

Sheffield and Hallamshire County FA

**Board, Council & Committee Member**

 **Code of Conduct**

# Code of Conduct

**1. Scope**

1.1 This Code of Conduct (“Code”) applies to:

 (i) All Members of The Council of the Association (“Council”) as defined within the Association’s Articles of Association (“Articles”).

(ii) All individuals appointed to any committee or sub-committee of the Council.

1.2 The Code applies whenever a Council Member or Committee Member is:

(i) conducting the business of the Association, or in discussion about the business of the Association.

(ii) conducting the business of the office to which they have been elected or appointed to council; and

(iii) when they are acting as a representative or ambassador of the Association.

**2. Accountability**

You are accountable to the Association and must undertake football related activity in accordance with your appointed position. All activity and actions must be undertaken in good faith and for the benefit of the Association, its members, employees and the wider football family.

**3. Safeguarding**

The FA Safeguarding Operating Standard - Safeguarding 365 is a mandatory FA standard. The Association remains committed to the delivery of the appropriate safeguarding standards across all areas of the Association’s business. As a representative of the Association, you must be an advocate of the Safeguarding 365 Operating Standard.

By taking up a position on Council or a Committee you agree to attain the following safeguarding related qualifications and training. Council members have a period of 30 days from the commencement of their term to become fully compliant with the Safeguarding Operating Standards. Individuals who are not fully compliant after 30 days will not be allowed to serve on Council or a Committee. See 15

The following Safeguarding Operating Standards must be met as a condition of Council and Committee membership:

**(i) Completion of a Safeguarding Code of Conduct.**

Codes must be signed by new appointees within a month of being appointed. Everyone must re-sign the safeguarding Code of Conduct every two years. By taking up a Board, Council & Committee Member role you are agreeing to the content of the Safeguarding Code of Conduct (appendix 1).

**(ii) An Annual Safeguarding Briefing**

The FA will produce a written briefing for Board and Council & Committee members. This briefing will be disseminated to Board, Council & Committee members by Sheffield & Hallamshire County FA. By signing this Board, Council & Committee Member Code of Conduct you are agreeing that you have received, read, understand and agree to abide by the content of the briefing.

**(iii) Safeguarding Children Course or Recertification for those who did a Safeguarding Children Workshop which is over three years old.**

**(iv) Safeguarding for Committee Members**

**(v) Online Safeguarding Adult course (if involved with adult disability football)**

It is the responsibility of Board, Council & Committee members to be fully complaint with the above requirements.

Courses can be found at:

<https://learn.englandfootball.com/courses/safeguarding>

**4. Reporting Safeguarding Concerns & Whistle Blowing**

If you believe that a child is at immediate risk of harm call the police on 999.

All Sheffield & Hallamshire County FA Board, Council, Committee and staff members have a duty to ensure Safeguarding Operating Standards and safe environments are maintained. If you have any concerns about the safeguarding of young players or adults at risk, you must report these concerns to the relevant club Welfare Officer. if you do not feel comfortable reporting concerns to a club Welfare Officer, or you consider the matter to be more than poor practice you should report concerns to the County FA Designated Safeguarding Officer (Sarah Pridmore).

Sarah.Pridmore2@sgheffieldfa.com

If you do not feel that your concerns are being appropriately investigated, or if the concern relates to the Designated Safeguarding Officer you should contact the County FA Senior Safeguarding Lead (Simon Frost).

Simon.frost@sheffieldfa.com

**5. Equality Statement**

The Association endorses the principle of sports equality. Board, Council and Committee members must strive to ensure that everyone who wishes to be involved in football, whether as participants, team members, volunteers, coaches, referees, office-bearers or those within the County Football Association:

(i) Has a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities, without regard to their age, sex, gender identity, disability, marital or civil partnership status, pregnancy or maternity, religion, race or ethnicity or sexual orientation;

(ii) Can be assured of an environment in which their rights, dignity and individual worth are respected, and in particular that they are able to enjoy football without the threat of intimidation, victimisation, harassment or abuse.

**6. General Conduct and Behavior**

No Code of Conduct can be all-embracing, and it is necessary to honour the spirit of this Code as well as its letter. As a Board, Council or Committee member you are expected to act as an advocate of the Association and its employees. You should not undertake activity which harms or has the potential to harm the reputation of the Association. Your behavior should be honest, ethical, impartial and considerate, and dedicated to the development and benefit of the Association. Not all conduct or behaviors are covered explicitly within this standard, however any behavior which falls short of the standard or which could reasonably be considered as bringing the Association into disrepute will be considered as a potential breach.

