

**Lawn Tennis Association Limited: Disciplinary Code**  
Effective 1 January 2021

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## 1. Jurisdiction and Powers

- 1.1 Lawn Tennis Association Limited (the “**Association**”) has disciplinary jurisdiction over: (i) all members of the Association (the “**Members**”), entities or persons which are registered as associates of the Association (the “**Associates**”) and, in each case, their members and officers; (ii) all members of the council of the Association (the “**Council**”), officials, referees, umpires, officers or employees of or connected to the Association; (iii) all tennis players who are members of a Member or Associate or who participate in any tennis event or training organised or authorised by the Association or by any Member or Associate or by any other body; (the “**Players**”); (iv) where a Player is under the age of 18 on the date of the tennis event or training organised or authorised by the Association or by any Member or Associate or by any other body, the parent or (if different) the legal guardian of the Player (the “**Parent**”); (v) any supporter of a Player attending the tennis event or training in which the Player is participating (the “**Supporters**”); and (v) any person who has any form of licence, authorisation, accreditation from the Association (for example a coach or official under the LTA licensing and accreditation schemes), or receives any other benefit from the Association.
- 1.2 For avoidance of doubt, any reference in this Code and its appendices:
- (i) to the “**LTA**” or the “**Lawn Tennis Association**” is to the Association;
  - (ii) to the “**Disciplinary Code**” or the “**Code**”, is to this Code;
  - (iii) to the “**Articles**” is to the Articles of Association of the LTA; and
  - (iv) to the “**Rules**” is to the Rules of the LTA.
- 1.3 The Association shall exercise its disciplinary powers in the manner set out in this Code.
- 1.4 The Association shall delegate its power to:
- (i) act upon disciplinary matters to a disciplinary officer (the “**Disciplinary Officer**”) in accordance with the Terms of Reference of the Disciplinary Officer (Schedule 1);
  - (ii) decide disciplinary matters to a disciplinary panel (the “**Disciplinary Panel**”) in accordance with the Code and the Terms of Reference of the Disciplinary Panel (Schedule 2);
  - (iii) impose interim suspensions to the Disciplinary Panel in accordance with paragraph 3 below;
  - (iv) decide upon appeals against the decisions of the Disciplinary Panel and any other disciplinary matters to an appeals tribunal (the “**Appeals Tribunal**”) in accordance with the Code.
- 1.5 This Code shall apply to Anti-Doping Rule Violations (as defined in Article C of Appendix One) in accordance with Appendix One.
- 1.6 This Code shall apply to any disciplinary matter which raises child protection issues in accordance with Appendix Two.
- 1.7 This Code shall apply to any disciplinary matter in respect of match fixing, financial speculation and betting in accordance with Appendix Three.
- 1.8 The Association shall have jurisdiction to consider a matter if a formal complaint of alleged Misconduct (as defined in paragraph 2 below) is made.
- 1.9 The Association shall also have jurisdiction to investigate any other matter which the Disciplinary Officer, in his or her sole discretion, considers may constitute Misconduct.

- 1.10 The Association shall also have jurisdiction over appeals against decisions or rulings of the governing body of a Member and/or in respect of the Association's competition regulations (including appendices) (the "**Competition Regulations**") and/or in respect of non-disciplinary decisions of the Associations. Such appeals will be dealt with by the Appeals Tribunal in accordance this Code.
- 1.11 Although the Association has jurisdiction over the persons and organisations set out in paragraph 1.1 above, Members, Associates and other bodies may have their own disciplinary jurisdiction over such persons and organisations. In such a case, paragraphs 1.12 and 1.13 below shall apply.
- 1.12 Subject to paragraph 1.13 below, where both the Association and a Member have jurisdiction over a matter, the Disciplinary Officer may, in his or her sole discretion on behalf of the Association, determine that:
- (i) such matter should be dealt with by the Association; or
  - (ii) such matter should be dealt with by the Member.

A Member may formally request that the Association deals with a matter, in which case the Disciplinary Officer shall, in his or her sole discretion on behalf of the Association, determine whether the matter should be dealt with by the Association or by the Member.

- 1.13 The Association shall have exclusive jurisdiction over the following matters:
- (i) any allegation of the commission of a Doping Offence contrary to the Association's Anti-Doping programme as set out in Appendix One; and
  - (ii) any allegation of a breach of the general rules of Coach Accreditation+ as set out in Appendix Four, Coach Accreditation as set out in Appendix Five or the Association's officials licensing scheme as set out in Appendix Six (together, the "**Schemes**").
- 1.14 Where an individual against whom a complaint is made is under the age of 14 years when the matter complained of occurred, correspondence will be addressed to his or her parent or guardian only. Where an individual is between 14 and 18 years of age a copy of all correspondence from the Association will be copied to a parent or guardian. In either case, if a complaint of Misconduct results in a hearing, the parent or guardian shall be entitled to be present and make such representations as the parent or guardian thinks fit on the minor's behalf.
- 1.15 The board of directors of the Association may amend these procedures as it sees fit from time to time. Any such amendments shall come into full force and effect upon the date specified by the board of directors of the Association.

## **2. Misconduct**

- 2.1 The Disciplinary Panel and the Appeals Tribunal decide whether Misconduct has taken place.
- 2.2 Misconduct is defined as:
- (i) any breach of the Rules (including its appendices) or regulations;
  - (ii) the commission of an Anti-Doping Rule Violation (as defined in Article C of Appendix One);
  - (iii) any breach of any of the general rules or conditions of the Schemes;
  - (iv) any breach of any of the regulations concerning match fixing, financial speculation and betting as set out in Appendix Three;

- (v) any breach of any of the conditions governing players set out in the Rules; and
- (vi) any conduct which is detrimental to the interests of the game of lawn tennis.

### **3. Interim Suspension**

- 3.1 If the Disciplinary Officer considers that an allegation, complaint or matter which has been drawn to his or her attention falls within the scope of the Association's disciplinary regime and is of sufficient seriousness to warrant the suspension of a person or body from any aspect of involvement in tennis (including, where relevant, the suspension of a coach accreditation or officials licence or coaching assistant's accreditation) until such time as the Disciplinary Panel has reached its decision (an "**Interim Suspension**"), s/he shall write to such person or body informing him, her or it of the position.
- 3.2 The Disciplinary Officer shall state that it is his or her intention to apply to the Disciplinary Panel for a temporary order that the person or body be so suspended until the hearing of the case before the Disciplinary Panel. The person or body involved shall be asked for his or her comments upon this application as a matter of urgency and within the time limit stated in the letter.
- 3.3 The Disciplinary Officer shall consider the response received. If no response is received within the time limit set out by the Disciplinary Officer, or if the Disciplinary Officer considers that, notwithstanding the response, his or her view remains that an interim suspension should be sought, the Disciplinary Officer shall submit the matter to the Disciplinary Panel who shall decide whether or not it is appropriate to impose an interim suspension pending a hearing before the Disciplinary Panel. Such decision may be made at a meeting of the Disciplinary Panel or by telephone or by written communication.
- 3.4 The person or body whose suspension is sought shall not have the right to appear before the Disciplinary Panel. However, the Panel, in reaching its decision, shall take into account any representations made by such person or body either to the Disciplinary Officer in response to his or her letter informing such person or body of his or her intention to request an interim suspension or otherwise. The decision of the Disciplinary Panel, in this matter, shall not be subject to any appeal.
- 3.5 If at any time the facts or circumstances surrounding a case change, the Disciplinary Panel may consider, either of its own motion or by an application brought by a person or body subject to an interim suspension, whether such interim suspension should continue. In their absolute discretion the Disciplinary Panel may lift such suspension or may impose such conditions as they think fit in default of which the person or body will remain subject to suspension.
- 3.6 The fact of an interim suspension being imposed may be published by the Association in accordance with paragraph 10 below.

### **4. Summary Procedure**

- 4.1 Whether or not the Disciplinary Officer has set in motion the procedures under paragraph 3 above, s/he shall write to the person or body concerned directly seeking his, hers or its views on the matter. Having received these comments, or if such comments are not forthcoming within a reasonable time, the Disciplinary Officer shall then consider whether or not to charge the person or body with Misconduct. Before reaching such a conclusion, the Disciplinary Officer shall be entitled to make all reasonable enquiries and to seek such advice within the Association as s/he deems appropriate and, in an appropriate case, to seek external expert advice, including external legal advice.
- 4.2 The Disciplinary Panel shall meet at least once a year to review any decisions made by the Disciplinary Officer in the preceding year in relation to whether or not to bring a charge of Misconduct against a person or body under paragraph 4.1 above. For the avoidance of doubt, the decision to charge a body or individual with Misconduct remains at the discretion of the Disciplinary Officer and any review by the Disciplinary Panel will have no impact on the decision itself.

- 4.3 The Summary Procedure (as defined and set out below) may be applied if:
- (i) the person or body admits the offence in the correspondence that has passed between that person or body and the Disciplinary Officer; and
  - (ii) the Disciplinary Officer is satisfied that:
    - (a) the offence is a Summary Offence (as defined below); and
    - (b) it can properly be dealt with under this paragraph.

4.4 A “**Summary Offence**” is one where the Disciplinary Officer believes that, if the facts placed before him are true, the appropriate sanction should be no more than:

- (i) a censure;
- (ii) a suspension for a period not exceeding 28 days;
- (iii) a fine or the withholding of prize money not exceeding £250;
- (iv) a suspended penalty where, if the terms of the suspension are breached, a suspension of no more than 28 days would be appropriate; or
- (v) a combination of any of the above.

For the purposes of this paragraph 4.4 “**suspension**” shall mean suspension from Association activities or Association-sanctioned events.

4.5 Where an admission in correspondence has been made and the Disciplinary Officer considers it appropriate to invoke the Summary Procedure, the Disciplinary Officer shall write to the person or body concerned informing them that it is his or her view that this is a Summary Offence and that the Summary Procedure for dealing with such offences (the “**Summary Procedure**”) may be applied. In such correspondence, the Disciplinary Officer shall:

- (i) seek the consent of such person or body to the matter being dealt with under the Summary Procedure while advising such person or body that the Disciplinary Panel may nonetheless consider that the matter should be dealt with under the Full Disciplinary Procedure (as defined and set out at paragraph 5); and
- (ii) formally charge that person or body with Misconduct.

4.6 The Disciplinary Officer shall refer the matter to the Disciplinary Panel, and if the Disciplinary Panel concludes that a complaint or matter is an appropriate subject for summary treatment the following procedure shall apply. There will be a meeting of the Disciplinary Panel at which the dossier of evidence that the Disciplinary Officer has forwarded to the Disciplinary Panel, and any evidence provided by the person or body charged with Misconduct, shall be considered. Neither the Disciplinary Officer nor the person or body charged shall have a right to attend the meeting. The Disciplinary Panel shall then reach its view and impose the appropriate sanction. The Disciplinary Panel will then communicate that sanction to the person or body involved and to the Disciplinary Officer. There shall be no right of appeal from the imposition of a sanction imposed under the Summary Procedure.

4.7 If the Disciplinary Panel considers that the matter should not properly be brought within the scope of the Summary Procedure, it may inform the Disciplinary Officer of this. The Disciplinary Officer shall then communicate this view to the person or body concerned and the matter will thereafter proceed on the basis set out in paragraph 5 below.

## 5. Full Disciplinary Procedure

- 5.1 If the person or body who is the subject of the matter does not consent to the Summary Procedure or if the Disciplinary Officer or the Disciplinary Panel considers that a case is not appropriate for the Summary Procedure, the Full Disciplinary Procedure of the Association, as set out below, shall be invoked (the “**Full Disciplinary Procedure**”).
- 5.2 The Disciplinary Officer shall commence the procedure by sending to the person or body the charge in writing, setting out a summary of the alleged Misconduct, together with a short factual summary of the evidence supporting the charge.
- 5.3 The person or body against whom the charge has been made shall have 14 days following the date of receipt of the written communication setting out the charge to answer the charge. Failure to do so shall render the person or body concerned liable to an Interim Suspension from involvement in tennis (including, where relevant, the suspension of a coach accreditation or officials licence or coaching assistant’s accreditation) until a reply has been received. Alternatively, the Disciplinary Officer may ask the Disciplinary Panel to schedule a hearing of the charge.
- 5.4 Once the reply to the charge has been received, the Disciplinary Officer shall liaise with the Disciplinary Panel to schedule a date for the hearing. The Chairperson of the Disciplinary Panel shall select three members of the Disciplinary Panel to form a Disciplinary Tribunal to hear the charge of the alleged Misconduct, in accordance with the Disciplinary Panel’s Terms of Reference. At least 21 days’ notice will be given of the date, place and time of any hearing under the Full Disciplinary Procedure. At least 14 days before the date of the hearing, the Disciplinary Officer shall serve on the person or body charged the evidence s/he is intending to bring to support that charge. The Disciplinary Officer will also request details of any witnesses and/or evidence that the person or body subject to the charge wishes to bring before the Disciplinary Tribunal. If such evidence is not furnished to the Disciplinary Officer within the time frame specified by the Disciplinary Officer s/he may request that the hearing be adjourned upon such terms (including costs) as the Disciplinary Panel shall determine.
- 5.5 All proceedings of the Disciplinary Tribunal shall take place in private and the public and the press shall have no right of access to the room where the hearing is taking place. The Disciplinary Tribunal shall not issue any press statement or conduct any press conferences. All media announcements in relation to any decision of the Disciplinary Tribunal shall be approved by the Disciplinary Officer and published only in accordance with paragraph 10 below.
- 5.6 Every person or body responding to enquiries made by the Disciplinary Officer or giving evidence before the Disciplinary Tribunal is under a duty to give full and truthful evidence. If the Disciplinary Officer believes that a person or body has not given full and truthful evidence, this conduct may be the subject of a further charge of Misconduct.
- 5.7 Any person or body appearing before the Disciplinary Tribunal shall, at their own expense, have the right to be represented by legal counsel of his, her or its choice or may be accompanied by a person who may speak on his, her or its behalf.
- 5.8 At the hearing of the charge of Misconduct, the Disciplinary Officer shall present the evidence to the Disciplinary Tribunal. The standard of proof shall be that of the balance of probabilities. In all cases, the Association shall bear the burden of proving that the charge has been made out. The person or body subject to the charge shall have the right to cross-examine any and all witnesses called by the Association to prove the charge. However, the fact that a person charged has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.
- 5.9 Once the Disciplinary Officer has completed his or her presentation on behalf of the Association, the person or body subject to the charge shall then have the right to present his or her case to the Disciplinary Tribunal. The person or body subject to the charge shall be entitled (subject to

considerations of relevance) to call all and any witnesses that s/he or it wishes to call. The Disciplinary Officer shall have the right to cross-examine such witnesses.

