



NEW ZEALAND PONY CLUBS ASSOCIATION INC

Policy and Procedure on Disciplining Members

Purpose

To provide Pony Clubs with a structure to discipline members.

Background

The NZPCA has, in adoption of the "The Fair Play Charter" and in the Rules of NZPCA, a clear mandate of acceptable behaviour toward coaches, officials, riders, supporters and horses.

On occasions, questions may arise as to the appropriateness of certain behaviour. The NZPCA has adopted procedures that enable any questions regarding behaviour to be asked in a manner that is fair, non-threatening and incorporates the principles of the natural justice.

The Yellow Report

The Yellow Report has been designed as a teaching, discipline and learning tool for the education of riders and other pony club members. It is designed to teach appropriate behaviour toward coaches, officials, riders, supporters, horses and property and is applicable to all members at any activity under the NZPCA umbrella. Yellow Report Forms will be held by all Branches/Clubs and must be available at all Pony Club activities.

Any person witnessing an incident which could constitute abuse of horse/pony, personnel or property is encouraged to report the incident.

What is an Inappropriate Incident:

Any act or series of actions that fall into the following can be deemed to warrant investigation and action.

1. Abuse of the horse, and or Dangerous Riding.
 - a. Excessive/misuse of whip -
 - o The whip cannot be used to vent a rider's temper. The whip is not to be used after elimination or after a horse has jumped the last fence on a course. The whip is never to be used overhand. The use of the whip on a horse's head or neck is always excessive use. A horse should never be hit more than 3 times for any one incident .
 - b. Excessive/misuse of spurs which results in wounding a horse.
 - c. Use of a bit to discipline a horse.
 - d. Riding in a manner which endangers the horse, any other competitor or person.
 - e. Riding an exhausted or obviously lame horse.
2. Abuse of a coach, or an official.
3. Abuse of other riders, their supporters, or any other person present.
4. Inappropriate behaviour or conduct.
5. Abuse of buildings, equipment or grounds.

Reporting an Incident

- At Competitions the report should be made to the Chief Judge of the Discipline, or the most Senior Pony Club Committee Member of the Organising Committee.
- At Rallies the report should be made to the Head Coach, or a Branch Executive Member.
- At all other Events run under the NZPCA umbrella, the report should be made to the Most Senior Pony Club Official present.

Process for the Official Receiving the Complaint

Once the official has received a report of an inappropriate incident, they must

- On the day of the incident speak to all the relevant parties independently -
 - o Riders under 18 should be accompanied by an adult.

- Assess the situation without prejudice and bias.
- Make a decision to accept the explanation and apology, the matter is then closed **Or** make a decision to write a Yellow Report -
 - A Yellow Report is to be written on the day of the incident and must be sent to the Complaint Receiver of the offenders Club within 4 days.
- For a serious incident the official may also impose an immediate penalty such as
 - Disqualification from the competition.
 - Dismiss the rider from the grounds.

Process for the Offender:

Any offender under 18 years should be accompanied by an adult.

Having been informed by the appropriate official that a complaint has been received they will be given the opportunity, in a private/quiet area, to give an acceptable explanation/and or apology. Should it be deemed that the matter is of such seriousness that an apology or explanation is not sufficient they are to be informed a Yellow Report will be issued and they will receive, within 14 days, a letter from their Club Complaints Receiver outlining the offence and the Yellow Report process.

The Appeal Process for the Offender

The Appeal Process gives any offender, a right of appeal on either the first or second Yellow Report.

Any Appeal must have been received by the Complaints Receiver within 14 days of the date on the letter of notification.

The offender (accompanied by an adult if under 18) will be given the opportunity to present information to the Appeal Committee.

Role of the Complaints Receiver:

On receipt of a Yellow Report the Complaints Receiver must

- Mark Report with date received.
- Within 7 days -
 - Send the offender a letter detailing the complaint, and if applicable enclose a copy of any/or all of, the NZPCA Fair Play Charter, the NZPCA Code of Conduct, and Welfare of the Horse (note identity of the person making the complaint must be kept confidential).
 - Send a copy of the Yellow Report to the District Commissioner of the offenders Club.
 - Inform the Area Secretary of any Yellow Reports received.
- Hold file open until Appeal Period of 14 days elapses, then file the Report for 12 months from date of incident.
- After 12 months the file is to be destroyed.