**7. Decision-making**

Whilst you may properly be influenced by the views of others, including the body that has the right to appoint you to the Association, it is your responsibility to decide objectively, independently and in good faith what view to take, and how to vote.

Board, Council and Committee members must act in the best interests of the Association. Board, Council and Committee members must exercise their duties in good faith and in a way which is most likely to promote the success of the Association and its members having regard to:

(i) The attainment of the Safeguarding Operating Standard - 365.

(ii) Alignment to the Equality Standard statement (above).

(iii) Achievement of The FA annual performance targets (Association KPIs).

(iv) The interests and wellbeing of Association employees.

(v) The likely consequences of the decision in the long term.

(vi) The desirability of maintaining a reputation for high standards of business conduct.

(vii) The need to foster business relationships with suppliers, customers and others.

(viii) The impact of operations on the community and the environment.

(ix) The need to act fairly between the relevant members of the Association.

 **8. Confidentiality**

You must ensure that you handle confidential information in accordance with the law and with the best interests and reputation of the Association.

You must not use confidential information for private purposes or to harm the Association or to maliciously damage the reputation of others or disclose confidential information to the media or any other third party without the prior authority of the Chair or the General Manager (or a nominee of either the Chair or General Manager). This obligation continues indefinitely after you cease to hold any position referred to in paragraph 1.1 above.

Confidential information is any information which comes into your possession as a result of your Association role, which you know or ought reasonably to know is confidential including, without limitation, the personal data of individuals who are subject to regulatory proceedings.

**9. Press and Media**

You are not entitled to discuss or disclose any Association business with or to the press or wider media, unless:

(i) It is explicitly part of your remit; or

(ii) You are specifically authorised by the Association to do so.

If you receive any enquiries from the press or wider media about the Association, you agree not to comment on behalf of the Association and to pass on the relevant information as soon as reasonably practicable to the Chair or General Manager of the Association.

**10. Conflicts of interest**

You agree to abide by the law, the articles of association, and any relevant committee terms relating to conflicts of interest. You must declare all conflicts of interest to the General Manager of the Association or Committee Chair in advance or as soon as reasonably practicable after becoming aware of the actual or perceived conflict, if your circumstances change. You must preclude yourself from participation where a material conflict of interest exists.

**11. Diligence**

You must exercise reasonable skill, care and diligence in carrying out your duties, especially (but not limited to) preparing for and attending Council, committee and sub-committee and other meetings.

**12. Gifts and Hospitality**

You must not accept gifts, hospitality or other benefits from third parties that might reasonably be thought to influence, or be intended to influence, your judgement; or where to do so could bring discredit upon the Association.

**13. Treatment of Others**

You must treat others with respect and dignity (including but not limited to the Association staff and volunteer workforce). You must not bully, harass, victimise or discriminate against any person(s), or undertake any activity which has the potential to cause harm. You must not do anything which would cause you or the Association to breach any of the equality enactments or could reasonably be considered as bringing the Association into disrepute.

**14. Social Media**

When using social media, you must conduct your activity and ensure that the organisation you represent conducts its activity with professionalism, honesty, respect and good judgement and ensure that such conduct is not in any way detrimental to the Association. The provisions relating to Confidentiality (paragraph 8) and the Press and Media (paragraph 9) shall apply in respect to social media.

**15. Breach**

If you are accused of a breach of this Code you will submit to the Association’s disciplinary process and abide by the result (subject to any right of appeal included in that process). A breach of this Code may result in removal from office.

**Council members must be fully compliant with the FA Safeguarding Operating Standard - 365. Failure to meet the standard set out in paragraph 3 will be considered as a breach resulting in automatic removal from office.**

1. I agree to abide by this Council & Committee Member Code of Conduct:

2. I have read, understood and agree to comply with this Safeguarding Code of Conduct – Volunteers. (appendix 1)

3. I have read, understood and agree to comply with the FA Annual Safeguarding Briefing

Signature ……………………………………… Name …………………………………….………

Date ……………………………………

**Signing this Code of Conduct is a requirement of being a Council or Committee member with Sheffield & Hallamshire County FA. Failure to sign will mean that members / volunteers cannot sit on Council or take part in County FA activity.**

**Appendix 1**

**Safeguarding Code of Conduct – Volunteers**

**Introduction**

The Sheffield and Hallamshire CFA takes its role as a provider of football for under-18s very seriously. Their wellbeing is paramount in all decisions taken by us. All children and young people we come into contact with have the same protection regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity.