- 5.10 Once the person or body subject to the charge has completed his, her or its presentation, the Disciplinary Officer shall make his or her concluding remarks in support of the charge. The person or body subject to the charge shall then have the right to make concluding remarks or to have such remarks made on his, her or its behalf. Upon the conclusion of the closing submissions, the Disciplinary Tribunal will retire to consider its verdict.
- 5.11 The Disciplinary Tribunal shall consider its decision in private. It shall first consider whether or not the charge of Misconduct is proved. If it is so proved, then the Disciplinary Tribunal shall inform the person or body subject to the charge of this decision and invite him or it to raise matters in mitigation. Having heard such mitigation, the Disciplinary Tribunal shall retire to consider the appropriate sanction.
- 5.12 In reaching its decision, there is no requirement that the Disciplinary Tribunal be unanimous. It is sufficient if a majority of the Disciplinary Tribunal favour a particular conclusion – the casting vote shall be the Chairperson's in accordance with paragraph 3.6 of Schedule 2. No minority opinion or dissenting judgment shall be produced and no indication shall be given by the Disciplinary Tribunal to any party that its decision was other than unanimous.
- 5.13 Having reached its conclusion as to whether or not the charge has been proved, the Disciplinary Tribunal shall communicate that decision either at the time of the hearing or within 14 days thereafter. In all cases the Disciplinary Tribunal shall produce a written decision setting out the reasons for reaching its conclusions. This will be conveyed to the parties to the proceedings and their representatives (if any) as soon as possible and in all events within 14 days of the date of the hearing. The period for filing an appeal shall run from the date of the receipt of the written decision by the person or body involved.
- 5.14 In exercising its functions under this Code, the Disciplinary Tribunal shall have the power to regulate its own procedure. Without prejudice to the generality of this power it shall have the power:
- (i) to extend or vary any limit set out in this Code including the 28 day limit referred to in paragraph 6.2 below;
  - (ii) to adjourn the proceedings, whether prior to a scheduled hearing date or during the hearing, to allow time for the submission of further evidence or for any other reason;
  - (iii) to ask questions directly of any party or witness to any proceeding before the Disciplinary Tribunal;
  - (iv) to admit or exclude evidence on grounds of relevance or failure to comply with directions;
  - (v) to make appropriate directions (whether in advance of the hearing or at the start or during the hearing) with respect to the conduct of proceedings before the Disciplinary Tribunal; and
  - (vi) to order that costs of, and in connection with, the hearing be paid for by a party.
- 5.15 In the course of any proceedings before the Disciplinary Tribunal, the Disciplinary Tribunal shall not be obliged to follow the strict rules of evidence and may admit such evidence as it thinks fit and accord such evidence such weight as it thinks appropriate in all the circumstances.
- 5.16 Subject to paragraph 6 below, a decision of the Disciplinary Tribunal shall be deemed to be a decision of the Association and be binding on all those set out in paragraph 1.1 above.

## **6. Appeals Tribunal Procedure**

- 6.1 Appeals may be made to the Appeals Tribunal in the following circumstances:

- (i) a party found guilty of a charge of Misconduct or the Association may appeal against the decision of the Disciplinary Tribunal to the Appeals Tribunal on the ground that the Disciplinary Tribunal in its conduct or conclusions misdirected itself or otherwise reached an erroneous conclusion;
  - (ii) save as to sub-paragraph 6.1(v) below, any directly affected person who disputes any decision of the Association reached on: (A) eligibility to play under the Rules; (B) interpretation of the Rules or any regulations of the Association; or (C) any non-disciplinary matter;
  - (iii) any directly affected person who brings an appeal under Rule 49 against a decision or ruling of a Member;
  - (iv) a tournament referee/tennis development manager/officiating manager refers an appeal to the Disciplinary Officer under the Competition Regulations;
  - (v) the Association's competitions team refers an appeal to the Disciplinary Officer under the Competition Regulations;
  - (vi) any directly affected person who disputes any decision reached on selection for any team representing Great Britain including but not limited to, the Davis Cup, Fed Cup and Olympic Teams, made by the Association or any Member on the grounds that the applicable selection criteria has not been followed;
- 6.2 Subject to sub-paragraph 5.14(i) above, an appellant shall have 28 days from the date of the relevant decision to submit a notice of appeal under paragraph 6.1.
- 6.3 The notice of appeal for an appeal under paragraph 6.1 shall set out the decision appealed against and the grounds upon which it is submitted that the Disciplinary Tribunal misdirected itself or otherwise reached an erroneous conclusion. Where the Association appeals to the Appeals Tribunal under sub-paragraph 6.1(i) above, it may apply to the Disciplinary Panel to continue any suspension imposed under paragraph 3 above until the Appeals Tribunal reaches its own decision.
- 6.4 Where on receipt of the Disciplinary Tribunal's decision, the Association wishes to reserve its right to appeal, it may apply to the Disciplinary Panel to continue such suspension imposed under paragraph 3 above until expiry of the period within which it can appeal, or until, if it does appeal, the Appeals Tribunal reaches its own decision.
- 6.5 Having received the notice of Appeal, the chairperson of the Disciplinary Panel shall instruct Sport Resolutions UK, as an independent dispute resolution service, to appoint the Appeals Tribunal for a specific case. The Appeals Tribunal shall consist of three persons with appropriate experience in accordance with the Arbitration Rules of Sport Resolutions UK selected by Sport Resolutions UK. The chairperson of the Disciplinary Panel will notify the parties of the composition of the Appeals Tribunal as soon as practicable and in any event no later than 14 days from the receipt of the notice to appeal. A date shall then be set for the hearing of the appeal, which shall be expedited in the case of an appeal under sub-paragraph 6.1(vi).
- 6.6 Subject to paragraph 6.14 below, the procedure set out in paragraphs 5 above shall apply to the appeal proceedings. For the avoidance of doubt, the Appeals Tribunal has the right to address questions of fact and questions of law.
- 6.7 The body against whose decision the appellant complains may be present at the appeal, and shall have the equivalent right to be heard as the appellant.
- 6.8 The hearing before the Appeals Tribunal will be a full re-hearing on the merits. The Appeals Tribunal will consider all of the documents and evidence submitted in relation to the matter and may request the recall of any witnesses previously heard. The Appeals Tribunal shall have power to admit new

evidence including evidence of any third party which the Appeals Tribunal considers is likely to be affected by the outcome of the appeal.

- 6.9 In light of the evidence received by it, the Appeals Tribunal will reach its decision. It shall have power to make a decision on the facts as it thinks fit (including, without limitation, the imposition of sanctions under paragraph 7 below). For the avoidance of doubt, it may cancel, reduce, confirm or increase the penalty under appeal or may restore a licence or an accreditation removed by the Disciplinary Tribunal.
- 6.10 A decision of the Appeals Tribunal is final and binding and shall be deemed to be a decision of the Association and be binding on all those persons set out in paragraph 1.1 above and any third parties whose evidence is admitted under paragraph 6.11 above.
- 6.11 In exercising its functions under this Code the Appeals Tribunal shall have the power to regulate its own procedure. Without prejudice to the generality of this power, it shall have the power:
- (i) to extend or vary any limit set out in this Code;
  - (ii) to adjourn the proceedings, whether prior to a scheduled hearing date or during the hearing, to allow time for the submission of further evidence or for any other reason;
  - (iii) to ask questions directly of any party or witness to any proceeding before the Appeals Tribunal;
  - (iv) to admit or exclude evidence on grounds of relevance or failure to comply with directions;
  - (v) to make appropriate directions (whether in advance of the hearing or at the start or during the hearing) with respect to the conduct of proceedings before the Appeals Tribunal; and
  - (vi) to order that costs of, and in connection with, the hearing be paid for by a party.

## **7. Sanctions and Costs**

- 7.1 If the Disciplinary Tribunal or the Appeals Tribunal finds a charge of Misconduct to have been proven under the Full Disciplinary Procedure, it may impose upon the person or body concerned:
- (i) One of, or a combination of, the following sanctions as it considers appropriate to the type of Misconduct proven:
    - (a) suspension from competition or from taking part in any other capacity in any event sanctioned by the Association;
    - (b) permanent exclusion from competition or taking part in any other capacity in any event sanctioned by the Association;
    - (c) exclusion or suspension from coaching or playing at a Member or an Associate or at any event organised by a Member or an Associate;
    - (d) exclusion or suspension from officiating at a Member or an Associate or at any event organised by a Member or an Associate;
    - (e) exclusion or suspension from attending any event sanctioned by the Association or organised by a Member or an Associate;
    - (f) expulsion, suspension or exclusion from standing for, or holding, any office within the Association, either for a temporary period or permanently;
    - (g) a fine not exceeding £10,000;

- (h) the withholding of all or a proportion of any prize money earned by a player from an event or tournament;
  - (i) a caution and/or censure in respect of his, her or its conduct;
  - (j) a suspended penalty, being a penalty which is only invoked in the event that a person or body, subject to the Association's disciplinary power, commits another disciplinary offence within a stated time of the date of the decision;
  - (k) the removal of an accreditation either for a temporary period or permanently;
  - (l) the imposition of any such conditions on an accreditation as it sees fit; and/or
  - (l) a requirement to attend appropriate training.
- (ii) A requirement to pay a contribution to, or all of, the costs of the disciplinary hearing.

7.2 In imposing or reviewing a suspension, the Disciplinary Panel or the Appeals Tribunal shall take into account the amount of interim suspension and/or suspension served by the person or body in deciding the appropriate period of such further suspension (if any) that should be imposed. Where the Disciplinary Panel imposes any period of suspension, that period of suspension shall run from the date set by the Disciplinary Panel which shall be not be:

- (i) before the deadline for the submission of an appeal or, if earlier, when the person or body subject to the suspension confirms that they will not be submitting an appeal; and
- (ii) where the person or body subject to the suspension submits an appeal in accordance with this Code, before the conclusion of such appeal process (should a suspension still be imposed).

7.3 The Disciplinary Tribunal or the Appeals Tribunal may recommend that a complete dossier of the evidence submitted in the course of the proceedings be prepared and sent to the police and other relevant authorities, together with an expression of the view of the Disciplinary Tribunal or the Appeals Tribunal that the matter should be investigated by such authorities to establish whether a criminal offence or other infringement has been committed.

## **8. Waiver of Minor Procedural Irregularities**

8.1 Without prejudice to the right of the Disciplinary Tribunal or the Appeals Tribunal to regulate its own procedure, where at any time in the course of any disciplinary proceeding carried out under the Rules or this Code there has been a breach of procedure or failure to follow any direction given, this shall not invalidate the proceedings unless such breaches have been such as to seriously and irretrievably prejudice the position of the person against whom an allegation of Misconduct is made.

## **9. Arbitration Act 1996**

9.1 The procedures in this Code shall be governed by the Arbitration Act 1996 and amount to a binding arbitration agreement for the purposes of Section 6 of that Act. The seat of the arbitration shall be England.

## **10. Publication of Decisions**

10.1 The Association may publish details of any disciplinary action taken, including publication of any decision made by the Disciplinary Tribunal or Appeals Tribunal or any decision taken by the SPC or LRC or an Appeal Committee.

10.2 The Association may at any time during the disciplinary or appeals process notify Members, the ATP, WTA, ITF, UK Sport, UK Anti-Doping (UKAD), the British Olympic Association (BOA), the

International Olympic Committee (IOC), the International Paralympic Committee (IPC) or any other relevant authority of any details relating to the matter as such authority may need to know for the proper exercise of its functions.

- 10.3 Where it appears that public knowledge of a matter exists, prior to its determination, the Association reserves the right to confirm the details after notifying the persons or organisations concerned.

## **11. Recognition**

- 11.1 The Disciplinary Officer may, on behalf of the Association, recognise disciplinary sanctions imposed by the ATP, WTA, ITF, IOC and BOA or by a member of the ITF upon players subject to the Rules, or who wish to play in tournaments sanctioned by the Association, and, with the Chairman of the Association, decide that such sanctions shall be automatically applied. There shall be no right of appeal against this decision. Where, however, any such sanction is amended, varied, reduced, withdrawn or cancelled by the body imposing such sanction, the Disciplinary Officer shall equally recognise any such alteration to such sanction.

- 11.2 The fact that a person, player, committee or organisation is liable or has been subject to disciplinary proceedings under the rules of another governing body shall not affect the right of the Association to conduct its own separate and independent investigation into such alleged Misconduct or its right to prosecute and impose sanctions upon those subject to the Code.

## **12. Governing Law**

- 12.1 This Code shall be governed by and construed in accordance with English law.

## SCHEDULE 1

### DISCIPLINARY OFFICER TERMS OF REFERENCE

#### 1. Purpose

- 1.1 The Disciplinary Officer acts on behalf of the LTA (the “**Association**”), exercising both the administrative and prosecutorial powers of the Association in relation to its disciplinary matters.

#### 2. The Appointment of the Disciplinary Officer

- 2.1 The Disciplinary Officer shall be appointed and may be replaced by the Association’s Board (the “**Board**”).

#### 3. Areas of Responsibility

##### 3.1 Jurisdiction

In exercising the disciplinary powers of the Association, the Disciplinary Officer shall have responsibility for:

- (A) investigating allegations of Misconduct (as defined in the Code) following a formal complaint;
- (B) investigating matters which the Disciplinary Officer, in his or her sole discretion, considers may constitute Misconduct;
- (C) determining pursuant to paragraph 1.12 of the Disciplinary Code (the “**Code**”) whether or not the Association has jurisdiction over a disciplinary matter; and
- (D) determining whether a matter should be dealt with by the Association or by another body in cases where either has disciplinary jurisdiction over a matter.

##### 3.2 Interim Suspension

If the Disciplinary Officer considers that a matter, allegation or complaint falls within the scope of the Association’s disciplinary regime, the Disciplinary Officer shall have responsibility for:

- (A) determining whether the alleged Misconduct is of sufficient seriousness to warrant an Interim Suspension (as defined in the Code); and
- (B) implementing the Interim Suspension procedure as set out in paragraph 3 of the Code and liaising as necessary with the Disciplinary Panel.

##### 3.3 Summary Procedure

Whether or not the Disciplinary Officer sets in motion the Interim Suspension procedure, if the Disciplinary Officer considers that a matter, allegation or complaint falls within the scope of the Association’s disciplinary regime, the Disciplinary Officer shall have responsibility for:

- (A) writing to the individuals or body concerned directly, seeking his, her or its views on the matter;
- (B) determining whether or not the severity of a matter warrants charging a person or a body with Misconduct;

- (C) if a person or body is charged with Misconduct, deciding whether it should be dealt with under the Summary Procedure (as defined in the Code) or if it should be dealt with under the Full Disciplinary Procedure (as defined in the Code) (subject to the power of the Disciplinary Panel to invoke the Full Disciplinary Procedure under paragraph 4.7 of the code); and
- (D) implementing the Summary Procedure as set out in paragraph 4 of the Code and liaising as necessary with the Disciplinary Panel.

### **3.4 Full Disciplinary Procedure**

If the person or body charged does not consent to the Summary Procedure, or if the Disciplinary Officer or the Disciplinary Panel considers that a case is not appropriate for the Summary Procedure, the Disciplinary Officer shall have responsibility for:

- (A) implementing the Full Disciplinary Procedure as set out at paragraph 5 of the Code and liaising as necessary with the Disciplinary Panel; and
- (B) acting as prosecutor on behalf of the Association under the Full Disciplinary Procedure.

### **3.5 Appeals Tribunal Procedure**

Under the Appeals Tribunal procedure as set out at paragraph 6 of the Code, the Disciplinary Officer shall have responsibility for:

- (A) managing the appeals referred to him or her pursuant to sub-paragraphs 6.1 (ii)-(v) inclusive of the Code;
- (B) if appropriate, applying to the Disciplinary Panel for a suspension imposed under paragraph 3 of the Code to be continued;
- (C) representing the Association at a hearing of the Appeals Tribunal pursuant to paragraph 6.9 of the Code.

