NORTHUMBERLAND RFU DISCIPLINARY PROCESS 2024-2 – WHAT CLUBS AND REFEREES MUST DO WHEN ONE OF THEIR PLAYERS IS SENT OFF
[Red card cases in non-age grade rugby][1]

Where a player has been sent off the player's club must notify the CB Disciplinary Secretary as soon as possible and, in any event, within 24 hours of the game concluding. Contact may be by text message or email and must provide the following information:

- Name of player
- The player's date of birth and RFU ID
- Club
- Offence
- Referee[2]

Contact details are included at the end of this document. Where contact is by email to the CB Disciplinary Secretary the information should be copied to the County Administrator.

Clubs should assume unless informed to the contrary that the disciplinary hearing will take place on the Thursday following the game [weekend fixtures] or the second Thursday following the game [midweek fixtures].

In compliance with RFU Regulation 19.4.1 the referee must submit their report by 9.00am on the 2nd day following the conclusion of the game. Wherever possible the report should be submitted on the appropriate RFU form by email in Word or PDF format. It should be submitted to the CB Disciplinary Secretary and copied to the County Administrator. **The earlier the report is submitted the greater the likelihood of the case being dealt with expeditiously so as to avoid prejudice to the player.**

To ensure that disciplinary proceedings can be dealt with speedily, referees should consider themselves to be on standby to attend a disciplinary hearing on the Thursday following the match [second Thursday in the case of midweek games] unless and until stood down by the CB Disciplinary Secretary.

As soon as practicable after receipt of the referee's report either the CB Disciplinary Secretary will forward the following documents by email to the Player's club [and to the Referees' Society representative:

- The Referee's Report;
- Notice of Hearing.

The Notice of Hearing will contain the following:

- Details of the time and venue for the hearing;
- Details of the charge(s).
- A requirement for the Club to notify the CB Disciplinary Secretary within 24 hours of the likely plea to the charge(s) and whether or not the attendance of the referee at the hearing is required.

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[1] For Citing cases, please refer to RFU Regulation 19, Appendix 4.
[2] Where the referee is not a Northumberland appointment it would also assist if the Referee's home society could be identified.

It is the responsible of the Player's club to ensure that the Player receives these documents and is made aware of the arrangements for the hearing.

Clubs are reminded that where the attendance of the referee is not requested the Player may be precluded from challenging the contents of the report.

The CB Disciplinary Secretary will convene a Disciplinary Panel. The CB Disciplinary Secretary will email the referee's report and Notice of Hearing to the Panel members.

As soon as possible after receipt of the Club's response to the Notice of Hearing the CB Disciplinary Secretary will contact the referee to advise them as to whether or not they is required to be available to give evidence at the hearing.

The disciplinary hearing will be conducted in accordance with RFU Regulations 19.4.37 – 19.4.71. **Club Secretaries and Chairs of Discipline should familiarise themselves with these provisions along with Regulation 19 Appendix 7.**

As soon as practicable after the conclusion of the hearing and, in any event, within 72 hours, the CB Disciplinary Secretary will provide a judgment containing the information required by Regulation 19.4.6**4** to the player. The judgments will be uploaded to GMS and copies will be provided to In all cases to the County Administrator, the RFU, the League Organising Committee, the Referee's Society and the CB Director of Governance.

Note re GDPR

It is axiomatic from the above that the disciplinary process will generate personal data, primarily in relation to the player appearing before the Panel. This Note summarises how personal data will be handled by those charged with administering the disciplinary process in Northumberland.

Any personal data generated in the course of the process will be handled in accordance with the General Data Protection Regulation and the Northumberland Rugby Union Data Policy. In all red card cases the following documents containing personal data will be generated:

i. A Referee's Report.
ii. A Notice of Hearing incorporating the charge(s) and details regarding the hearing.
iii. A written judgment.
iv. A note in respect of an Administrative Fee.

In certain cases witness statements, video footage and personal references/testimonials may also be provided.

Personal data is likely to include names, gender, dates of birth, contact details and a player's RFU ID. This data will be processed as the CB has a **legitimate interest** [and delegated responsibility] to administer a disciplinary process in accordance with World Rugby and RFU Regulations. In fulfilling our obligations to the RFU we are required to retain some data even after disciplinary cases have been concluded. Data will be retained only to the extent necessary to pursue this legitimate interest and to fulfil requirements under these regulations.

To this end, copies of the Referee's Report and Notice of Hearing will be sent to the CB Disciplinary Secretary, the CB County Administrator, the Referee's Society, the Player who is

required to appear before the Panel and the members of the Panel[3]. This is in compliance with RFU Regulation 19.

Copies of witness statements and written testimonials will be provided to Panel members where necessary to enable them to fulfil their function in accordance with RFU Regulation 19.

At the conclusion of disciplinary hearings a written judgment will be produced and copies provided to the Player [or his Club], the Referees' Society, the League Organising Committee [where the match in question was a league match], the RFU Head of Discipline and the CB Director of Governance. This is in compliance with RFU Regulation 19.11.31. Panel members will be requested to destroy any hard copy documents provided and to delete any documents provided in electronic form.

Documents provided to the RFU in compliance with RFU Regulations [including data provided to League Organising Committees] will be processed in accordance with the Data Policy of the RFU which can be viewed on the RFU's website www.rfu.com .

The documents provided to the Referees' Society will be processed in accordance with their Data Policy.

The Note regarding an Administration Fee where imposed will be provided only to the Player's Club and the County Administrator. All copies of the Note will be destroyed/deleted once the fee has been paid save and to the extent necessary where the Note is required for an accounting purpose.

In cases where the Player is found not guilty of the charge(s) preferred it will be open to the Player to request the destruction of the documents [or deletion of electronic records] once the time allowed for an appeal by the RFU has elapsed.

Where the Player pleads guilty to the charge(s) or is found guilty by the Panel, the circumstances of the case may be relevant to any future disciplinary proceedings brought against the Player or his Club. In consequence, the CB Disciplinary Secretary will retain electronic records regarding the case as outlined above for a maximum period of **five years.** The County Administrator will maintain a database detailing the outcome of all disciplinary hearings where the person charged has pleaded guilty or been found guilty and will retain all other documents provided to her in the fulfilment of her role as outlined above on the basis that she is the CB's Data Officer.

Kingsley Hyland
Hon.Secretary
NRU Disciplinary Committee

August 2024

Contact details

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[3] This will usually be sent to the Secretary or Disciplinary Chair of the player's club.