On receipt of an Appeal the Complaints Receiver must

- Inform the DC that an Appeal has been lodged.
- Appear on Appeal Committee or name an appointee.
- Immediately convey the decision of the Appeal Committee to the offender and the President of the offenders Branch/Club.

Process for a second Yellow Report of a similar nature against the same rider within a 12 month period the Complaints Receiver must:

- Mark Report with date received.
- Within 7 days send the offender a letter informing them that a second Yellow Report has been received and they will be required to appear before a Disciplinary Committee.
- Inform the DC that a second Yellow Report has been received.
- Inform the offender's Branch/Club Executive to have the Disciplinary Committee set a meeting date with the offender -
 - The Disciplinary Committee will be the Executive Committee as stated under Branch/Club Rule 2.26.

- Within 5 days of receipt of the decision from the Disciplinary Committee notify the offender in writing of the decision outlining their right of appeal should they not agree -
 - Should an Appeal be received within 14 days of date of letter inform the DC.
 - If no Appeal received within 14 days, immediately inform the Secretary of the offenders Branch of the Disciplinary Committee decision.

Role of the District Commissioner (DC):

- For a First offence the DC will talk with the offender's Branch/Club Head Coach and or President to discuss how the offender can be assisted to adhere to appropriate behaviour or suggest how the Branch/Club can assist with coaching/training the rider or mount.
- The DC will ensure that there is no "Conflict of Interest" with the members of the Appeal Committee or Disciplinary Committee.
- Should an Appeal be lodged for either a first or second Yellow Report the DC will immediately initiate the Appeal Process.

The Role of the Disciplinary Committee: (Executive Committee under Branch/Club Rule 2.26)

To interview a Branch member who has received a second Yellow Report within a twelve month period for the same type of offence. All members of this committee must have read the NZPCA papers on -

- Principles of natural justice.
- Conflict of Interest.
- Conflict Resolution.

The committee is to:

- Appoint a Chairperson.
- If appropriate arrange an interview with the official who issued the second report and any witnesses.
- Arrange an interview with offender – where possible within 2 weeks -
 - Allow them reasonable opportunity to explain their actions.
 - Offenders under 18 years should be accompanied by an adult during the interview.
- Assess the situation without prejudice and bias.
- Within 5 days the Chairperson will report, in writing, the Committees decision to the Branch Complaints Receiver -
 - Actions could include one of the following -
 1. Non Acceptance of entry to PC events for a given period.
 2. Banning from attendance at PC activities for a given period.
 3. Expulsion as a member from PC (See rule 2.15(c)).
- If no Appeal has been received after 14 days, notify the Area, Clubs and Branches if actions 1 & 2 are enforced.
- If the offender is to be expelled the Branch/Club committee should implement Rule 2:15(c)(i) and should do so "In Committee".

Role of the Appeal Committee

The Appeal Committee will consist of three people – the Complaints Receiver or their Appointee, the Area Delegate to COM from the offender's area and one other person.

Members of this committee are not to serve on the Disciplinary Committee, nor have a conflict of interest.

All members of this committee must have read and agree to abide by the -

- Principles of natural justice.
- Conflict of interest.
- Conflict resolution.

The Appeal process will be as follows -

- Appoint a Chairperson.
- Call a meeting with the Offender to present information (under 18 to be accompanied by an adult).

The Committee is to take into consideration the following -

- Was the appropriate disciplinary procedure process followed?
- Was the appropriate information taken into account?
- Was sufficient information supplied by the person/s concerned?
- Was the action appropriate for the behaviour demonstrated?

Inform the Complaints Receiver the decision of the Appeals Committee.

Should this be an appeal against a second Yellow Report call a meeting with the Chairperson of the Disciplinary Committee to present their information. If the Appeal Committee upholds the Disciplinary Committee decision, to expel the offender the Chairperson will inform, in writing, the Offenders Branch/Club who will be required to implement the decision. The decision of the Appeals Committee will be final and binding on all parties.

