official. On completion of the viewing, the club official, and/or his representative, shall be given the opportunity of commenting on the recording.
- 15.16 Prior to the parties being invited to leave the hearing, the club official and/or his representative shall be given the opportunity of making a closing submission based upon the evidence presented.
- 15.17 The committee shall consider the evidence and submissions presented to it and determine whether the club official has been found guilty of misconduct or not. The committee may, if required, request the presence of the parties again for further questioning.
- 15.18 After reaching its decision, the committee shall recall the club official and his representative. The Chairman shall announce whether the club official has been found guilty of misconduct or not. It is open to the committee to find the club official guilty of an offence or offences of a lesser nature to that which he was reported for.
- 15.19 If the club official has not been found guilty of misconduct the hearing will be declared closed.
- 15.20 If the club official has been found guilty of misconduct, he and his representative shall be advised accordingly. The club official and his representative will be given the opportunity to make a statement or plea in mitigation.
- 15.21 At the conclusion of the statement or plea in mitigation, the club official and his representative shall withdraw whilst the committee determines the sanction to be imposed on the club official.
- 15.22 The club official and his representative shall then be re-admitted and advised of the decision of the committee, which shall subsequently be confirmed in writing to him.
- 15.23 The club official shall be advised that he has a right of appeal to the Appeals Board and shall be provided with the relevant details. This information shall also be confirmed in writing to him

16.0 Failure to Reply to Correspondence

Any failure to reply to the SFA's correspondence will render the club official liable to censure, fine or suspension, or a combination of such penalties in accordance with the Articles of Association.

17.0 Appeals Board

In the event of a suspension and/or fine being imposed on a club official by the Disciplinary Committee beyond the application of an automatic suspension, he will be advised that he has a right of appeal to the Appeals Board and shall be provided with the relevant details. The terms of Article 133.3 of the Association's Articles shall apply to such appeal mutatis mutandis.