COMPLAINTS AND APPEALS

Scope

This document applies to all complaints raised and received against any registered members, players and committee members of the Jersey Softball Association (JSA), along with any subsequent appeals made against the outcome of any complaints raised.

Raising a Complaint

Players, umpires, teams, leagues, tournament or series organisers may refer issues or complaints to the JSA via the 'Raise a Complaint' form on our website, which can be found on the Contact page on our website here. Using this form ensures that the Association has enough information to carry out a preliminary assessment of the Complaint.

Individuals may still wish to make a verbal or written complaint via other channels, which they are within their rights to do, but they will still be expected to answer the same questions as posed in the 'Raise a Complaint' form – namely, the nature of the complaint, when it occurred and who was involved.

Receiving a Complaint

When the JSA receives a complaint, the JSA will acknowledge receipt of the complaint via the raisers chosen contact method.

Assessing the Complaint

All complaints received by the JSA will be assessed to determine if further investigation is required.

No further investigation required – No further action will be taken

If the complaint is found to not require any further investigation, and that no further action is required, then the JSA will advise the complainer that the complaint does not warrant further investigation and will not require any further action. This must be done in writing no less than 21 calendar days after receipt of the complaint.

Further investigation required

If further investigation is required, the JSA may form a team to investigate the complaint, which may include representatives from the JSA Executive Committee, League officials, and external parties where required.

If the complaint is found to be warranted, then the following individuals will be informed that a Complaint has been raised:

- The Complainer (the individual(s) who raised the complaint)
- The Complainee (the individual(s) who are being complained about)
- The Complainee's team captain

The above individuals must be informed that an investigation into the complaint has begun, along with the time frame that is expected to resolve the investigation.

Any complaints raised that relate to Safeguarding Concerns (Adult or Child) will automatically be escalated for further investigation by the JSA, during which time the JSA Safeguarding Officer must be informed of the complaint.

Complaints Investigation

The JSA may form a team to investigate the events surrounding the complaint – this team may include representatives from the JSA's Executive Committee, League Officials, and where deemed appropriate, external parties.

This investigation team will also act as the JSA Disciplinary committee for this particular complaint. Each committee should be made up of members independent of the individual(s) and/or teams involved in the incident in question.

Anyone approached by the JSA in relation to forming an Investigative/Disciplinary committee are required to declare any conflicts of interest, to ensure fairness and impartiality.

The Investigation team will be expected to gather information surrounding the complaint, including Witness statements, official documentation that may be referred to when making a decision, and any other relevant information or materials.

During the investigation period, anyone involved in the complaint – directly or indirectly – is expected to maintain the strictest confidentiality, to ensure the integrity of the process is maintained.

Complaints Hearing

A Hearing will be scheduled as soon as possible after the incident relating to the complaint but in any event will not be held more than 21 calendar days after the original complaint.

Copies of the statement(s) setting out the cause of the incident and the response of the Participant(s), if submitted, shall be provided to the representative of the other party(s) involved and to all Committee Members.

The Hearing will be conducted as follows:

1. A designated individual will present the complaint.

2. The Participant(s) will respond to the offence. Participant(s) (teams will normally be represented by their captain and/or manager) may be accompanied by an advisor and may call witnesses.

3. The Disciplinary Committee will ask questions, review evidence, correspondence, etc.

4. The Participant(s) may make a closing submission.

5. The Disciplinary Committee will issue its findings and, if warranted, assess a Penalty.

In deciding an appropriate Penalty, the Disciplinary Committee Hearings shall assess the seriousness of the offence, including the following factors:

- The circumstances in which it occurred, including statements from witnesses.
- The intent of the person(s) involved.
- Whether there was premeditation, provocation and/or retaliation.
- Whether the offence was verbal and/or physical.
- The results of the action on the individuals, teams or event involved.
- Whether it followed a previous offence(s).
- Any mitigating factors.

Sanctions

Depending on if the complaint relates to an individual(s) or a team, the following behaviours will be assessed accordingly:

Individual Conduct

Conduct	Category of Offence
Physical Assault of a player or official, on or off the pitch	Category 1
Coercion or forcing any member of the sport, where such member is incapacitated by means of age, disability, mental state or any other reason, into inhuman, degrading or illegal activities, including but not limited to sexual abuse	Category 1
Verbal assault, including threats, on or off the pitch	Category 2
More than 1 written caution for any player in a 90-day period	Category 2
Foul or abusive language towards a player or official, on or off the pitch	Category 3

Conduct by individuals identifiable as members of the JSA, where such conduct is damaging to the good name of the sport (e.g unsportsmanlike conduct)	Category 3 If conduct is seen to have lasting negative effects – Category 2

Sanctions to be categorised according to the seriousness of the infraction as follows, the sanctions being those available for each category.