### **3.6 Publication of Decisions**

The Disciplinary Officer shall be responsible for approving and/or publishing all media announcements in relation to disciplinary matters in accordance with paragraph 10 of the Code.

### **3.7 Recognition**

On behalf of the Association, the Disciplinary Officer shall be responsible for recognising any disciplinary sanctions imposed by other bodies in accordance with paragraph 11.1 of the Code and, with the Chairman of the Association, deciding whether such sanctions should automatically be applied.

### **3.8 Appointment of Disciplinary Panel Members**

The Disciplinary Officer, in conjunction with the Nominations Committee, shall compile a list of suitable candidates for appointment to the Disciplinary Panel and make these recommendations to the Board.

## **4. Other matters**

- 4.1 The Disciplinary Officer may be assisted in discharging his or her functions by other officers or employees of the Association and may delegate his or her formal functions and responsibilities to other officers or employees of the Association or, where appropriate, to external legal counsel. All

reference to actions of the Disciplinary Officer in the Code shall include any action taken on his or her behalf by any other person authorised to do so by the Disciplinary Officer.

- 4.2 The Disciplinary Officer shall have access to sufficient resources in order to carry out his or her duties.
- 4.3 The Disciplinary Officer may obtain, at the Company's expense, outside legal or other professional advice on a matter within these Terms of Reference.
- 4.4 The Disciplinary Officer is authorised to seek any information it requires from any employee of the Company in order to perform his or her duties.
- 4.5 The Disciplinary Officer, in consultation with the Chairperson of the Disciplinary Panel shall, at least once a year, review:
  - (A) the provisions of the Code and all disciplinary matters dealt with over the course of the previous year; and
  - (B) his or her own performance, scope of duties and Terms of Reference, and recommend any changes considered necessary to the Board for approval.

## SCHEDULE 2

### DISCIPLINARY PANEL TERMS OF REFERENCE

#### 1. Current Membership

- 1.1 The current members of the Disciplinary Panel (the “**Panel Members**”) shall be as set out on the LTA website from time to time.

#### 2. Purpose

- 2.1 The Disciplinary Panel is responsible for hearing and deciding upon each disciplinary matter referred to it by the Disciplinary Officer.
- 2.2 If a Full Disciplinary Procedure (as defined in the Disciplinary Code) is invoked, a disciplinary tribunal (the “**Disciplinary Tribunal**”) is formed from amongst the members of the Disciplinary Panel to hear a charge of misconduct in accordance with the Disciplinary Code.

#### 3. Membership

- 3.1 The chairperson of the Disciplinary Panel (the “**Chairperson**”) shall be independent of the LTA (the “**Association**”). S/he shall be a current or former member of the judiciary, Queen’s Counsel, a junior barrister or solicitor of more than 10 years standing, and be selected by the Association’s Board (the “**Board**”) to be a Panel Member and to chair the Disciplinary Panel.
- 3.2 Following recommendations by the Disciplinary Officer and the Council Nominations Committee, the Board shall appoint a minimum of 6 Panel Members for an initial term of three years and may, at their discretion and with the endorsement of the Board, continue for a second term of three years. Subject to approval by the Board, any individuals who were Panel Members on 31 December 2017 may continue to serve as Panel Members until and including 31 December 2021, notwithstanding that they may have exceeded the maximum terms set out above. In case of any vacancies on the Disciplinary Panel, following recommendations by the Disciplinary Officer and the Council Nominations Committee, the Board shall appoint suitably qualified replacements.
- 3.3 A minimum of two of the Panel Members appointed by the Board shall be current or former members of the judiciary, Queen’s Counsel, junior barristers or solicitors of more than 10 years standing.
- 3.4 From 1 January 2019, all Panel Members shall be independent of the Association.
- 3.5 For the purpose of these Terms, “independent” means any person who at the time of his or her appointment, or at any time up to five years prior thereto, shall not:
- (A) be serving or have served as an LTA Officer, on the Board, on Council or in a senior LTA executive position;
  - (B) be or have been an employee or officer of the Association or a Member;
  - (C) have had a prior professional relationship with the LTA relevant to the functions of the Disciplinary Panel; or
  - (D) take up any such positions after the date of appointment as a Panel Member until his or her retirement, removal or vacation from that office.

3.6 The Chairperson of a Disciplinary Tribunal shall be one of the Panel Members appointed in accordance with paragraph 3.3 above. S/he shall have the casting vote in the case of a tie in a decision of the Tribunal.

#### **4. Quorum**

4.1 When the Disciplinary Panel sits to hear a matter submitted to it by the Disciplinary Officer under the Full Disciplinary Procedure, three persons, one of whom shall be the Chairperson (or his or her nominee), shall constitute the Disciplinary Tribunal.

4.2 When the Panel meets for any other purpose, the quorum shall be three Panel Members of the Disciplinary Panel and there shall be no maximum.

#### **5. Formation of a Disciplinary Tribunal**

5.1 A Disciplinary Tribunal is formed from amongst the Panel Members. The Chairperson, in consultation with the other members of the Disciplinary Panel, will determine the membership of each Disciplinary Tribunal.

5.2 The Chairperson may, in his or her sole discretion, appoint an external independent professional expert to advise, but not to sit on, the Disciplinary Tribunal in an individual case. Such independent external expert shall advise the Disciplinary Tribunal as to the evidence placed before him or her, but shall not count as part of the quorum, or be entitled to exercise any decision-making functions within the Disciplinary Tribunal.

5.3 No Panel Member may sit on the Disciplinary Tribunal for a particular case or matter where he or she has had what is, or may reasonably be thought to be, any prior involvement with the case or matter. Neither should they have any material financial, familial or other relevant interest in the outcome of the proceedings. Any Panel Member who is asked to sit on a Disciplinary Tribunal and who may have grounds for thinking that such involvement or interest may exist shall notify the Chairperson at the first available opportunity. The Chairperson shall decide whether or not the involvement or interest justifies the exclusion of that Panel Member from the Disciplinary Tribunal in respect of that matter.

5.4 Should a Panel Member become unable to hear a disciplinary matter following his or her appointment on a Disciplinary Tribunal for whatever reason, the Chairperson will appoint a suitable replacement.

#### **6. Frequency of Meetings**

6.1 The Disciplinary Panel shall meet at least once a year and at such other times as the Chairperson shall require.

#### **7. Notice of Meetings**

7.1 Meetings of the Disciplinary Panel shall be called by the Chairperson.

#### **8. Minutes of Meetings**

8.1 The Association's company secretariat shall minute the proceedings and resolutions of all Disciplinary Panel meetings.

8.2 Minutes of meetings shall be circulated promptly to all Panel Members unless a conflict of interest exists.

#### **9. Other Matters**

9.1 The Panel shall:

- (A) have access to sufficient resources in order to carry out its duties, including access to the company secretariat for assistance as required;
- (B) be authorised to seek any information it requires from any employee of the Association in order to perform its duties; and
- (C) at least once a year, in relation to the preceding year:
  - (i) review any decisions made by the Disciplinary Officer as to whether or not to bring a charge of Misconduct against a person or a body;
  - (ii) review the matters heard by any Disciplinary Tribunals; and
  - (iii) review its own performance, constitution and Terms of Reference to ensure it is operating effectively and recommend any changes it considers necessary to the Board for approval.
- (D) The Board shall determine the LTA's policy on payment of fees and expenses for Panel members from time to time. The LTA/Board may also decide, on an *ex gratia* basis, to provide Panel members complimentary access to tickets to tennis events.

## APPENDIX 1

### TENNIS ANTI-DOPING PROGRAMME

#### INTRODUCTION

1. These Anti-Doping Regulations form part of the LTA Disciplinary Code and set out the LTA's Anti-Doping Programme.
2. The purpose of these Anti-Doping Regulations is to maintain the integrity of tennis, including the games of lawn and padel tennis, in Great Britain, the Channel Islands and the Isle of Man ("**Game**") and to protect the health and rights of all players of the Game.
3. The effective date of these Anti-Doping Regulations is 1 January 2021 ("**ADR Effective Date**").
4. All participants in (or in connection with) the Game must ensure that they are aware of (and must comply in full with) the most up-to-date versions of these Anti-Doping Regulations from time to time, including all codes, rules, documents and others referred to in or incorporated into them.

#### BACKGROUND

5. Lawn Tennis Association Limited ("**LTA**") is a member of ITF Limited, trading as the International Tennis Federation, the world governing body for the Game ("**ITF**"). The World Anti-Doping Agency ("**WADA**") adopts, publishes and implements the World Anti-Doping Code (as amended from time to time, the "**WAD Code**"). The ITF is a signatory to the WAD Code. The ITF adopts and implements a "Tennis Anti-Doping Programme" (as amended from time to time, the "**ITF Programme**") pursuant to the mandatory provisions of the WAD Code, as part of the ITF's continuing efforts to keep doping out of tennis.
6. As recognised by WADA and for the purposes of the ITF Programme, UK Anti-Doping Limited ("**UKAD**") is the "National Anti-Doping Organisation" for the United Kingdom.
7. UKAD is responsible for ensuring sports bodies in the United Kingdom are compliant with the WAD Code through implementation and management of the "UK National Anti-Doping Policy". UKAD is a non-departmental public body which is accountable to the United Kingdom Parliament.
8. UKAD adopts, publishes and implements "The UK Anti-Doping Rules" (as amended from time to time, the "**UKAD Rules**") which are intended to implement the requirements of the WAD Code on a national basis within the United Kingdom.
9. The UKAD Rules may be adopted and incorporated into the rulebook of any national governing body in the United Kingdom, and may be amended and/or supplemented to reflect the specificities of its sport provided that the rules remain compliant with the WAD Code.
10. As the national governing body for, and with responsibility for the governance and regulation of, the Game in Great Britain, the Channel Islands and the Isle of Man, the LTA has various anti-doping roles and responsibilities under the "UK National Anti-Doping Policy".

#### ADOPTION OF THE UKAD RULES

11. The LTA hereby adopts, as its own Anti-Doping Regulations, the UKAD Rules in their entirety (including any international standards and other documents stated to be adopted and incorporated into them), subject only to the specific amendments and supplemental provisions set out in paragraphs 13 to 28 below.
12. The latest version of the UKAD Rules is available on the UKAD website ([www.ukad.org.uk](http://www.ukad.org.uk)).

## SCOPE AND APPLICATION

13. The following paragraphs 14 to 17 replace Articles 1.2.1 to 1.2.3 of the UKAD Rules in these Anti-Doping Regulations.
14. These Anti-Doping Regulations apply to all participants in (or in connection with) the Game, including:
  - 14.1. all Players (including International-Level Players, National Level Players and Recreational Players) and Player Support Persons who are members of the LTA and/or of the LTA's Members or Associates or licensees of the LTA (including any clubs, teams, associations or leagues) or otherwise under the jurisdiction of the LTA;
  - 14.2. all Players (including International-Level Players, National Level Players and Recreational Players) and Player Support Persons entering or participating in such capacity in Events and other activities organised, convened, authorised or recognised by the LTA or any of its Members or Associates or licensees of the LTA (including any clubs, teams, associations or leagues), wherever held;
  - 14.3. any other Player (including International-Level Players, National Level Players and Recreational Players) or Player Support Person or other person who, by virtue of a contractual arrangement or otherwise, is subject to the authority or jurisdiction of the LTA for purposes of anti-doping; and
  - 14.4. any other person over whom the LTA has authority;

in each case, whether or not such person is a citizen of or resident in Great Britain, the Channel Islands or the Isle of Man.
15. Each participant will be bound by and must strictly comply in full with these Anti-Doping Regulations to the extent applicable to him (and that being without prejudice to any other anti-doping programme or rules applicable to him and with which he must also comply (in addition), including the ITF Programme).
16. Each participant will be deemed to have agreed:
  - 16.1. to submit to the authority of the LTA and UKAD to apply and enforce these Anti-Doping Regulations;
  - 16.2. to provide all requested assistance to the LTA and UKAD (as applicable) in the application and enforcement of these Anti-Doping Regulations, including cooperating fully with any investigation, results management exercise, and/or proceedings being conducted pursuant to these Anti-Doping Regulations in relation to any potential Anti-Doping Rule Violation(s);
  - 16.3. to submit to the exclusive jurisdiction of any NADP first instance tribunal convened under these Anti-Doping Regulations to hear and determine charges and related issues arising under these Anti-Doping Regulations;
  - 16.4. to submit to the exclusive jurisdiction of any NADP appeal tribunal and/or CAS panel convened under these Anti-Doping Regulations to hear and determine appeals made pursuant to these Anti-Doping Regulations; and
  - 16.5. not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the NADP first instance tribunal, the NADP appeal tribunal and CAS.
17. Certain participants who are subject to the authority of the LTA may also be subject to the anti-doping rules of other Anti-Doping Organisations, including the ITF Programme, and the same conduct of such participants may engage not only these Anti-Doping Regulations but also the rules of such other Anti-Doping Organisations. These Anti-Doping Regulations are not intended to limit the responsibilities of any participant under such other rules, including the ITF Programme. The jurisdictional and other issues arising when the same conduct engages these Anti-Doping Regulations and such other rules (including the ITF Programme) shall be resolved in accordance with the WAD Code.

## SPECIFIC AMENDMENTS AND SUPPLEMENTAL PROVISIONS

18. The amendments and supplemental provisions set out in paragraphs 19 to 28 have been made (with the approval of UKAD) to reflect the specificities of the Game. For the purposes of these Anti-Doping Regulations, the UKAD Rules will be amended and supplemented by such provisions and will be interpreted and applied accordingly.
19. Subject to paragraphs 19 to 28 of these Anti-Doping Regulations, any capitalised term used in the UKAD Rules will have the meaning given to it in the UKAD Rules (including the appendix to them).
20. For the purposes of these Anti-Doping Regulations, any reference in the UKAD Rules to:
  - 20.1. an “**Athlete**” will be read and interpreted as a reference to a Player, and the terms National Level Athlete, Recreational Athlete and Athlete Support Person will be construed accordingly.
  - 20.2. the “**Code**” will be read and interpreted as a reference to the WAD Code.
  - 20.3. the “**Effective Date**” will be read and interpreted as a reference to the ADR Effective Date.
  - 20.4. an “**International-Level Athlete**” will be read and interpreted as a reference to an International-Level Player (as defined in paragraph 22.4 of these Anti-Doping Regulations).
  - 20.5. “**NGB**” will be read and interpreted as a reference to the LTA.
21. For the purposes of these Anti-Doping Regulations, the following terms will have the meanings respectively given to them below (which will substitute and replace the existing definitions in the UKAD Rules):
  - 21.1. **Competition:** A single race, match, game or other sport contest. In tennis specifically, any stand-alone competition held as part of an Event, such as a singles competition or a doubles or mixed doubles competition.
  - 21.2. **In-Competition:** means the period(s) so described in Article 5.3.4.
  - 21.3. **International Event:** has the meaning given to that term in the ITF Programme from time to time and, as at the ADR Effective Date, means an Event or Competition where the International Olympic Committee, the International Paralympic Committee, an international federation, a Major Event Organisation or another international sport organisation is the ruling body for the Event or appoints the technical officials for the Event. In respect of the ITF, an Event is an International Event if it is a Covered Event.
22. For the purposes of these Anti-Doping Regulations, the following terms will have the meanings respectively given to them below:
  - 22.1. **Associate:** an entity that is registered as such by the LTA and/or a Member in accordance with the LTA Governing Documents.
  - 22.2. **ATP:** the Association of Tennis Professionals (and/or any successor entities), the governing body of the worldwide men's professional tennis circuits, and which is administered and governed by ATP Tour, Inc., a corporation registered in the United States of America.
  - 22.3. **Covered Event(s):** has the meaning given to that term in the ITF Programme from time to time and, as at the ADR Effective Date, means the Grand Slam tournaments, Davis Cup, Billie Jean King Cup, Hopman Cup, the Olympic Tennis event, the Paralympic Tennis event, other IOC-recognised International Events, WTA tournaments and WTA Finals and WTA Elite Trophy, ATP Tour tournaments and ATP Finals, ATP Cup, Next Gen ATP Finals, ATP Challenger Tour tournaments, ITF Pro Circuit events, ITF World Tennis Tour events, ITF Juniors events, ITF Seniors events, ITF Wheelchair events, and ITF Beach Tennis Tour events.
  - 22.4. **International-Level Player:** any Player who enters or participates in more than one Covered Event (whether in qualifying or in main draw).
  - 22.5. **LTA Governing Documents:** the LTA Articles of Association, Rules, Standing Orders, or any

other regulation, policy or guidance, as approved and adopted by the LTA from time to time.