The County FA (CFA) also commits to safeguarding adults at risk.

We act in accordance with legislation, statutory guidance and The FA’s Policies and Procedures¹ and any associated guidance and we work collaboratively with The FA in

relation to concerns about the safeguarding of children or young people or adults at risk.

**Who this Code of Conduct applies to?**

This Code of Conduct applies to all volunteers, as safeguarding is everyone’s responsibility.

**Volunteer obligations**

It is our expectation that all our volunteers sign this Code of Conduct and will at all times act in the best interests of children and young people under the age of 18 and in accordance with The FA’s Safeguarding Children Policy and Procedures. The welfare of children and young people must always be paramount.

We also expect our volunteers to act in the best interests of adults at risk in football and to follow reporting procedures.

This includes an expectation that volunteers will:

• Undertake safeguarding education or training required by the CFA;

• Read and comply with The FA’s Safeguarding Policies and our safeguarding procedures for children and adults at risk;

• Obtain and maintain an FA in-date DBS Check (less than three years since the date of issue) if working in regulated activity with under-18s in youth and open-age adult football²;

• Act in an appropriate way at all times, in line with the FA’s guidance for grassroots football on Physical Contact (5.6) and Acceptable Behaviours (5.7) when in contact with children and young people, and adults at risk whether face to face, via social media, phone or other electronic communications and in line with the CFA Social Media Policy;

• Recognise the importance of confidentiality when working with children, young people, their families and their data;

• Recognise the importance of confidentially when working with adults at risk and their data;

• Promptly report any concerns about safeguarding or the protection of children or young people or adults at risk in football to our Designated Safeguarding Officer or the Senior Safeguarding Lead or other nominated person or persons in their joint absence;

• Be familiar with and use the whistle- blowing policy if you suspect or believe that safeguarding concerns have not been appropriately addressed by the CFA or The FA;

• Accept that, by taking this role, this CFA may deem you to be in a relationship of trust with under-18 participants and/or adults at risk that you are in contact with through your role. You should be aware of and understand the responsibility that this entails, by undertaking the relevant safeguarding education, as we deem appropriate;

• Act with integrity at all times; and

• Seek advice from the Designated Safeguarding Officer or the Senior Safeguarding Lead if you are unsure about any of the above or if you are unsure how to act in any given situation.

**Further information and support**

Further information can be found in:

* Our Staff Handbook;
* The FA’s Safeguarding Policies and Procedures;
* The FA’s Position of Trust Guidance (safeguarding guidance notes 1.7)
* The FA’s Best Practice guides.

Alternatively, if you have any queries or concerns regarding the Code of Conduct or safeguarding generally, please speak to our Designated Safeguarding Officer or the Senior Safeguarding Lead in the first instance.

Please sign³ and return a duplicate copy of this Code of Conduct to acknowledge you have read and understand the Code of Conduct and you agree to comply with it. You should then keep the other copy safe for your records.

Breaches of the Code of Conduct are taken seriously and could lead to you being unable to volunteer with us and/or the involvement of the statutory agencies and The FA.

¹Affiliated Football’s Policies and Procedures can be found via: <https://www.thefa.com/football-rules-governance/safeguarding/section-1-footballs-safeguarding-framework>

²See The FA website for further information about Safer Recruitment and DBS Checks: <https://www.thefa.com/football-rules-governance/safeguarding/section-3-safer-recruitment-and-dbs-checks>

³Signing the Code of Conduct is a requirement of being a volunteer with us; not signing will mean that you cannot volunteer with us.

**Procedure in the event of an alleged breach**

Where there are reasonable grounds to suspect that an individual has breached the Code, all relevant evidence shall be passed to the General Manager of the County FA. The General Manager (or designated person) shall then as soon as reasonably practicable commence a four-part process:

1.1 Decision on whether there should be an interim Suspension or other appropriate interim action;

1.2 Investigation and Recommendation;

1.3 Decision and Sanction; and

1.4 Appeal Process.

All parties involved in an investigation and related proceedings shall act in a spirit of cooperation to ensure that proceedings are conducted expeditiously, fairly and appropriately.

