



DISCIPLINE AND SAFEGUARDING – PUBLICATION POLICY

1. All disciplinary and safeguarding proceedings shall take place in private and the outcome of any such proceedings will remain private and confidential until such time that Basketball England publishes the details or outcome.
2. Written reasons will be produced for all serious cases that are heard by a disciplinary commission. Basketball England will publish these written reasons, with exceptions only as outlined in this policy.
3. Basketball England may publish the outcome of any discipline charge, including details of any suspension being served by any participant.
4. Basketball England may also publish details of any suspension issued in relation to safeguarding concerns.
5. Where written reasons or suspensions are published, these will be published on the integrity section of the Basketball England website.

CASES COVERED BY THE PUBLICATION POLICY

6. Written reasons will be produced and published for any disciplinary case determined by Basketball England to be a serious case, including but not limited to the following:
 - 6.1 Discriminatory language or behaviour towards any person
 - 6.2 Discriminatory language or behaviour expressed in any written form or on social media
 - 6.3 Violence or threats in any form towards match officials
 - 6.4 Any action online or offline by members in positions of trust and authority which brings the game of basketball into disrepute
 - 6.5 Any other matter deemed appropriate by Basketball England at their sole discretion.
7. Details of suspensions arising from any discipline charge or safeguarding concern may be published at the discretion of Basketball England.

INFORMATION INCLUDED IN WRITTEN REASONS

8. Information included in written reasons ordinarily includes, but is not limited to, the following:
 - 8.1 The names of individuals and clubs relating to the charge and the evidence on which it is based.



- 8.2 The names of the commission members, and details of when the hearing was held.
 - 8.3 The nature of the charge and any pertinent details.
 - 8.4 Whether the charge was accepted or denied.
 - 8.5 A summary of the evidence, both in support of and defence of the charge.
 - 8.6 A summary of the commission's reasons for reaching their decision.
 - 8.7 Details of any sanction imposed.
9. Where written reasons include any personal information beyond that stated above, an individual may request that specific parts of the written reasons are redacted. The process for requesting part-redacted Written Reasons must be followed.

EXCEPTIONS TO THE PUBLICATION OF WRITTEN REASONS

10. Written reasons will not be published in the following circumstances:
- 10.1 Where the individual who has been charged was aged under 18 at the time of the alleged offence.
 - 10.2 Where a genuine risk of harm to an individual can be demonstrated as a likely outcome of publication. This must be evidenced by the individual who is objecting to publication, and a final decision on publication will be at the sole discretion of Basketball England.
11. If it is deemed necessary and appropriate, Basketball England may publish written reasons that relate to individuals aged under 18 or where risk of harm has been established. Information relating to the identification of any individual aged under 18, or individuals at risk of harm, will be redacted from the written reasons.
12. Where written reasons are produced but not published, they will be circulated to individuals and clubs directly involved in the case on a private and confidential basis.

OBJECTING TO THE PUBLICATION OF WRITTEN REASONS OR SUSPENSIONS

13. Written reasons and suspension details will not be published for individuals aged under 18, in accordance with 10.1 of this policy, unless 11 is applicable. In such instances, individuals will be notified in advance of the intention to publish and can object by following the process below.
14. An objection to the publication of written reasons or suspension details must be in accordance with the following process:
- 14.1 Any objection to publication must be received by Basketball England within seven days of Basketball England sending notification of the applicable outcome or suspension.



14.2 The objection must include full details of the reason for objection and all information and evidence to be relied upon.

14.3 To be successful, the objection must demonstrate a genuine risk of harm as a likely outcome of publication. Harm is only considered as a risk to the personal safety of an individual. It does not include any other type of harm, such as harm to a business, reputation or wellbeing.

14.4 The objection will be considered by Basketball England and a decision will be made based on the written submission and will be at the sole discretion of Basketball England.

14.5 No appeal against the decision of Basketball England will be permitted.

REQUESTING PART-REDACTED WRITTEN REASONS

15. Where personal details are contained in written reasons, beyond what would ordinarily be included, an individual can request the redaction of specific information in accordance with the following process:

15.1 Any request for redaction must be received by Basketball England within seven days of Basketball England sending notification of the outcome.

15.2 The request must include details of the specific information being referred to.

15.3 The request must state clearly why the request is being submitted, and the likely impact of not redacting the information in question.

15.4 The request will be considered by Basketball England and a decision will be made based on the written submission and will be at the sole discretion of Basketball England.

15.5 The extent of any redaction will be at the discretion of Basketball England.

15.6 No appeal against the decision of Basketball England will be permitted.