Category	Sanction Range
1	Any or all of; disqualification, suspension for one season, suspension for 5+ games
2	Suspension of between 2 and 5 games
3	Either or both of; suspension for 1 game, a written caution

Team/Club Conduct

Conduct	Category of Offence
Physical Assault of a player or official, on or off the pitch – where attributable to multiple team members	Category 1
Coercion or forcing any member of the sport, where such member is incapacitated by means of age, disability, mental state or any other reason, into inhuman, degrading or illegal activities, including but not limited to sexual abuse	Category 1
More than 1 written caution for any team in a 90-day period	Category 2
Conduct by individuals identifiable as members of the JSA, where such conduct is damaging to the good name of the sport	Category 3 If conduct is seen to have lasting negative effects – Category 2
Co-ordinated intimidating behaviour	Category 3
Non-co-operation with reasonable demands by an Umpire in connection with the officiating of a game	Category 3
Complicity with unacceptable player conduct	Category 3 If continued – Category 2

Sanctions to be categorised according to the seriousness of the infraction as follows, the sanctions being those available for each category.

Category	Sanction Range
1	Any or all of; disqualification, suspension for one season, suspension for 5+ games
2	Any or all of; suspension of between 2-5 games, deduction of league points, overturning of game results.
3	Any or all of; deduction of league points, overturning of game results, written caution

Complaints related to Financial Issues

Where it has been found that behaviour by an individual or team has resulted in an financial penalty being levied against the Association (for example; a team participating in an unsanctioned training session on a Jersey Sport field resulting in a financial penalty against the JSA), the JSA reserves the right to recoup any expenses incurred as a result of the behaviour, or levy penalties where deemed appropriate.

Appeals Process

Participants must provide notice of an appeal within 7 days of the Disciplinary Hearing. Notice of an appeal must be lodged with the JSA President, Secretary or Treasurer and must be accompanied by a deposit of £50.00. The deposit shall be returned only if the Disciplinary Committee's ruling is completely overturned or revoked. If the ruling is upheld or modified, the deposit shall be forfeited.

The JSA Appeals Committee will conduct appeals from Hearings conducted under this JSA Procedure. It will be chaired by an individual appointed by the JSA Executive. It will be convened as required by the Executive of the JSA and consist of a minimum of three (3) members. The chair will hold a vote. This Committee will be made up of members independent of the Disciplinary Committee and of the individuals and/or teams involved in the incident in question.

Only a Participant directly involved in a matter that is the subject of a finding by a JSA Disciplinary Committee may appeal to the JSA Appeals Committee. An appeal will be scheduled as soon as possible after the Hearing but in any event will not be held more than 21 calendar days after the notification of appeal by the Participant. Copies of all materials arising from the Hearing shall be provided to all concerned.

The basis for an appeal are as follows: from a finding arising out of a Hearing; on a point of procedure that was not followed and should have been; to introduce any evidence

not known to the parties involved in the Hearing at the time of the Hearing; to appeal a ruling of the BSF, BSUK, BASU or any other relevant governing body with appropriate jurisdiction where rights of appeal are not afforded or are otherwise not available or are exhausted and the JSA Disciplinary Committee has taken action; and manifest error.

The appeal will be conducted as follows:

1. The Participant(s) will present the appeal.

2. A respondent (if one is appointed or required) will respond.

3. The Appeals Committee will ask questions and review evidence, correspondence, etc.

4. The Participant(s) may make a closing submission.

5. The Appeals Committee will issue its findings and, if warranted, revoke, modify or uphold a penalty.

6. The Appeals Committee may rescind, modify or uphold any penalty imposed by a previous body, including extending the penalty to National or International level.

Sanctions imposed by another Disciplinary body with appropriate jurisdiction take effect immediately unless appealed pursuant to the above. Upon appeal to the JSA Disciplinary Committee such sanctions may, at its sole discretion, be suspended until the completion of its deliberations.

The decision of the Appeals Committee shall be final and binding.

Personal Data

Any individual's personal data that is obtained throughout the process of resolving any complaints will be subject to our Privacy Notice. To see how the JSA may use any personal data obtained throughout this process, you can review our Data Privacy Notice, located here.

APPENDIX

Date of Approval (dd/mm/yyyy)	**Nature of Meeting (Annual Review, AGM, EGM, Executive Meeting)**
02/04/2026	**Executive Meeting**