- 22.6. **Member:** a member of the LTA, including a national, county or island association.
- 22.7. **Player:** a player of the Game, whether registered with the LTA or not, and including any player participating in a “local tennis league”.
- 22.8. **Prize Money:** has the meaning given to that term in the ITF Programme from time to time and, as at the ADR Effective Date, means all of the consideration provided by the organiser of a Competition as a reward for performance in the Competition, whether monetary (i.e. cash) or non-monetary (e.g. a trophy, vehicle or other prize). Where the reward is attributable to performance as part of a team, the rules of the Competition may provide for how much of the reward is to be allocated to a Player for purposes of forfeiture under the Anti-Doping Regulations. Such rules will be without prejudice to the provisions of Article 9 with respect to doubles Prize Money. Any Prize Money forfeited must be repaid without deducting tax paid by or on behalf of the Player, unless the Player shows by means of independent and verifiable evidence that such tax has been paid and is not recoverable by the Player.
- 22.9. **WTA:** the Women’s Tennis Association (and/or any successor entities), the governing body of the worldwide circuit of women’s professional tennis events, and which is administered and governed by WTA Tour, Inc., a corporation registered in the United States of America.
23. **In-Competition Testing:** The following new (additional) Articles will be inserted into these Anti-Doping Regulations as Articles 5.3.4 and 5.3.5 (after the existing Article 5.3.3 of the UKAD Rules):
- 5.3.4 The following periods will be deemed “In-Competition Periods” and Samples collected during such a period will be deemed to have been collected “In-Competition” for the purposes of these Anti-Doping Regulations and the WAD Code:
- (a) from 11:59 p.m. local time on the day before the first match of the main draw (or of the qualifying draw, if the Player is participating in the qualifying draw) of the first Competition in which the Player is participating in an Event;
  - (b) through to the end of the Player’s last match (in any Competition) in the Event and the Sample collection process related to that match that is conducted pursuant to notification of Testing given to the Player no more than 60 minutes after the Player’s last match (120 minutes if the Player’s last match in the Event is the final match in the Competition in question); or
  - (c) (where the Player is participating in the Event as a nominated member of a team) through to the end of the team’s last match in the Event and the Sample collection process related to the team’s last match in the Event that is conducted pursuant to notification of Testing given to the Player no more than 60 minutes after the team’s last match in the Event (120 minutes if the team’s last match in the Event is the final match in the Competition in question); or
  - (d) (where the Player withdraws from the Event after the time noted at Article 5.3.4(a), whether before or after playing in any match at the Event) until the end of any Sample collection process conducted pursuant to notification of Testing given to the Player no more than 60 minutes after the Player has given notice of such withdrawal to the official at the Event specified in the Event rules. If so requested, the Player shall remain at the Event venue for that 60-minute period to allow such notification to take place. If the Player’s withdrawal is from a doubles Competition, their doubles partner must also submit to Testing at the same time if requested to do so and that Testing shall also be In-Competition Testing.
- 5.3.5 If a Player withdraws or is defaulted from or ‘no shows’ at an Event after the time noted at Article 5.3.4(a), and the Player cannot be given notification of Testing within 60 minutes of the Event official being advised of the withdrawal or default or ‘no show’ because the Player is no longer at the Event venue, a Sample may be collected from the Player subsequently, and any Sample collected pursuant to the notification of Testing given to the Player within 12 hours of the time that the Player advised the Event official of their withdrawal or ‘no show’ will be deemed to have been collected In-Competition. The Player may be required to

contribute to the cost of the subsequent Sample collection in an amount up to £5,000. In addition, consideration will be given to whether the Player should be charged with an Article 2.3 Anti-Doping Rule Violation (Evading, or refusing or failing to submit to, Sample Collection).

24. **Disqualification of results of doubles partner:** The following new (additional) Article will be inserted into these Anti-Doping Regulations as Article 9.3 (after the existing Article 9.2 of the UKAD Rules):

9.3 Where results obtained by a Player in a doubles Competition are Disqualified pursuant to Article 9.1 because of that Player's Anti-Doping Rule Violation in connection with or arising out of that doubles Competition, the result of the Player's doubles partner in that Competition will also be Disqualified, with all resulting Consequences, including forfeiture of all medals, titles, ranking points and Prize Money.

9.4 Where results obtained by a Player in a doubles Competition are Disqualified pursuant to Article 10.1 because of that Player's Anti-Doping Rule Violation in relation to another Competition at that Event, the result of the Player's doubles partner in that doubles Competition will also be Disqualified, with all resulting Consequences, including forfeiture of all medals, titles, ranking points and Prize Money, unless the doubles partner establishes at a hearing, on the balance of probabilities:

(a) that they were not implicated in the first Player's Anti-Doping Rule Violation; and

(b) that the result in the doubles Competition was not likely to have been affected by the first Player's Anti-Doping Rule Violation.

9.5 Where results obtained by a Player in doubles Competition(s) in an Event played subsequent to the Competition that produced the positive Sample are Disqualified pursuant to Article 10.10 because of that Player's Anti-Doping Rule Violation, the result of the Player's doubles partner(s) in such subsequent Competition(s) will not be Disqualified unless the LTA or UKAD establishes, to the comfortable satisfaction of the NADP tribunal, that the doubles partner(s) was implicated in the first Player's Anti-Doping Rule Violation.

25. **Forfeited Prize Money:** The existing Article 10.11 of the UKAD Rules will be deemed to be deleted and replaced by the following:

10.11.1 If UKAD or the LTA recovers Prize Money forfeited as a result of an Anti-Doping Rule Violation, it will use it to defray the costs of operating the LTA's Anti-Doping Programme in terms of these Anti-Doping Regulations.

10.11.2 There will be no readjustment of medals, titles, or ranking points for any Player who lost to a Player subsequently found to have committed an Anti-Doping Rule Violation, except where provision is made for such readjustment in the regulations of the relevant Competition.

26. **Commencement of Consequences – forfeiture of ranking points:** The following new (additional) Article will be inserted into these Anti-Doping Regulations as Article 10.11.A (after the existing Article 10.11 and before the existing Article 10.12 of the UKAD Rules):

10.11A For purposes of forfeiture of ranking points, the decision will come into effect at midnight on the Sunday nearest to the date that the decision is issued.

## INTERPRETATION

27. These Anti-Doping Regulations are to be interpreted and applied by reference to the purposes set out at paragraph 1.

28. In these Anti-Doping Regulations, unless the context otherwise requires:

28.1. words denoting any one gender include all other genders;

28.2. words denoting the singular include the plural and vice versa;

28.3. words importing persons (except the word 'individual') will include associations, federations,

corporations and other organisations whether incorporated or unincorporated;

28.4. the word 'days' will mean calendar days unless specified otherwise; and

28.5. any words following the terms 'including', 'include', 'in particular', 'for example' or any similar expression will be construed as illustrative, will not be exhaustive and will not limit the sense of the words, description, definition, phrase or term preceding those terms.

## APPENDIX TWO

### SAFEGUARDING PROCEDURES

#### Introduction

The LTA has a duty of care to ensure the safety and welfare of children, young people and adults at risk. This is recognised in the LTA Safeguarding Policies.

The LTA's duty towards children, young people and adults at risk has moral, ethical, contractual and statutory elements. The LTA adheres to current legislation including but not limited to: the Children Act 1989 and 2004, the Protection of Freedoms Act 2012, the Safeguarding Vulnerable Groups Act 2006, the Mental Capacity Act 2005, the Care Act 2014 and the Equality Act 2010.

In particular, for children and young people, the statutory guidance *Working Together to Safeguard Children* (HM Government, 2015) places clear requirements on sports' organisations to deliver high quality work with children, and to have in place rigorous safeguarding procedures and guidelines.

For adults at risk, the LTA follows the *London Multiagency Adult Safeguarding Policy & Procedures (SCIE, 2015) and the Care Act 2014* and seeks to promote safer community activities within tennis to prevent harm and abuse. Much of the LTA's duty in the protection of children, young people and adults at risk is met through the development of good practice across British tennis.

In order for this work to be successful, it is vital that the LTA can support and enforce the required standards. The Safeguarding Procedures ("Procedures") play a crucial role in this, by establishing a clear route within which complaints, concerns and enquiries are handled.

The Procedures reflect the need of those in registered venues, Counties and other tennis settings for flexible advice and support at the point of enquiry. They also provide a clear course along which more complex or serious matters will progress.

The Procedures also ensure that the most important decisions surrounding safeguarding cases for children, young people and adults at risk are made by an expert committee. The process for making decisions respects the needs of both the children, young people and adults at risk who require protection by the LTA and the needs of those who are subject to a complaint or investigation. This is so that the LTA can respond to cases involving children, young people and adults deemed at risk in a way that is both robust and fair. These Procedures do not provide a practice-manual for those involved in providing tennis opportunities to children and adults. These Procedures view safeguarding as a process of early intervention and prevention, to stop situations escalating; however, there are some situations that require protection when a child, young person or adult at risk has been harmed or likely to be harmed and require intervention to ensure their immediate safety. The LTA Safeguarding Team provides a range of training and general guidance for this purpose and can also offer individual advice on specific issues. Those who need such advice on good practice should in the first instance access the safeguarding pages on the LTA's website and if their query cannot be resolved, contact the Safeguarding Team. The Procedures explain how a specific case is handled after it is reported to the LTA.

The Safeguarding Team strives to implement the Procedures in a fair, open and efficient manner. The Safeguarding Team believes that British tennis should be a diverse and inclusive sport and implements these procedures in a way that supports the LTA's Equality & Diversity Policy. The LTA welcomes enquiries about these Procedures or about any other issues affecting the safety and welfare and protection of children, young people and adults at risk.

LTA Safeguarding Team

Legal Services

The Lawn Tennis Association

National Tennis Centre

100 Priory Lane Roehampton London, SW 15 5JQ United Kingdom

Tel: 020 8487 7000

Email: [safeguarding@LTA.org.uk](mailto:safeguarding@LTA.org.uk)

## Section A: Definitions

In these Procedures the following words shall have the following meanings unless the context otherwise requires:

<b>“Adult”</b>	any person eighteen years of age and over;
<b>“Adult at Risk”</b>	any person eighteen years of age and over who is or may be in need of community care services by reason of mental health, age, illness or disability and who is or may be unable to take care of themselves, or protect themselves against significant harm or exploitation;
<b>“Child”</b>	a child is defined, in accordance with the Children Act 1989 in England and Wales, as a person under the age of eighteen years; in Scotland in accordance with the Children Scotland Act 1995 as up to their 16th Birthday;
<b>“Child Protection”/“CP”</b>	describes any matter or circumstance that triggers the LTA's duty to protect against any act, statement, conduct, omission or other matter by a person under the LTA's jurisdiction which harms a child, or poses or may pose a risk to a child;
<b>“CPSU”</b>	the Child Protection in Sport Unit of NSPCC;
<b>“DO”</b>	the Disciplinary Officer of the LTA as appointed under paragraph 3 of the Code (to which these Procedures are appended);
<b>“Criminal Record Check”</b>	includes Disclosure and Barring Service (DBS) checks, Protecting Vulnerable Groups (PVG) Scheme and overseas criminal record checks;
<b>“HoS”</b>	the person appointed to carry out the duties of the LTA Head of Safeguarding from time to time (or their nominee within the LTA Safeguarding Team);
<b>“Level One case”</b>	a Safeguarding case which the HoS does not deem necessary to refer to Level Two of these procedures;
<b>“Level Two case”</b>	a Safeguarding case which the HoS deems necessary to refer to the Safeguarding and Protection Committee (SPC) or another LTA Committee or Panel;
<b>“LTA”</b>	the Lawn Tennis Association Limited (the national governing body of tennis in Great Britain, the Isle of Man and the Channel Islands);
<b>“Procedures”</b>	means the Safeguarding Procedures;
<b>“Safeguarding case(s)”</b>	a matter which is deemed by the HoS to raise concerns about a child, young person or adult at risk, which decision is not overruled by the SPC;
<b>“Safeguarding Team”</b>	means the Safeguarding department of the LTA;
<b>“Social Care”</b>	the name used to define statutory local authority social services for both children and adults;
<b>“SPC”</b>	the Safeguarding and Protection Committee is appointed by the Board of the LTA in accordance with the terms of reference set out in Schedule 1 to Appendix Two; and
<b>“Tennis Activities”</b>	any activity in tennis.

In these Procedures:

- (a) clause headings are included for convenience only and shall not affect the construction of the procedures;
- (b) references to clauses and the Schedules are references to the clauses and the Schedules to these Procedures;
- (c) words denoting the singular shall include the plural and vice versa and references to the male include the female and vice versa;
- (d) references to any legislation or to any provision of any legislation shall include any modification, replacement or re-enactment of that legislation for the time being in force; and
- (f) any reference to days in these Procedures shall include all calendar days, including bank holidays.