Attachments: The Yellow Report Form
Copy of letters to Branch/Club

References: NZPCA Rules and Regulations for Areas, Clubs and Branches
NZPCA PP4.08 Policy – Harassment Free Sport
Third Bearing Ltd.

Contact: Executive Officer
NZPCA
P.O. Box 8626
HAVELOCK NORTH 4157
Ph/Fax (06) 873 5464
Email: nzpony@xtra.co.nz

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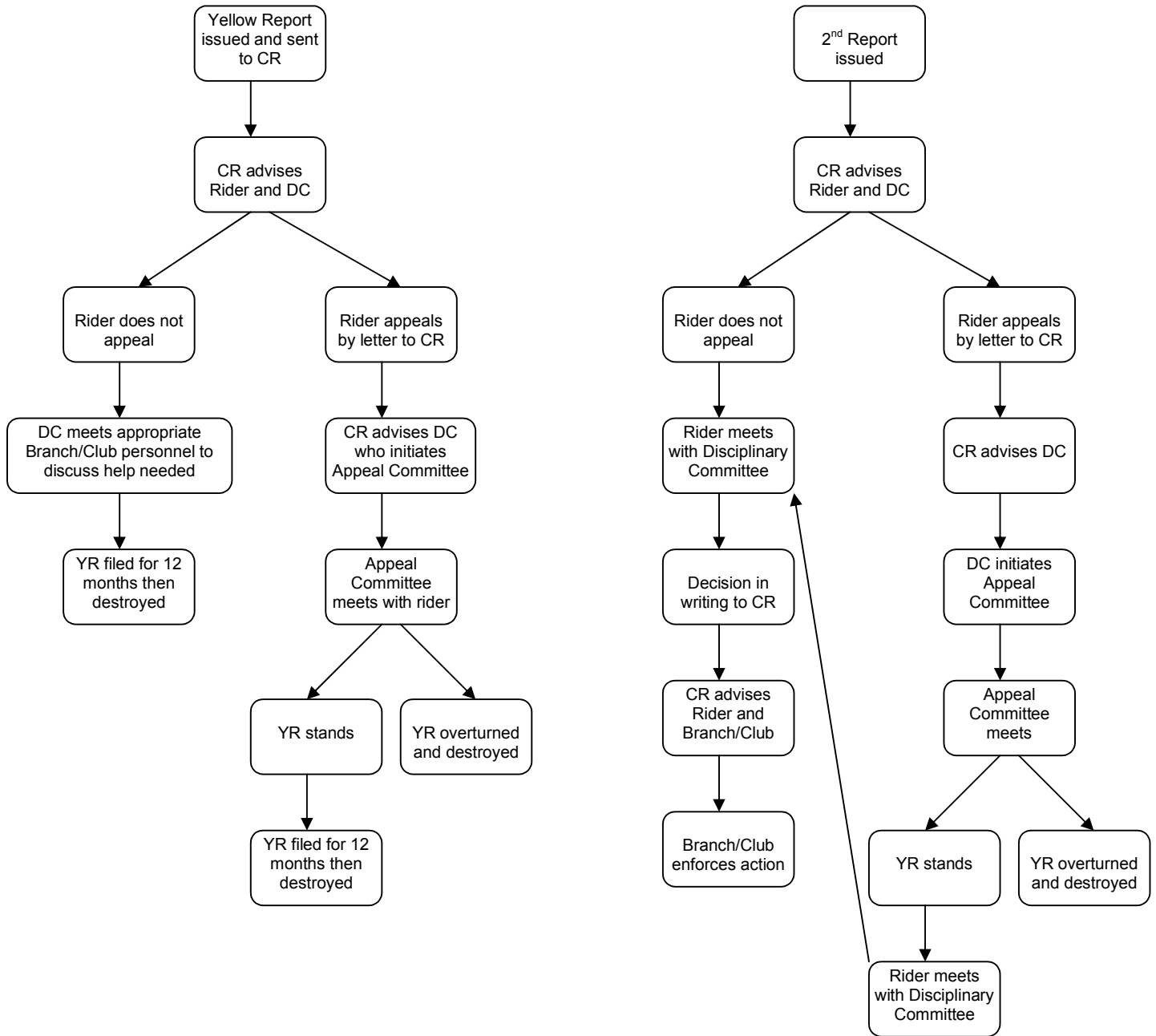
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Please refer to <http://www.nzpca.org/resources>
for any updates or new developments.

