



## COVID-19 NON-COMPLIANCE PROCEDURE

### Background

The Welsh Government has advised that sport should return in phases to manage the risks from COVID-19 to players, the Welsh public and our emergency services.

To support our members, coaches and clubs with the return to playing pétanque, we have published the Welsh Pétanque Association (WPA) [Guidance for Players](#), and the [Safe Pétanque Guidelines Infographic](#), supported by detailed up-to-date [Guidance for Clubs](#), each of which can be found on our [website](#). This guidance provides important information about how to comply with Welsh Government regulations and protect participants from the risk of COVID-19.

We all have a responsibility to comply with the regulations and follow the WPA guidance to limit the spread of the virus, protect our emergency services and maintain the reputation of our sport. There is a significant chance that if people act irresponsibly, we could see a return of some restrictions and bring pétanque and the WPA into disrepute.

For this reason, we have put in place the following procedure to set out how we will respond to a report of a member, club, coach or official failing to follow the current guidance.

However, we also recognise that it is challenging to stay on top of a constantly changing set of government policies and regulations, and therefore we want to reassure members that disciplinary action is a last resort – and we will approach every complaint we receive with the goal of providing support, advice and education on how to stay COVID-safe.

### Procedure for non-compliance with WPA guidance

#### Stage 1 - First incident – Advice and support

- If we receive a report that a member, club, coach, or official has failed to follow the current WPA COVID-19 guidance, we will record the incident and send the responsible person a notification (either by post or by email) that we have received a complaint about them or their club. We will share the links to our latest guidance, offer to provide further advice/assistance in a phone call or video call, and remind the individual that non-compliance threatens the safety of others, the reputation of pétanque, and could result in disciplinary action for an individual or suspension of a club's membership.
- Where we have received a complaint about a club, we will send this notification to the club chairperson, secretary and safeguarding officer.
- However, where there is evidence of gross misconduct or wilful negligence we reserve the right to move immediately to Stage 3 of these procedures.

#### Stage 2 - Second incident – Mandatory advice and support

- If we receive a second report, or receive information which suggests that our initial advice and support was ignored, we will record the incident and send the responsible person a notification (either by post or by email) that we have received a second complaint about them or their club. They will receive an invitation to a mandatory meeting with the WPA Executive Committee (either

over the phone or by video) to discuss the incident(s) and receive advice and support on COVID safety.

- Where we have received a second complaint about a club, we would expect both the club chair and anyone responsible for the club's risk assessment and safety plan to attend the meeting.

### **Stage 3 - Third incident or failure to attend support meeting – Disciplinary action**

- If we receive a third report, or receive information which suggests that our advice and support has continued to be ignored, or if the individual fails or refuses to attend the meeting arranged in Stage 2, we will commence a full investigation of the complaints received.
- The WPA National President (or their delegate) would conduct the investigation and if they found the complaint to be true, they would initiate our disciplinary procedures on the basis that the actions have put others at risk and potentially brought the WPA and pétanque into disrepute.
- The case would then be referred to the WPA Executive Committee who will make a decision on how to proceed in accordance with Part 3 of the WPA's [Constitution, Rules & Discipline](#). Please note that the outcome of a disciplinary process could include suspension or termination of membership.
- Where we have received a third complaint about a club, we also reserve the right to temporarily suspend a club's affiliation until the club provides evidence that it has put in place appropriate COVID-19 safety protocols. Any decision about suspension of affiliation would be made by the WPA Executive Committee.

### **Appeals procedure**

- During the first and second stage of the above procedure, we will not investigate the complaints we receive, and we will assume they have been made in good faith unless there is clear evidence that the complaint is baseless, false or malicious. There will be no right of appeal at either the first or second stage.
- If an individual or a club believes a complaint is baseless, false or malicious, they can share any evidence that the complaint is false with the National President, who may, at their discretion, dismiss the complaint and/or waive the requirement to attend a support meeting.
- Where a case reaches Stage 3 and we have initiated disciplinary proceedings, then any appeal will follow the appeals process detailed in the relevant procedures governing those proceedings.

WPA Executive

July 2020

Review Date: October 2020