### **Section B: General Principles**

1. The LTA has a duty to deal with all complaints and concerns about persons within its jurisdiction which raise protection issues about children, young people or adults at risk.
2. All Safeguarding cases shall be dealt with in accordance with these Procedures.
3. The HoS may at any time contact the Chairperson of the SPC for guidance and advice on a Safeguarding case.
4. An individual who is subject to an investigation may make a written submission to the SPC appointed to deal with his case stating his objection to the classification of the case as a Safeguarding case. The SPC shall consider the objection raised and shall make the final decision as to whether or not the case is a Safeguarding case.
5. The HoS may contact the police or Social Care at any point for advice on an anonymous basis or during an investigation if he believes that a child or adult may be at risk of harm or a crime has occurred or to prevent a crime.
6. If the police or Social Care commences an investigation into a Safeguarding case which has been notified to the LTA, the LTA will immediately suspend its own investigation until it has been formally notified that the police or Social Care investigation has been completed. For the avoidance of doubt, a determination by the police or Social Care in relation to a Safeguarding case does not prevent the LTA further investigating a case under these Procedures. However, the fact that a person has been convicted of a criminal offence or issued with a formal police caution shall be treated as conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.
7. In certain circumstances, the LTA may seek temporarily to suspend the coach accreditation, coaching assistant accreditation, official's licence or official's accreditation of the individual concerned or temporarily suspend him from Tennis Activities whilst the individual concerned is under investigation. The LTA shall in all such cases follow the procedure set out in Schedule 2 to these Procedures, under which it shall be required to satisfy the SPC that such a suspension is necessary.
8. In certain circumstances, the LTA may seek temporarily to suspend a venue's registration if it is considered that the venue is in serious breach of its duty of care or safeguarding practices. The LTA shall in all such cases follow the procedure set out in Schedule 2 to these Procedures, under which it shall be required to satisfy the SPC that such a suspension is necessary.

9. The LTA will ensure that appropriate support and expertise are in place to support any Child, Adult at Risk or adult involved in a safeguarding case who has impaired mental capacity.
10. All LTA staff members using these Procedures will strive to maintain the confidentiality of the children and adults involved in investigations. However, all staff members have an overriding obligation to protect children and adults at risk of harm and may therefore share information as appropriate with third parties with the prior agreement of the HoS. This could include the police, Social Care and those working in tennis and other sports for the protection of children and adults at risk.
11. Information gathered during the course of an investigation will be retained by the LTA as part of its duty to protect children and adults at risk and will be kept for a minimum of 25 years. If the investigation results in a decision this will be recorded on the LTA database, and shall be communicated where appropriate to relevant registered venues, players, tennis associations, local authorities and other organisations in accordance with paragraph 4.21 of these Procedures.
12. All proceedings will be confidential. They will take place in private and the public and the press shall have no right of access.
13. The Board of the LTA may amend these Procedures as it sees fit from time to time. Any such amendments shall come into full force and effect upon the date specified by the Board of the LTA.
14. Any deviation from these Procedures shall not invalidate any decision unless it was such as to cast material doubt on the reliability of that decision.
15. These Procedures shall be governed and construed in accordance with English Law.

## **Section C: Step by Step Procedure**

### **1. Summary**

- 1.1 There are two levels through which a Safeguarding case may progress. These Procedures allow the LTA (either through the Safeguarding Team (via the HoS), or the SPC) to take the view that a case has been satisfactorily resolved at Level One or Level Two. All Safeguarding cases which could lead to sanctions being imposed on the individual concerned shall progress to Level Two. The HoS may escalate a case to Level Two should s/he deem the information so serious that s/he reasonably considers only a sanction can be imposed on the individual.

### **2. Case Levels**

#### ***General queries and Level One cases***

- 2.1 All Level One cases and all general safeguarding queries referred to the LTA shall be dealt with by the Safeguarding Team in the first instance.
- 2.2 The Safeguarding Team may answer general safeguarding queries from individuals within tennis and from members of the public.
- 2.3 The Safeguarding Team may carry out initial reviews of criminal record checks which contain details of criminal offences committed. The Safeguarding Team may contact the subject of the disclosure to determine the circumstances surrounding the offence prior to submitting the information to the HoS in order that the suitability of the individual concerned for the intended role or training can be considered.
- 2.4 The Safeguarding Team shall refer all cases and queries which might be considered serious, controversial or complex to the HoS who shall decide whether or not the case is a Safeguarding case and whether it can be resolved at Level One; or whether it should progress to Level Two.

- 2.5 The HoS may decide that a Level One case can be satisfactorily dealt with through advice or ongoing monitoring of the individual concerned without the need for further investigation. The HoS is not able to impose a sanction upon an individual or organisation under these Procedures, but can recommend a particular course of remedial action should be followed if this is agreed between the parties.
- 2.6 The Safeguarding Team shall keep a written record of all matters relating to children, young people and adults at risk which are not deemed to require Level Two decision-making. This record will not include matters deemed by the HoS to be matters of general policy and practice.
- 2.7 The Safeguarding Team shall complete criminal record checks and other relevant statutory checks on all persons eligible, which will include those working in a regulated activity/work relating to children, young people or adults at risk.
- 2.8 A summary of the record for all matters relating to children, young people and adults at risk which the LTA Safeguarding Team has dealt with shall be kept in accordance with 2.6 above and shall be made available to the SPC at the request of the Chairperson of the SPC.
- 2.9 In relation to any case that the HoS has decided is a Level One case, the SPC may ask the HoS for further information, may require the HoS to carry out a further investigation, and/or may determine that the case is not a Level One case and require the HoS to carry out the procedure outlined in 2.7 above.

***Level Two cases***

- 2.10 Upon receipt of notification of a concern relating to a child, young person or adult at risk which the HoS deems to be a Level Two case or upon a determination by the HoS that a Level One case has now become a Level Two case, s/he shall do the following:
  - 2.10.1 decide whether or not the police or Social Care should be involved and, if necessary, contact them;
  - 2.10.2 support an adult at risk who has reported a criminal offence, that is not tennis related, to contact the police or Social Care;
  - 2.10.3 consider requesting an interim suspension of the coach accreditation, coaching assistant accreditation, official's licence or official's accreditation of the individual concerned or an interim suspension from Tennis Activities in accordance with Schedule 2 to these Procedures and, if appropriate, apply for one;
  - 2.10.4 consider requesting an interim suspension of a venue's registration in accordance with Schedule 2 to these Procedures and, if appropriate, apply for one;
  - 2.10.5 carry out any necessary preliminary investigation into the matter (in accordance with the procedure set out below in 3.1 to 3.4 inclusive);
  - 2.10.6 inform the individual or venue concerned that a Safeguarding issue has been raised (provided that this will not place the individual at risk of harm or hinder any police investigation). If necessary, telephone contact should first be made with the individual concerned to ascertain the appropriate address to which sensitive material should be sent;
  - 2.10.7 convene a meeting of the SPC which shall meet within 28 days of the notification or determination under 2.10 above or as soon as reasonably practicable thereafter; and
  - 2.10.8 consider whether or not it is necessary to seek advice in relation to the case from external advisers, such as the CPSU or other professionals who are deemed experts in the protection of children and adults and, if so, contact them to obtain such advice.

- 2.11 The HoS may, if s/he deems it necessary, instruct an external investigator to commence an investigation into a Safeguarding case; any such investigator appointed shall follow the investigatory process set out below in 3.1 to 3.4 inclusive.
- 2.10 The HoS shall present a report of his preliminary investigations (together with any advice received) and any correspondence with the individual concerned to the SPC together with a recommendation for the next stage of action.
- 2.12 Upon consideration of the facts already ascertained and the recommendation of the HoS, the SPC may:
  - 2.12.1 instruct the HoS to apply for an interim suspension of the coach accreditation, coaching assistant's accreditation, official's licence or official's accreditation of the individual concerned or an interim suspension from Tennis Activities in accordance with Schedule 2 to these Procedures;
  - 2.12.2 instruct the HoS to carry out an investigation into the case in accordance with the procedure set out at paragraphs 3.1 to 3.4 below;
  - 2.12.3 require the HoS to appoint an external investigator to carry out an investigation into the case in accordance with the procedure set out at paragraphs 3.1 to 3.4 below;
  - 2.12.4 where a case is considered by the SPC not to be a Safeguarding case, refer the case to the relevant LTA Committee or Panel;
  - 2.12.5 instruct the HoS to propose a course of action to the individual concerned and seek his agreement to this;
  - 2.12.6 require the HoS to seek advice in relation to the case from external advisers, such as the CPSU; or
  - 2.12.7 declare that no further action is necessary.
- 2.13 The HoS shall keep minutes of the SPC's decisions made under 2.12 above.

### **3. *Investigatory Procedure***

- 3.1 Investigations may be carried out internally or externally as authorised by the HoS.
- 3.2 All internal or external investigations shall be conducted in accordance with the following guidelines:
  - 3.2.1 Any such investigation shall be conducted in a fair and impartial manner.
  - 3.2.2 The LTA shall contact the individual or body (with other references in this Appendix to "individual" also including "body" where appropriate) concerned in writing to inform him or her of the investigation and set out the procedure to be followed. This shall normally be within seven days of the SPC request but the HoS may obtain the agreement of the SPC to delay this notification if it is in the best interests of the investigation. The LTA shall also update the individual concerned on the progress of the investigation every two weeks, or arrange for such updates to be provided by the investigator.
  - 3.2.3 The investigator shall be suitably trained in using the Achieving Best Evidence (ABE) interview technique when interviewing children, young people and adults at risk.
  - 3.2.4 The investigator if relevant should seek to gain an external assessment regarding the mental capacity of the complainant (if any), the individual concerned and any other witnesses.

3.2.5 The investigator should normally interview the complainant (if any), the individual concerned and any other witnesses. If it is not possible to conduct interviews in person or by telephone, written submissions should be sought from relevant persons. The individual concerned must be notified of the complaints against him or her in order to respond unless to do so would put an individual at risk of harm.

3.2.6 Upon conclusion of an investigation that was authorised by the SPC, or which was not authorised by the SPC but is deemed by the HoS to relate to a Level Two case, the investigator shall produce a written report setting out the procedure followed and his or her findings. This report shall be given to the SPC and the SPC shall follow the procedure set out in 2.11 above.

3.3 Internal investigations shall be undertaken by the HoS in conjunction with members of the Safeguarding Team. The Chairperson of the SPC may request reports from the HoS on the progress of the investigation, and can require the HoS to present a report for the review of the SPC at any time.

3.4 External investigations shall be conducted by an independent external investigator appointed by the HoS as soon as reasonably practicable after the SPC's decision. The external investigator shall carry out the investigation promptly and shall be required to report to the HoS every 14 days on the progress of the investigation.

#### **4. SPC Proceedings**

4.1 Upon completion of any investigation, the HoS will convene a meeting of the SPC to consider the case. The composition, proceedings and powers of the SPC are set out in Schedule 1 to these Procedures.

4.2 The HoS shall provide to the individual concerned:

- (a) the full contents of the internal or external report (including any advice received from external advisers) prepared for the LTA (subject to 4.4 below);
- (b) any additional documents or correspondence which the HoS considers relevant to the presentation of the case to the SPC; and
- (c) the LTA's written submissions for the SPC.

4.3 The HoS shall ask the individual concerned to provide written submissions on the contents of the report within such time limit as the HoS shall decide.

4.4 The HoS may choose not to disclose information gathered during the course of the investigation to the individual concerned if to do so would breach the privacy of another individual or place another person at risk. If the HoS wishes to disclose the withheld information to the SPC, he must apply to the SPC Chairperson for permission to do so, setting out in writing the reasons why this is necessary. The Chairperson shall take the final decision as to whether or not the information can be withheld from the individual concerned and/or considered by the SPC and the individual will be notified.

4.5 Upon receipt of written submissions from the individual concerned, the HoS shall provide within 14 days any further written submissions on behalf of the LTA to the individual concerned. The individual concerned shall have the opportunity to amend his or her own written submissions if desired within such time limit as the HoS shall decide.

4.6 Upon receipt of an amended written submission from the individual concerned or upon expiry of the time limit set out in 4.3 or 4.5 above, the HoS shall provide the following to the SPC and to the individual concerned:

- 4.6.1 the information as set out at 4.2, above;
- 4.6.2 the written submissions on behalf of the LTA; and
- 4.6.3 the written submissions received from the individual concerned.
- 4.7 The SPC Chairperson shall have power (in his or her sole discretion) to set directions generally as to the conduct of the proceedings. In addition, the Chairperson may, upon receipt of the above, request further information from the LTA or the individual concerned, ask the HoS to conduct further internal, or arrange further external, investigation.
- 4.8 Once the materials identified above have been received, the SPC Committee will schedule a date for the hearing. The Chairperson of the SPC Committee shall select two other members to form a SPC Tribunal to consider the report, in accordance with Schedule 1 to this Appendix.
- 4.9 The SPC will usually consider the case based on the documents submitted. There is no right to attend but the individual and/or the HoS may request permission from the SPC Chairperson that they attend. In addition, the SPC Chairperson may invite the individual and the HoS to attend the SPC meeting. Where the SPC Chairperson has agreed to a request from one of the parties to attend or has invited the individual and HoS to attend, each shall be entitled to attend regardless of whether the other attends.
- 4.10 Where the SPC Chairperson has accepted a request from the individual and/or the HoS to attend or has invited the parties to attend, at least 21 days' notice will be given of the date, place and time of any hearing (unless the SPC Chairperson deems it appropriate to have the hearing sooner). At least 14 days before the date of the hearing, the HoS shall serve on the person or body the evidence s/he is intending to bring to support the findings of the report. The HoS will also request details of any witnesses and/or evidence that the person or body subject to the report wishes to bring before the SPC Tribunal. If such evidence is not furnished to the HoS within the time frame specified by the HoS s/he may request that the hearing be adjourned upon such terms (including costs) as the SPC shall determine.
- 4.11 All proceedings of the SPC Committee shall take place in private and the public and the press shall have no right of access to the room where the hearing is taking place. The SPC Tribunal shall not issue any press statement or conduct any press conferences. All media announcements in relation to any decision of the SPC Tribunal shall be approved by the HoS and published only in accordance with paragraph 10 of the Code.
- 4.12 Every person or body responding to enquiries made by the HoS or giving evidence before the SPC Tribunal is under a duty to give full and truthful evidence. If the SPC Tribunal believes that a person or body has not given full and truthful evidence, this conduct may be the subject of a charge of Misconduct.
- 4.13 Any person or body appearing before the SPC Tribunal shall, at their own expense, have the right to be represented by legal counsel of his, her or its choice or may be accompanied by a person who may speak on his, her or its behalf.
- 4.14 At a hearing, the HoS and/or a legally qualified individual shall present the evidence to the SPC Tribunal. The standard of proof shall be that of the balance of probabilities. In all cases, the Association shall bear the burden of proving that the findings of the report have been made out. The person or body subject of the report shall have the right to cross-examine any and all witnesses called by the Association to prove the findings. The fact that a person or body charged has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.
- 4.15 Once the HoS and/or the legally qualified individual has completed his or her presentation on behalf of the Association, the person or body subject of the report shall then have the right to present his or her case to the SPC Tribunal. The person or body subject of the report shall be entitled (subject to

considerations of relevance) to call all and any witnesses that s/he wishes to call. The HoS and/or the legally qualified individual shall have the right to cross-examine such witnesses.