Flow Chart showing procedure to process a Yellow Report

Key: YR = Yellow Report; CR = Complaints Receiver; DC = District Commissioner





NEW ZEALAND PONY CLUBS ASSOCIATION INC.

Yellow Report Form

(Must be on yellow paper)

PLEASE PRINT

Date: _____ Pony Club Event: _____ Rally/or other: _____

Complainant: _____

Name of Offender: _____ Age (if under 25 years) _____

Address: _____ Phone: _____

Member of: _____ Branch _____ Club _____

The incident has been reported as circled below:

1. Abuse of the horse, and or Dangerous Riding.
 - a. Excessive/misuse of whip -
 - o The whip cannot be used to vent a rider's temper. The whip is not to be used after elimination or after a horse has jumped the last fence on a course. The whip is never to be used overhand. The use of the whip on a horse's head or neck is always excessive use. A horse should never be hit more than 3 times for any one incident.
 - b. Excessive/misuse of spurs which results in wounding a horse.
 - c. Use of a bit to discipline a horse.
 - d. Riding in a manner which endangers the horse, any other competitor or person.
 - e. Riding an exhausted or obviously lame horse.
2. Abuse of a coach, or an official.
3. Abuse of other riders, their supporters, or any other person present.
4. Inappropriate behaviour or conduct.
5. Abuse of buildings, equipment or grounds.

Details of the incident:

Name and contact details of Witness/s

Name

Email Address

Phone Number

1.

2.

3.

Recommendation:

Signed: _____

Print Name: _____

Position: _____

Phone Number: _____

Email: _____

For Complaints Receiver use only:

Date Received: _____ **First Report** **Second Report** **(circle one)**

Report sent to Offender: **Date:** _____

Appeal Received: **Date:** _____

Appeal Process initiated **Date:** _____

Disciplinary Process initiated (2nd rpt only) **Date:** _____

File to be destroyed on **Date:** _____



Name
Complaints Receiver
Address
Phone
Email

NZPCA BRANCH OR CLUB NAME

Date

Name
Address

Dear First Name

On (date) at (Event/Venue) a Yellow Report was issued to you. The details of the complaint are as follows:-

(Whatever report states)

This letter is to notify you that the Yellow Report has been filed and will remain on file for a period of twelve months from the date of the event.

Enclosed are copies of the NZPCA Fair Play Charter, the NZPCA Code of Conduct, and Welfare of the Horse, which are the basis for the reporting mechanism and will help you understand what is acceptable behaviour. Further help and information is available from the NZPCA website <http://www.nzpca.org> and from your Pony Club.

Should there be no further reports submitted in the 12 month period from the date the Yellow Card was issued your name will be erased from the files. However, if there are any further reports of a similar type filed further action will be taken. This could include one of the following; non acceptance of entries for a given period, banning from attendance at Pony Club activities for a given period, or expulsion from Pony Club.

If you wish to appeal the decision, you may do so by writing to the Complaints Receiver of your Club within fourteen days of receiving this notice.

If you have any questions, please contact your District Commissioner:- (Name), (Phone number).

Yours sincerely

Name
Complaints Receiver
Branch/Club



Name
Complaints Receiver
Address
Phone
Email

NZPCA CLUB NAME

Date

(Name)
Area Secretary
(Club)

Dear (Name)

On (date), at (Event/Venue), a Yellow Report was issued to a (Club/Branch name) rider.

We wish to advise that the matter has been dealt with in accordance with the NZPCA Resource Manual, Disciplining Members PP4.09.

As no appeal has been received and the fourteen day time limit has lapsed we now consider the matter closed.

Yours sincerely

(Name)
Complaints Receiver
(Club Name)