**1.1 Decision on whether there should be an Interim Suspension or other appropriate interim action.**

Where there are reasonable grounds to suspect that an individual has breached the Code, the General Manager/designated person shall have the power to order that the individual be suspended on an interim basis from his/her duties or that other appropriate interim action be taken pending an investigation. Any such power shall only be exercised in consultation with the Chair (or in the event that the Chair is the subject of the disciplinary process a suitable alternative that is agreed by the Vice-Chair of the County FA). A non-exhaustive list of factors to be considered when reaching this decision include:

(a) The strength of the evidence available;

(b) The seriousness of the alleged breach;

(c) Whether there are any relevant safety or welfare concerns to be considered; and

(d) Whether the individual is to fulfil any duties on Association business prior to a final decision being reached.

**1.2 Investigation and Recommendation**

1.2.1 General Manager/designated person shall carry out an investigation into all alleged breaches of the Code, which shall include (where practicable) giving the individual an opportunity to answer any allegations made. The General Manager/designated person shall be entitled to request any reasonable support in conducting the investigation including for example but without limitation the appointment of a third party to assist in the investigation. The General Manager/designated person or the alternative competent investigator assisting the General Manager/designated person in the investigation will interview the individual and any witnesses to produce statements, which will be used in the formation of the recommendation. At the end of any investigation, the General Manager /designated person shall consult with the Chair (or if the Chair is the subject of the disciplinary process a suitable alternative that is agreed by the Board of the County FA (as appropriate) and then provide a written report (the “Report”) to the individual which shall include the following:

(a) Details of which section(s) of the Code are alleged to have been breached;

(b) Details of relevant evidence to support the allegation(s); and

(c) The General Manager/designated person’s conclusion on whether there is sufficient evidence for the matter to proceed.

1.2.2 Upon receipt of the Report from the General Manager/designated person, the individual shall be granted a reasonable opportunity to provide any further written submissions that he/she may wish to put forward prior to a final decision being reached by the “Deciding Panel” (see 1.3 below).

**1.3 Decision and Sanction**

1.3.1 The Chair (or if the Chair is the subject of the disciplinary process a suitable alternative that is agreed by the Vice-Chair of the County FA) shall constitute a “Deciding Panel” which shall comprise of at least two members and may include the Chair, the Vice-Chair of the Association, the Senior Independent Director or other persons (including persons independent from the Association). No person shall participate in the Deciding Panel where they have a conflict of interest.

1.3.2 Bearing in mind the nature of the matter before them, the Deciding Panel may appoint any third party, such as an expert in one of the protected characteristics under the Equality Act 2010, to provide them with guidance on any matter involving the alleged breach including for example but without limitation:

(i) Whether a breach may have occurred;

(ii) The severity of the breach; and/or

(iii) If relevant, an appropriate sanction.

1.3.3 The individual against whom the allegations are made shall have the opportunity to appear before the Deciding Panel if so requested by the individual. The Deciding Panel may also request that the individual appear before it if the Deciding Panel consider this to be necessary and appropriate. The individual may choose to be accompanied by a representative. If the individual chooses to have formal legal representation, this shall not be at the County FA’s cost.

1.3.4 The Deciding Panel may speak directly with a complainant or witness or other persons as it may choose.

1.3.5 The Deciding Panel shall collectively decide, after considering the Report provided by the General Manager/designated person, together with any written or oral submissions by the individual, complainant and any witnesses as well as the views of any third party whose guidance is sought, whether there has been a proven breach of the Code, and on any appropriate sanction.

1.3.6 The Deciding Panel shall consider the admissibility of anonymous evidence on a case by case basis in the context of the fairness of the proceedings as a whole and on the assumption that such anonymous evidence shall only be admissible in exceptional circumstances. In doing so, the Deciding Panel shall consider the significance of such evidence (for example, if the evidence is new or is available from other sources) and the reason(s) for the witness wishing to provide the evidence anonymously.

1.3.7 In reaching a decision the Deciding Panel shall apply the civil standard of proof being “the balance of probabilities”.