- 4.16 Once the person or body subject of the report has completed his, her or its presentation, the HoS and/or a legally qualified individual shall make his or her concluding remarks in support of the charge. The person or body subject of the report shall then have the right to make concluding remarks or to have such remarks made on his, her or its behalf. Upon the conclusion of the closing submissions, the SPC Tribunal will retire to consider its verdict.
- 4.17 If, upon consideration of the documents provided and hearing any individuals invited to speak at their meeting (if any), the Chairperson deems it will not be possible to take a decision without a professional risk assessment s/he may request that the individual concerned obtains one at his or her own expense. Such assessment shall then form part of the evidence considered by the SPC.
- 4.18 If any person deemed to be vulnerable attends the Committee Chairperson shall issue directions taking into account the person's vulnerabilities.
- 4.19 If, upon consideration of the documents provided and hearing any individuals invited to speak at their meeting (if any), the SPC conclude that the individual concerned does or would or may pose a risk to children, young people or adults at risk if s/he were permitted to come into contact with either, children, young people or adults at risk in the tennis environment, the SPC shall decide upon one or more of the following options:
- 4.19.1 refer the matter to police, Social Care and/or the Disclosure and Barring Service;
  - 4.19.2 impose a written warning outlining the areas of concern which must be addressed by the individual concerned either before any coach accreditation, coaching assistant's accreditation, official's licence or official's accreditation is granted or within a specified period;
  - 4.19.3 impose conditions upon any coach accreditation, coaching assistant's accreditation, official's licence or official's accreditation held by the individual concerned;
  - 4.19.4 require that the individual concerned be supervised and/or work with a mentor for a specified period of time or permanently;
  - 4.19.5 suspend, revoke or place any restrictions on any coach accreditation, coaching assistant's accreditation, official's licence or official's accreditation or other form of endorsement, accreditation or membership of the individual concerned for a specified period of time or permanently;
  - 4.19.6 where it has found the individual to pose a low risk to children and young people, refer the matter to the Licensing and Registration Committee to consider whether it wishes to refuse to grant or impose conditions upon any coach accreditation, coaching assistant's accreditation, officials licence or officials accreditation held by the individual concerned on the basis that the individual by virtue of holding LTA Coach or Official Accreditation may bring the LTA and/or LTA Coach Accreditation or the LTA Official Licensing Scheme into disrepute;
  - 4.19.7 disqualify from competition or from taking part in any other capacity in any events sanctioned by the LTA for a specified period of time or permanently;
  - 4.19.8 extend the period of any temporary suspension until such time as the individual concerned has complied with any other decision made under this section;
  - 4.19.9 require the individual concerned to complete a probationary period;

- 4.19.10 disqualify the individual concerned from Tennis Activities for a period of time or permanently;
- 4.19.11 suspend, revoke or place any restrictions on a venue's registration for a specified period of time or permanently; and/or
- 4.19.12 reach any other decision which the SPC deem is appropriate having regard to the circumstances of the case.
- 4.20 Where the SPC has made a decision that meets the appropriate criteria it may direct that the HoS apply to the Disclosure and Barring Service or appropriate statutory agency for the individual's inclusion on any statutory 'barred list' in force for the protection of children and adults at risk.
- 4.21 If the SPC concludes that the individual concerned does not or would not pose a risk to children or adults at risk if s/he were permitted to come into contact with either group in the tennis environment where Tennis Activities take place, they shall decide that no further action shall be taken.
- 4.22 The SPC shall notify its decision (with written reasons) to the LTA and to the individual concerned within 7 days of their meeting (except in exceptional circumstances). The notification shall advise the LTA and the individual concerned that they have 28 days from the date of the notification in which to appeal the decision. The appeal shall be conducted in accordance with the procedure set out in Schedule 3 to these Procedures.
- 4.23 The SPC shall also consider which other individuals or organisations should be made aware of the decision (once the period for an appeal has passed) in order to achieve the aim of the decision and in the interests of protecting children and adults at risk and shall direct the HoS appropriately. As a guide, the decision shall normally be communicated to the county association (through its Safeguarding Officer), the Club Welfare Officer, as well as the regional participation team, the registered tennis venue with which the individual concerned is associated, and to any members of LTA staff who work with affected organisations or individuals, and the complainant (if any). If, at a later stage, the HoS wishes to communicate the decision to another organisation or individual, he or she must revert to the SPC Chairperson for guidance.
- 4.24 Subsequent to a decision of the SPC, the LTA may refer the same case to the SPC if new information becomes available regarding the case or the individual concerned which, in the opinion of the HoS, could make a significant and substantive addition or alteration to the SPC's understanding of the risk posed by the individual concerned. The SPC may choose to preclude any such new referral or to indicate a date before which it will not consider any such new referral.

## SCHEDULE 1 TO APPENDIX TWO

### Terms of Reference for Safeguarding and Protection Committee (“SPC”)

#### 1. Membership, meetings and quorum

- 1.1 The SPC shall comprise a suitably qualified individual as Chairperson of the Committee (“the SPC Chairperson”) and a minimum of five and a maximum of eighteen further persons to serve as members of a Committee established to consider Safeguarding Cases Following recommendations by the Nominations Committee, the Board shall appoint the members for an initial term of three years and may, at their discretion and with the endorsement of the Board, continue for a second term of three years.
- 1.2 The SPC Chairperson may select a minimum of two Committee members to consider a particular Safeguarding case along with the Chairperson, having taken into account the particular facts of that case and the expertise of the individual members.
- 1.3 The SPC Chairperson shall have the power to invite a lawyer independent of the LTA to act as adviser to the Committee.
- 1.4 The Board shall determine the LTA’s policy on payment of fees and expenses for Committee members from time to time. The LTA/Board may also decide, on an *ex gratia* basis, to provide Committee members complimentary access to tickets to tennis events.
- 1.5 The SPC shall meet at least once a year and at such other times as the SPC Chairperson shall require, in person or by telephone or video conference.
- 1.6 The quorum for every meeting is three SPC members and decisions shall be taken by a majority. If a member of the SPC has a conflict of interest in a particular Safeguarding case, they shall declare it and will take no part in the discussion or decision-making process of that Safeguarding case.
- 1.7 The SPC Chairperson shall have the power to appoint another member of the Committee to act as Vice Chairperson for the purpose of considering a particular case or of conducting a particular meeting (“the Vice SPC Chairperson”).
- 1.8 Except as set out in paragraph 1.10 below, all SPC Members shall be independent of the Association.
- 1.9 For the purpose of these Terms, “independent” means any person who at the time of his or her appointment, or at any time up to five years prior thereto, shall not:
  - (A) be serving or have served as an LTA Officer, on the Board, on Council or in a senior LTA executive position;
  - (B) be or have been an employee or officer of the Association or a Member;
  - (C) have held a prior professional relationship with the LTA relevant to the functions of the SPC;  
or
  - (D) take up any such positions after the date of appointment as a Panel Member until his or her retirement, removal or vacation from that office.
- 1.10 Any individuals who were members of the SPC on 31 December 2017 but are not independent may continue to serve as members of SPC until and including 31 December 2019.

## **2. Purpose**

- 2.1 The Committee shall make decisions in accordance with the Safeguarding Procedures (Appendix Two to the Disciplinary Code).

## **3. Duties**

The Committee will:

- 3.1. have the ability at its sole discretion, having reviewed the documents, to request individuals involved in the case to attend the Committee meeting to clarify particular issues. If new evidence is adduced which has not been commented upon by other relevant individuals involved in the case, the Committee shall put that evidence to those other individuals;
- 3.2. if a child or adult at risk is asked to attend a Committee meeting, ensure that the child or adult at risk is treated in an appropriate manner in relation to their age, mental capacity or disability and the nature of the evidence in question. If necessary, the Committee Chairperson shall take advice in relation to the involvement of any child or adult at risk attending a meeting; and
- 3.3 report on its decisions to the Board. For the avoidance of doubt the Board shall not be able to override a decision of the Committee. The Board may choose to use the formal procedure as set out in Schedule 3 to the Safeguarding Procedures to appeal a decision of the Committee.

## **SCHEDULE 2 TO APPENDIX TWO**

### **Interim Suspension Procedures**

1. The HoS may apply for an interim suspension of an individual's accreditation or a venue's registration in accordance with the procedures set out above and the SPC may require the HoS to apply for an interim suspension of the coach accreditation, coaching assistant's accreditation, official's licence or official's accreditation of the individual concerned or an interim suspension from Tennis Activities and/or an interim suspension of a venue's registration.
2. Upon his decision to apply for an interim suspension, the HoS shall immediately write to the individual or in the case of a venue's registration, the secretary or manager of the venue, concerned stating that he intends to make such an application. The HoS shall explain the reasons for the application and ask for his comments on the application within a stated period of time.
3. The HoS shall consider the response received. If no response is received within the stated time limit or the response received does not satisfy the reasons for the HoS's application, the HoS will apply to the SPC for an interim suspension.
4. The HoS will inform the SPC in writing of the reasons why he considers an interim suspension should be imposed together with copies of any correspondence with the individual concerned.
5. The SPC shall consider the documents provided by the HoS and decide whether or not to grant an interim suspension. Its decision shall be taken in accordance with the Terms of Reference set out in Schedule 1 to Appendix Two.
6. The decision of the SPC shall be final.
7. If the circumstances surrounding a case change, the SPC may consider, either of its own motion or by an application brought by a person subject to an interim suspension, whether or not such suspension should continue. In its absolute discretion the SPC may lift such suspension or may impose such conditions as it thinks fit in default of which the person or body will remain subject to suspension.
8. If, in exceptional circumstances, the HoS considers that suspension is required forthwith, the HoS shall do so having first discussed this with the Chairperson of the SPC or in the absence of the Chairperson, an SPC member. The HoS shall inform the individual concerned of the interim suspension or in the case of suspension of a venue's registration, the secretary or manager of the venue, in writing inviting his comments, within the time stated in that letter. The HoS shall give the person concerned no longer than 7 days to respond. Upon receipt of the individual's response the HoS shall decide whether to lift the interim suspension or apply to the SPC to confirm the interim suspension. If the HoS applies to the SPC to confirm the suspension, this application should be heard within 14 days of the individual's response. The matter will be dealt with in accordance with 4 to 7 above.

## **SCHEDULE 3 TO APPENDIX TWO**

### **Appeal Procedures**

#### **1. Scope**

- 1.1 These Appeal Procedures govern the conduct of all appeals by an individual or the Main Board of the LTA (in both cases "the Appellant") against a decision by the SPC ("a Decision").
- 1.2 For the avoidance of doubt the Board of the LTA shall not be able to override a decision of the SPC but it may choose to use the formal appeal procedure set out below to appeal a Decision.

#### **2. Procedure**

- 2.1 An Appellant should be aware of the importance of the time limits contained within these Appeal Procedures which will be strictly enforced.
- 2.2 No later than 14 days from the date of a Decision (except in exceptional circumstances), the SPC shall notify the LTA and the individual concerned of the Decision (referred to in these Appeal Procedures as "the Notification"). The Notification shall contain the following information:
  - (a) the reasons for and the effect of the Decision;
  - (b) the date the Decision was made;
  - (c) the date the Decision takes effect; and
  - (d) these Appeal Procedures.
- 2.3 Any individual who wishes to appeal a Decision must serve a Notice of Appeal and a non-refundable Appeal Fee of £100 to the LTA within 28 days of receipt of the Notification. If either the Notice of Appeal or the Appeal Fee is not served within that 28 day period, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.4 If the Board of the LTA wish to appeal a Decision, it must serve a Notice of Appeal on the SPC Chairperson within 28 days of receipt of the Notification. If the Notice of Appeal is not served within 28 days, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.5 The Notice of Appeal shall set out the Notification appealed against and the grounds upon which it is submitted the SPC misdirected itself or otherwise reached an erroneous decision.
- 2.6 Following receipt of the Notice of Appeal and Appeal Fee, the SPC Chairperson shall forthwith instruct Sport Resolutions (UK) to appoint an Appeal Committee in accordance with paragraphs 2.7 to 2.9 below. The SPC Chairperson shall notify the parties of the composition of the Appeal Committee no later than ten days from receipt of the Notice of Appeal (unless Sport Resolutions (UK) have not provided the composition of the Appeal Committee in that time).
- 2.7 The Appeal Committee shall comprise three members appointed by Sport Resolutions (UK) with one being designated as Chairperson. The Appeal Committee shall have the powers set out in paragraph 3 below.
- 2.8 The Appeal Committee shall not include individuals with any connection to the individual concerned or the matters being considered.
- 2.9 Should a member of the Appeal Committee become unable to hear the Appeal following the appointment of the Appeal Committee for whatever reason, Sport Resolutions (UK) shall appoint a replacement member.

- 2.10 A party to the appeal may object to the composition of the Appeal Committee by notifying the SPC Chairperson of the objection and setting out the reasons for such an objection (the notification shall be referred to as "an Objection") no later than 7 days from the date of receipt of notice of the composition of the Appeal Committee in paragraph 2.6 above. Any other party may respond to the Objection, no later than 7 days from the date it is received.
- 2.11 The SPC Chairperson shall, within 7 days from the date of receipt of an Objection, or within 14 days from the date the other party responds, notify the parties that either:
- (a) the composition of the Appeal Committee has changed (in which case the SPC Chairperson shall provide details of the new Appeal Committee); or
  - (b) the composition of the Appeal Committee has not changed (in which case then the SPC Chairperson shall give reasons why s/he has not accepted the Objection).
- 2.12 Within 14 days from the date on which the time limit for a party to object to the composition of the Appeal Committee under paragraph 2.10 has expired or at the time of the notification under paragraph 2.11 (as appropriate), the Chairperson of the Appeal Committee shall give such directions (to both the individual and the LTA) as are appropriate for consideration of the matter, in particular
- (a) the date and place at which the Appeal Committee will meet to determine the Appeal, provided that the Appeal shall not be heard later than 56 days from the date of the receipt of the Notice of Appeal (unless otherwise agreed between the parties or Sport Resolutions (UK) are unable to hold the hearing with that time period);
  - (b) whether or not the Appeal will proceed by way of written submissions or an oral hearing; and
  - (c) whether or not the parties should be required to submit statements of their evidence and/or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.
- 2.13 An Appeal before the Appeal Committee shall be a full re-hearing on the merits.
- 2.14 The Appeal Committee shall meet on the date fixed by the Chairperson and shall, no later than two weeks after hearing the Appeal, inform the individual concerned and the LTA of its decision together with written reasons for its decision. The decision of the Appeal Committee shall be final and binding.

### **3. Powers of the Appeal Committee**

- 3.1 The Appeal Committee may at its sole discretion disregard any failure by a party to adhere to these Appeal Procedures and may give such further directions as may be appropriate.
- 3.2 Prior to and at the Appeal, the Chairperson may give such directions whether or not made at the request of the parties, for the proper conduct of the Appeal as s/he deems may be reasonably necessary for the fair conduct of the appeal, including changes to these Appeal Procedures.
- 3.3 The Appeal Committee has the power to uphold or dismiss the appeal, to quash the Decision and/or to take any decision which the SPC has the power to make under the Safeguarding Procedures and to make such other recommendations to the LTA as it thinks fit. In dismissing an appeal, the Appeal Committee has the power to award legal costs or a contribution towards the legal costs and/or the administration fees of the Appeal hearing where the appeal has been conducted in a vexatious or frivolous manner. In upholding an appeal, the Appeal Committee has the power to award legal costs or a contribution towards legal costs.

#### **4. Correspondence**

- 4.1 Any notification, correspondence or any other document submitted under these Appeal Procedures shall be sent in writing by first class post or recorded delivery (or airmail if outside the UK) and such documents shall be deemed to have been received by the intended recipient 48 hours (or if by airmail four working days) after posting.

## APPENDIX THREE

### REGULATIONS CONCERNING MATCH FIXING, FINANCIAL SPECULATION and BETTING

#### 1. Jurisdiction

- 1.1 The provisions of this Appendix apply to all persons over whom the LTA exercises disciplinary jurisdiction under the Code, and specifically they apply to the following:
- (i) players;
  - (ii) officials including referees and umpires (including, but not limited to, LTA licensed officials);
  - (iii) any LTA accredited coach;
  - (iv) any coach, trainer, manager, agent, tournament staff, official or other personnel working with or treating a player;
  - (v) any other person under the LTA's jurisdiction who is able directly or indirectly to influence:
    - (a) the outcome of any game, match or tournament; or
    - (b) any event in any game, match or tournament.
- 1.2 Any breach of these Regulations shall be dealt with in accordance with the Code (subject to the provisions of Regulation 3 below).
- 1.3 The conduct prohibited under the provisions of these Regulations may also be a criminal offence and/or a breach of other applicable laws and regulations. Reference is made in particular to section 42 of the Gambling Act 2005, which makes it a criminal offence if a person "(a) cheats at gambling, or (b) does anything for the purpose of enabling or assisting another person to cheat at gambling". These Regulations are intended to supplement such laws and regulations with further rules of professional conduct for those involved in the game of tennis. They are not intended, and may not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations. Those people set out at Regulation 1.1 above must comply with all applicable laws and regulations at all times.

#### 2. Prohibitions

- 2.1 A player shall not:
- (i) place, accept, lay or otherwise enter into any wager or bet or any other form of financial speculation (a "**Bet**") with any individual, company, organisation or other body in relation to the result, progress, conduct or any other aspect of any game, match or tournament in which the player is participating or in which the player has any influence, either direct or indirect;
  - (ii) solicit, induce, entice, instruct, persuade, facilitate, permit or encourage any other person to enter into a Bet in connection with any aspect of his own or any other player's performance in any game, match or tournament in which he is playing or in which he has any influence, either direct or indirect;
  - (iii) deliberately under-perform for reward in any game, match or tournament.
- 2.2 A person listed in Regulation 1.1(ii) to (v) shall not:

- (i) enter into a Bet in respect of any aspect of any player's performance in any game, match or tournament, if that person listed in Regulation 1.1(ii) to (v) is connected to the player or is connected to or has any influence over the tournament concerned, either direct or indirect; or
- (ii) solicit, induce, entice, instruct, persuade, facilitate, permit or encourage any other person to enter into a Bet in connection with any aspect of any player's performance in any game, match or tournament, if that person, listed in Regulation 1.1(ii) to (v), is connected to the player or is connected to or has any influence over the tournament concerned, either direct or indirect.
- (iii) For the avoidance of doubt and without limitation: a person is connected to the player concerned if he is the player's coach, agent, tournament guest, a member of the player's immediate family, a member of the player's coaching group; and, a person is connected to the tournament concerned if he is an employee, contractor, agent, officer of the tournament or is an official, or committee member of the tournament.

2.3 No person listed in 1.1 (including a player) (a "**Person**"):

- (i) may contrive (in a corrupt or fraudulent manner) whether alone or with others, the result, progress, conduct or any other aspect of any game, match or tournament;
- (ii) ensure the occurrence of a particular incident in any game, match or tournament, which occurrence is to the Person's knowledge subject to a Bet and for which he expects to receive any reward (other than, in the case of a player, official prize money and/or contracted performance-related payments under endorsement or sponsorship contracts);
- (iii) may induce or encourage any player to under-perform for reward in any game, match or tournament;
- (iv) shall offer or give (or agree to offer or give) anything of value (whether or not financial) to any other person with the intent to influence either his or another person's efforts or participation in any game, match or tournament;
- (v) shall solicit or accept (or agree to solicit or accept) anything of value (whether or not financial) from any other person with the intent to influence his own or another person's efforts or participation in any game, match or tournament;
- (vi) shall have any commercial arrangement (apart from a personal Betting account with a Betting operator which, for the avoidance of doubt, may not be utilised in breach of these regulations) with, or any stake (whether active or passive) in, any company or other undertaking that promotes, brokers, arranges or conducts any form of Betting activity in relation to the game of tennis;
- (vii) shall use in relation to Betting or providing any other person for use in relation to Betting, any information relating to any game, match or tournament that the person has in his possession by virtue of his position in the game of tennis and that is not in the public domain or readily accessible by the public without unreasonable restriction;
- (viii) shall provide information to any person for reward, before or after any game, match or tournament, regarding the players in the game, match or tournament, the conditions, tactical considerations or any other aspect of the game, match or tournament, unless such information is already in or will come into the public domain without unreasonable delay or is readily accessible by the public without unreasonable restriction. For example, it shall not be a breach of this clause to provide such information as opinion to a journalist for immediate publication as part of an article or column in a newspaper;

- (ix) shall engage in any conduct (i.e. beyond that specified in this Regulation 2) that is corrupt or fraudulent, or creates an actual or apparent conflict of interest for the Person, or otherwise risks impairing public confidence in the integrity and/or honest and orderly conduct of any game, match or tournament;
- (x) shall provide or receive any reward that could bring the Person or the game of tennis into disrepute;
- (xi) shall fail to disclose to the Disciplinary Officer without delay full details of any approaches or invitations received by the Person to engage in conduct that would amount to a breach of these Regulations;
- (xii) shall fail to disclose to the Disciplinary Officer without delay full details of any approaches or invitations of which the Person is aware that have been received by any other Person to engage in conduct that would amount to a breach of these Regulations;
- (xiii) shall fail to cooperate with any investigation by the LTA in relation to possible breaches of these Regulations, including failure, without reasonable excuse to provide information requested by the LTA that is relevant to such investigation.

2.4 An attempt by a Person, or any agreement by a Person with any other person, to act in breach of these Regulations shall be treated for the purposes of these Regulations as if the breach of the relevant Regulation(s) has been committed, whether or not such attempt or agreement in fact resulted in a breach.

### **3. Investigatory Powers**

3.1 In addition to the powers of the Disciplinary Officer set out in the Code, this Regulation 3 confers specific authority on the Disciplinary Officer and such persons as the Disciplinary Officer may nominate to assist him to exercise all such powers as he may reasonably deem necessary to complete a full investigation of any alleged breach of these Regulations.

3.2 In particular and without prejudice to the generality of Regulation 3.1 above, the LTA shall have the following powers in relation to obtaining information that is reasonably related to any alleged breach of these Regulations.

- (i) If the Disciplinary Officer reasonably believes that a Person (or a third party whose actions may be imputed to the Person for this purpose) may have committed a breach of these Regulations, the Disciplinary Officer may make a written demand to the Person (a "Demand") to furnish to the Disciplinary Officer any information that is reasonably related to the alleged breach, including (without limitation) (a) copies of or access to all records relating to the alleged breach (such as telephone records, bank statements, Internet service records, and other records stored on computer hard drives and other information storage equipment); and/or (b) a written statement made by the Person, setting out in detail all of the facts and circumstances with respect to the alleged breach.
- (ii) Subject only to the right to object to the Demand set out at Regulation 3.2(iii) below, the Person shall furnish the information requested in the Demand within seven days of his receipt of the Demand, or by such other deadline as may be specified in the Demand.
- (iii) If the Person wishes to object to the Demand, he must file a formal objection with the Disciplinary Officer by the specified response deadline, which objection must set out with specificity the nature and scope of and grounds for the objection. Failure without good reason to make such filing shall constitute an irrevocable waiver of any objection.
- (iv) Any objection duly filed in accordance with Regulation 3.2(iii), above, will be referred by the Disciplinary Officer, together with any comments that the Disciplinary Officer may wish to make with respect to the objection, to the Chairperson of the Disciplinary Panel, who may

resolve the objection himself or else may designate another person to resolve the objection. The Chairperson or their designee may in his absolute discretion invite further submissions or hold a hearing prior to making his determination, or may simply determine the matter on the basis of the objection itself and the comments of the Disciplinary Officer, if any, with respect to that objection. If (and to the extent that) the Chairperson or their designee determines that the Demand is fair and reasonably tailored to obtain evidence relevant to the alleged breach, and that it is consistent with applicable law, the Chairperson or their designee shall direct the Person to produce all (or, if he believes the objection should be sustained to some degree, the remaining part) of the information specified in the Demand.

- (v) Subject to any ruling made by the Chairperson of the Disciplinary Panel or their designee pursuant to Regulation 3.2(iv) above, any failure by the Person to produce the information specified in the Demand shall have each of the following consequences, without prejudice to one another:
  - (a) during any period in which the Person fails to produce such information, he shall be deemed ineligible to participate in and/or denied credentials for and access to any LTA sanctioned Tournament or any other LTA approved event or activity;
  - (b) the Disciplinary Panel shall be entitled to draw such adverse inference against the Participant as the Panel shall reasonably determine; and
  - (c) such failure may lead to the disciplinary action being taken under the Code.

- 3.3 A Disciplinary Panel convened to consider a charge of breach of these Regulations may request, at any time prior to issuing a final decision, and having first given the parties an opportunity to make any submissions on the matter, that an additional investigation be conducted into any matter reasonably related to the alleged breach. The Disciplinary Officer will conduct that investigation in accordance with the Chairperson's request and the Person charged and all other Persons must cooperate with that investigation.
- 3.4 Where a Person is charged with breach of these Regulations, and other relevant authorities are also conducting investigations or proceedings into the same or related matters, the Disciplinary Panel shall have discretion, where it is established to its satisfaction that clear prejudice would otherwise result, to stay the proceedings under these Regulations pending the outcome of the investigations or proceedings being conducted by the other relevant authorities.
- 3.5 The Disciplinary Officer shall be entitled to share any information received with other regulatory authorities including without limitation the police, National Criminal Intelligence Service, HM Revenue & Customs, the Serious Fraud Office and the Gambling Commission; other sports authorities including without limitation the ITF, ATP, WTA, ABTO, DCMS and UK Sport; and any betting organisations whether pursuant to a formal information-sharing agreements or otherwise.
- 3.6 As part of any investigation into possible breaches of these Regulations, the LTA may seek relevant information from other regulatory authorities and/or from any third party, including bookmakers and other Betting operators, whether pursuant to formal information-sharing agreements with such authorities or third parties, or otherwise. In accordance with Regulation 3.7, below, acceptance of these Regulations shall constitute agreement by a Person to the disclosure of such information by the authority and/or third party to the LTA. Where necessary, the Person shall confirm such consent in writing to or for the benefit of the authority and/or third party. A failure to do so without reasonable excuse shall amount to a breach of this Regulation and may lead to disciplinary action being taken under the Code.
- 3.7 Each Person specifically consents, pursuant to data protection law and other relevant laws, as applicable, to the sharing of information relating to activities covered by these Regulations, including personal information relating to himself and his activities, both by the LTA with the

regulatory authorities and relevant third parties, and by the regulatory authorities and/or any relevant third parties (including without limitation any bookmaker or other Betting operator) with the LTA.

#### **4. Compliance**

- 4.1 The LTA Board shall appoint from time to time a compliance officer to monitor compliance with these Regulations. The Disciplinary Officer shall usually be appointed as the compliance officer, unless the Main Board otherwise directs.
- 4.2 The Main Board shall have power to amend these Regulations as it sees fit from time to time. Any such amendments shall come into full force and effect upon the date specified by the Board.

#### **5. Interpretation**

- 5.1 For the avoidance of doubt, nothing in these Regulations is intended to prevent the payment of prize money and/or any other official incentive to participants in any game, match or tournament and/or contracted performance-related payments under endorsement or sponsorship contracts.
- 5.2 In these Regulations words importing the singular include the plural and vice versa and the masculine gender includes the feminine gender.
- 5.3 This Appendix shall be governed by and construed in accordance with English law.

## APPENDIX FOUR

### LTA COACH ACCREDITATION+ GENERAL RULES

#### 1. Introduction

- 1.1 All Coach Accreditation+ accreditations are issued subject to these Rules which may be varied from time to time at the discretion of the Lawn Tennis Association Limited ("the **LTA**") in accordance with paragraph 12.2 below.
- 1.2 These Rules (apart from the LTA Code of Ethics and Conduct for Accredited Tennis Coaches and Assistants (the "**LTA Code of Ethics**"), set out at the Schedule 1 to these Rules) shall not apply to the issue, renewal, upgrade, removal or any other matter (including disciplinary) relating to Coach Accreditation+ which raises a safeguarding or protection concern about a child, young person or adult deemed at risk, and is designated as a Safeguarding case under the Safeguarding Procedures (Appendix Two to the Disciplinary Code) ("a **Safeguarding case**") and such matters shall be dealt with under those Safeguarding Procedures and these Rules shall be read subject to this provision.

#### 2. Eligibility for Coach Accreditation+

##### Eligibility

- 2.1 A coach is eligible to apply for Coach Accreditation+ if he has:
  - 2.1.1 attained an "LTA Coach Accreditation+ Eligible Qualification" defined in paragraph 2.3 below;
  - 2.1.2 attained a minimum of 15 Continuing Professional Development Credits ("**Credits**") within the twelve month period prior to the issuing of Coach Accreditation+;
  - 2.1.3 completed a criminal record check where appropriate and been cleared through the LTA Safeguarding Team; and
  - 2.1.4 successfully completed the Safeguarding and Protection in Tennis training; and
  - 2.1.5 paid the applicable fee for Coach Accreditation+.
- 2.2 A coach who holds a coaching qualification, that meets the criteria stipulated by the LTA, from a foreign national governing body of tennis affiliated to the International Tennis Federation or from another coaching organisation is eligible to apply for and may be issued with a Coach Accreditation+ accreditation subject to such Conditions, including successful completion of an LTA Coach Accreditation+ Eligible Course or the attainment of Credits, as the LTA deems appropriate.
- 2.3 Any qualification which is the Level 3 UKCC or above will be considered an LTA Coach Accreditation+ Eligible Qualification.
- 2.4 Any coach who has met the criteria stipulated by the LTA is eligible to apply for assessment against the Level 3 UKCC standards. Upon successful completion of the assessment a coach will gain the Level 3 UKCC Qualification and subsequently may apply for an LTA Accreditation+ accreditation.
- 2.5 The LTA will, at its discretion, provide courses of additional training that enable coaches holding certain tennis coaching qualifications (as specified by the LTA from time to time) to attain a level of training that confers eligibility for Coach Accreditation+. The LTA will maintain and publish a list of LTA courses.

### Duration

- 2.6 A Coach Accreditation+ accreditation shall in normal circumstances be valid for one year from the date of issue, unless the LTA decides it is appropriate in the circumstances that the accreditation should be issued for a shorter period of time in accordance with the Rules 4.6, 4.7, 4.9 and 6.4 below or the accreditation is removed either on a temporary basis or permanently in accordance with the Disciplinary Code, these Rules and/or the Safeguarding Procedures.
- 2.7 Upon the granting of Coach Accreditation+ the LTA may issue a Certificate or similar as evidence of the holding of Coach Accreditation+.