1.3.8 The following non-exhaustive list of matters may be taken into account when considering the appropriate sanction:

(a) The severity of the breach of the Code;

(b) The manner in which the individual has acted following the alleged breach, including, for example, the manner in which the individual has co-operated with the investigation any other mitigating factors; and

(d) Whether the individual can continue to represent the County FA, including fulfilling his/her duties on the Board of the County FA, or Council or on any County FA Committee(s) with integrity and credibility.

1.3.9 Available sanctions may include, but are not limited to, any one or more of: a warning, censure, suspension of any nature and duration, or removal from office. The factors that the Deciding Panel shall consider when determining the appropriate sanction are set out in paragraph

1.3.8 above.

1.3.10 The individual shall be notified of the decision in writing with reasons.

**1.4 Appeal Process**

1.4.1 The individual may appeal against any finding that he/she has breached the Code, and/or against any sanction imposed following such a finding.

1.4.2 The notice of an appeal must be lodged with the Chair within 14 days of notification of the decision appealed against.

1.4.3 The notice of appeal must:

(a) Identify the specific decision(s) being appealed;

(b) Set out the grounds of appeal;

(c) Set out a statement of all of the facts and submissions upon which the appeal is based; and

(d) Confirm whether the individual requests an oral hearing.

1.4.4 The available grounds of appeal shall be only that:

(a) The Deciding Panel misinterpreted or failed to comply with the Code or any rules or regulations relevant to its decision;

(b) New evidence has come to light that was not available at the time of the original hearing;

(c) The Deciding Panel came to a decision to which no reasonable such body could have arrived at;

and/or

(d) The Deciding Panel issued a sanction which is excessive.

1.4.5 The appeal shall be considered and finally determined by the Chair unless

(i) The Chair has been a member of the Deciding Panel in which case the appeal shall be considered by a nominee of the Chair; or (ii) The appellant specifically requests that the appeal is determined by an Appeals Panel, in which case the Chair shall constitute such an Appeals Panel and the provisions of paragraphs 1.3.1 and 1.3.2 of this procedure shall apply.

In the event that an oral hearing is requested:

(a) The Chair shall have the right to appoint other persons to act as his/her advisers during the hearing. Such persons shall not, however, vote on the final decision which shall be the Chair’s.

(b) The Chair may adopt such procedures as he/she considers appropriate and expedient for the just determination of any appeal and shall not be bound by any enactment or rule of law relating to the admissibility of evidence in proceedings before a court of law.

(c) The individual appearing before the Chair may be accompanied by a representative (as per paragraph 1.3.3 above). Any such representative shall not be permitted to give evidence as a witness. The Chair may, in his/her discretion, appoint any person (who shall not be a professional legal adviser) (“the Respondent”) to present the case against the individual. The Chair may also proceed in the absence of any party, unless he/she is satisfied that there are reasonable grounds for the failure of the party to attend and shall do so in such manner as he/she considers appropriate. Following consideration of the submissions of the parties (whether at and oral hearing or in writing), together with all documentary evidence presented, the Chair may:

(a) Allow or dismiss the appeal;

(b) Remit the matter to be considered again by the Deciding Panel;

(c) Exercise any power which the Deciding Panel could have

exercised; or

(d) Make any further or other order considered appropriate, either generally, or for the purpose of giving effect to his/her decision.

1.4.7 In the event that the Chair is the subject of the disciplinary procedures, one of the Vice-Chair of the County FA shall be responsible for the application of the relevant procedures set out in 1.4 and the notice of appeal shall be lodged with the General Manager.

**2. Confidentiality/Publication of proceedings**

2.1 Subject to paragraph 4.2 below, the investigation and any related proceedings shall be confidential between the County FA and the individual concerned.

2.2 The County FA shall have the power to publish in the public press, on a web site or in any other manner considered appropriate:

(i) The outcome of any investigation and related proceedings;

(ii) The details of any decision; and

(iii) The representations, submissions, evidence and documents created in the course of the investigation and related proceedings. Subject to their duty of confidentiality as set out in the Code, the individual may choose to make a public statement following the published outcome of the disciplinary process.

**3. Arbitration**

3.1 Subject to paragraph 3.2 below, any dispute or difference arising out of the Code of Conduct or these procedures shall be referred to The Football Association.

3.2 Where there has been an alleged breach of the Code the individual that is alleged to have committed the breach may not commence an arbitration until such time as the process set out in paragraphs 1.1 to 1.4 above has been concluded.