### **3. Licensing and Registration Committee**

- 3.1 The LTA shall appoint a Licensing and Registration Committee ("**the LRC**" or "**the Committee**") comprising a minimum of six members, one of whom shall be legally qualified and shall be designated as the Committee Chairperson and one of whom shall be a member of the Association of British Tennis Officials. Following recommendations by the Nominations Committee, the Board shall appoint the members for an initial term of three years and may, at their discretion and with the endorsement of the Board, continue for a second term of three years. Subject to approval by the Board, any individuals who were members of the Committee on 31 December 2017 may continue to serve as members until and including 31 December 2021, notwithstanding that they may have exceeded the maximum terms set out above.
- 3.2 All members of the Committee shall be independent of the Association.
- 3.3 Except as set out in paragraph 3.10 below, for the purpose of this Appendix, "independent" means any person who at the time of his or her appointment, or at any time up to five years prior thereto, shall not:
- (A) be serving or have served as an LTA Officer, on the Board, on Council or in a senior LTA executive position;
  - (B) be or have been an employee or officer of the Association or a Member;
  - (C) have had a prior professional relationship with the LTA relevant to the functions of the Committee; or
  - (D) take up any such positions after the date of appointment as a Member of the Committee until his or her retirement, removal or vacation from that office.
- 3.4 The Committee shall meet at least once a year and at such other times as the Committee Chairperson shall require.
- 3.5 The quorum shall be three.
- 3.6 The Committee shall be responsible for all matters relating to the interpretation, implementation and enforcement of these Rules including, in particular, the provisions of paragraph 4 relating to the processing of applications, paragraph 9 relating to disciplinary matters and paragraph 10 relating to loss of accreditation.
- 3.7 Any member of the Committee who has an interest in any matter before the Committee must declare that interest and may be precluded from participation in the matter concerned.
- 3.8 The Head of Safeguarding (HoS) may at any time contact the Committee Chairperson for guidance and advice on an accreditation case.

- 3.9 The Board shall determine the LTA's policy on payment of fees and expenses for Committee members from time to time. The LTA/Board may also decide, on an *ex gratia* basis, to provide Committee members complimentary access to tickets to tennis events.
- 3.10 Any individuals who were members of the LRC on 31 December 2017 but are not independent may continue to serve as members of the LRC until and including 31 December 2021.

#### **4. Applications and Cases**

- 4.1 All applications for Coach Accreditation+ and payment of the fee (as stipulated from time to time by the LTA) shall be made in the form or manner prescribed by the LTA.
- 4.2 It is the responsibility of the applicant to ensure that all information provided to the LTA is up to date and accurate so that the LTA may process the application for the Coach Accreditation+ accreditation. A failure to do so may delay the processing of his application or result in its refusal.
- 4.3 Applicants are required (at their own expense) to:
- 4.3.1 provide a current Eligible First Aid Certificate (as defined in paragraph 4.5 below);
  - 4.3.2 (subject to paragraph 4.4), have completed an appropriate criminal record check through the LTA with a disclosure date not more than 12 months before the date of processing of the accreditation application and it having been assessed as being acceptable by the LTA Safeguarding Team; and
  - 4.3.3 if required by the LTA, provide the names of two independent persons from whom a confidential reference may be sought and to provide such further information including but not limited to the qualifications, suitability or training record of any applicant as the LTA may deem appropriate.
- 4.4 Where an applicant renews a Coach Accreditation+ accreditation under paragraph 6.1, the LTA may waive the requirement in paragraph 4.3.2 for a maximum of two consecutive applications.
- 4.5 The following certificates will be considered "**Eligible First Aid Certificates**" for the purposes of Coach Accreditation+, where such courses and the provider are accredited by the Health and Safety Executive:
- 4.5.1 a six hour "Emergency First Aid at Work" course; or
  - 4.5.2 an eighteen hour "First Aid at Work" course.
- The LTA will maintain and publish a list of courses and/or course providers through which coaches can obtain an Eligible First Aid Certificate.
- 4.6 The Committee may decline to issue or may revoke a Coach Accreditation+ accreditation or may issue a Coach Accreditation+ accreditation subject to or vary it so that it is subject to such restrictions as it thinks appropriate on any of the following grounds:
- 4.6.1 where the LTA has undertaken an appropriate criminal record check and the results of that check are not in the Committee's decision satisfactory;
  - 4.6.2 where another sports' governing body or coaching organisation has withdrawn the individual's coaching accreditation or similar licence or accreditation;
  - 4.6.3 the individual has in the Committee's opinion, unsuitable qualities, attitudes or abilities to be a coach and/or the individual's behaviour suggests s/he is unsuitable to hold Coach Accreditation+ including but not limited to drugs, dishonesty, violence or sexual offences;

- 4.6.4 the provision of misleading or false information or the refusal to provide information properly requested by the LTA pursuant to paragraphs 4.2 and 4.3 above;
- 4.6.5 failure (where applicable) to attain the required Credits or to fulfil any other proper application requirements;
- 4.6.6 the commission of an act which has been disclosed or is otherwise known to the LTA which amounts to a breach of professional standards for the purposes of these Rules or otherwise amounts to Misconduct under the Disciplinary Code;
- 4.6.7 failure to hold current public liability insurance cover in accordance with paragraph 8.2.4 below;
- 4.6.8 to hold a Coach Accreditation+ accreditation could bring LTA Coach Accreditation and/or the LTA into disrepute; and/or
- 4.6.9 any other material reason which in the opinion of the Committee renders that person not a fit and proper person to hold a Coach Accreditation+ accreditation.

The holder of a Coach Accreditation+ accreditation shall be under a continuing obligation to satisfy the provisions of this paragraph.

- 4.7 Where the HoS has considered an application or information has come to light in relation to an individual who holds Coach Accreditation+ accreditation and the HoS has concerns as to whether the LTA should grant/revoke/vary the Accreditation+, s/he should inform the individual of those concerns within such time limit as the HoS shall decide.
- 4.8 If the HoS decides to send the case to the Committee to decide whether it should grant/revoke/vary the accreditation then the HoS will convene a meeting of the Committee to consider the case.
- 4.9 The HoS shall provide to the individual concerned in advance of the case being considered by the Committee:
  - (a) the full contents of the internal or external report (including any advice received from external advisers) prepared for the LTA;
  - (b) any additional documents or correspondence which the HoS considers relevant to the presentation of the case to the Committee; and
  - (c) the LTA's written submissions for the Committee.
- 4.10 The HoS shall ask the individual concerned to provide written submissions on the contents of the report within such time limit as the HoS shall decide.
- 4.11 Upon receipt of written submissions from the individual concerned, the HoS shall provide within 14 days any further written submissions on behalf of the LTA to the individual concerned. The individual concerned shall have the opportunity to amend his own written submission if desired within such time limit as the HoS shall decide.
- 4.12 Upon receipt of an amended written submission from the individual concerned or upon expiry of the time limit set out in 4.10 or 4.11 above, the HoS shall provide the following to the Committee and to the individual concerned:
  - 4.12.1 the information as set out at 4.9 above;
  - 4.12.2 the written submissions on behalf of the LTA; and
  - 4.12.3 the written submissions received from the individual concerned.

- 4.13 The Committee Chairperson shall have power (in his or her sole discretion) to set directions generally as to the conduct of the proceedings. In addition, the Chairperson may, upon receipt of the above, request further information from the LTA or the individual concerned and/or ask the HoS to conduct further internal or arrange further external investigation.
- 4.14 Once the materials identified above have been received, the Committee will schedule a date for the hearing. The Chairperson of the Committee shall select two other members to form a LRC Tribunal to consider the report.
- 4.15 The LRC will usually consider the case based on the documents submitted. There is no right to attend but the individual and/or the HoS may request permission from the LRC Chairperson that they attend. In addition, the LRC Chairperson may invite the individual and the HoS to attend the LRC meeting. Where the LRC Chairperson has agreed to a request from one of the parties to attend or has invited the individual and HoS to attend, each shall be entitled to attend regardless of whether the other attends.
- 4.16 Where the LRC Chairperson has accepted a request from the individual and/or the HoS to attend or has invited the parties to attend, at least 21 days' notice will be given of the date, place and time of any hearing (unless the LRC Chairperson deems it appropriate to have the hearing sooner). At least 14 days before the date of the hearing, the HoS shall serve on the person or body the evidence s/he is intending to bring to support the findings of the report. The HoS will also request details of any witnesses and/or evidence that the person or body subject to the report wishes to bring before the LRC Tribunal. If such evidence is not furnished to the HoS within the time frame specified by the HoS s/he may request that the hearing be adjourned upon such terms (including costs) as the LRC shall determine.
- 4.17 All proceedings of the LRC Tribunal shall take place in private and the public and the press shall have no right of access to the room where the hearing is taking place. The LRC Tribunal shall not issue any press statement or conduct any press conferences. All media announcements in relation to any decision of the LRC Tribunal shall be approved by the HoS and published only in accordance with paragraph 10 of the Code.
- 4.18 Every person responding to enquiries made by the HoS or giving evidence before the LRC Tribunal is under a duty to give full and truthful evidence. If the LRC Tribunal believes that a person has not given full and truthful evidence, this conduct may be the subject of a charge of Misconduct.
- 4.19 Any person appearing before the LRC Tribunal shall, at their own expense, have the right to be represented by legal counsel of his or her choice or may be accompanied by a person who may speak on his or her behalf.
- 4.20 At the hearing, the HoS and/or a legally qualified individual shall present the evidence to the LRC Tribunal. The standard of proof shall be that of the balance of probabilities. In all cases, the Association shall bear the burden of proving that the contents of the report have been made out. The individual shall have the right to cross-examine any and all witnesses called by the Association to prove those contents. However, the fact that an individual has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.
- 4.21 Once the HoS and/or the legally qualified individual has completed his or her presentation on behalf of the Association, the individual shall then have the right to present his or her case to the LRC Tribunal. The individual shall be entitled (subject to considerations of relevance) to call all and any witnesses that s/he wishes to call. The HoS and/or the legally qualified individual shall have the right to cross-examine such witnesses.
- 4.22 Once the individual has completed his, or her presentation, the HoS and/or the legally qualified individual shall make his or her concluding remarks. The individual shall then have the right to make

concluding remarks or to have such remarks made on his, or her behalf. Upon the conclusion of the closing submissions, the LRC Tribunal will retire to consider its verdict.

- 4.23 If any person deemed to be vulnerable attends the Committee Chairperson shall issue directions taking into account the person's vulnerabilities.
- 4.24 Upon consideration of the documents provided and hearing any individuals invited to speak (if any) at their meeting, the Committee shall decide upon one or more of the following options:
- 4.24.1 that no further action be taken and grant an unrestricted Coach Accreditation+ accreditation;
- 4.24.2 refuse the application for Coach Accreditation+/revoke the Coach Accreditation+;
- 4.24.3 impose a written warning outlining the areas of concern which must be addressed by the individual concerned either before Coach Accreditation+ is granted or within a specified period;
- 4.24.4 impose conditions upon any Coach Accreditation+ accreditation, held by the individual concerned or to be granted by the Committee; and/or
- 4.24.5 require that the individual concerned be supervised and/or work with a mentor for a specified period of time or permanently.
- 4.25 It is the responsibility of every Coach with Accreditation+ to update his online profile with any changes to the initial information supplied to the LTA and in particular any change of address (including email address).

## **5. Training**

- 5.1 All Accredited+ Coaches are required to undertake training as stipulated from time to time by the LTA to obtain their Credits.
- 5.2 The holder of Coach Accreditation+ is required to attain a minimum of fifteen Credits in each year of his Accreditation+ period in order to be eligible to renew his Coach Accreditation+.
- 5.3 A list of Continuing Professional Development Courses and the Credits applicable to them will be drawn up and published by the LTA on at least an annual basis.
- 5.4 The LTA reserves the right:
- 5.4.1 to amend the number and type of courses and Credits applicable to each of them;
- 5.4.2 to divide the Credit system into categories;
- 5.4.3 to require that Credits are attained in more than one category and to restrict the number of Credits that may be attained in each category;
- 5.4.4 to make a particular element or elements of training compulsory;
- 5.4.5 to require third-party course providers who wish to provide Continuing Professional Development Courses which attract Credits to register with the LTA and to charge them an annual registration fee;
- 5.4.6 to specify minimum standards and criteria to be met by all providers of Continuing Professional Development Courses which attract Credits; and/or
- 5.4.7 to charge a reasonable administration fee for the approval of individual Coach Development Courses as eligible to award Credits.

5.5 It is the responsibility of each Accredited+ Coach (and where applicable an applicant) to ensure that a full and proper record of his training is maintained in the form or manner from time to time prescribed by the LTA. A failure to ensure the maintenance of a full and proper record of his or her training in the form or manner prescribed may result in a decision not to issue or renew a Coach Accreditation+ accreditation or to issue a Coach Accreditation+ accreditation with such restrictions as the Committee thinks appropriate.

## **6. Renewals and Upgrading**

6.1 A Coach Accreditation+ accreditation may be renewed on expiry for one year (or such lesser time as the Committee considers appropriate in the circumstances) on fulfilment of the requirements for renewal as specified by the LTA from time to time including payment of the fee (as stipulated from time to time by the LTA). A new Coach Accreditation+ accreditation will be issued subject to continued adherence to these Rules, including that the Accredited+ Coach has satisfied the requirements of paragraph 5.5 relating to the proper maintenance of records.

6.2 Where a Coach Accreditation+ accreditation is renewed before its expiry, a new Coach Accreditation+ accreditation will run from the date of expiry of the previous Coach Accreditation+ accreditation.

6.3 It is the responsibility of an Accredited+ Coach to renew his Coach Accreditation+ accreditation in a timely fashion. If an Accredited+ Coach does not renew his Coach Accreditation+ accreditation within a two-month period after the date of expiry of his previous Coach Accreditation+ accreditation, it will be considered that he has left LTA Coach Accreditation+ and is no longer an Accredited+ Coach. Coaches are free to re-apply for Coach Accreditation+ accreditation at any time, but will be treated as a new applicant, and therefore will be required to complete a new criminal record check. If a Coach Accreditation+ accreditation is renewed by an Accredited+ Coach on time, an appropriate criminal record check for that Accredited+ Coach will only be required every three years. However, an Accredited+ Coach must on their first and second anniversary of the date of their criminal record check complete the LTA Self-Declaration form otherwise they will not be eligible to renew their Accreditation+ accreditation.

6.4 The LTA may decline to renew a Coach Accreditation+ accreditation or decide to renew a Coach Accreditation+ accreditation subject to such restrictions as it thinks appropriate on the same grounds as are set out in paragraph 4.6. The LTA will follow the procedure set out in paragraph 4.7 to 4.15 above.

## **7. Promotion**

7.1 The holder of Coach Accreditation+ may describe himself, for the duration of his Coach Accreditation+ only, as being an "LTA Accredited+ Tennis Coach" but on written material of any description these words must be accompanied by a statement of his actual coaching qualification.

7.2 An Accredited+ Coach may not use the name or initials or logo of the LTA on any stationery or promotional literature save as provided in paragraph 7.1.

7.3 An Accredited+ Coach shall not make or publish or knowingly permit the making or publication of any statement pertaining to his or her qualifications as a tennis coach which is false or misleading and in particular shall not make or publish or permit the making or publication of any statement the effect of which is to mislead the public into believing that such coach is qualified to a higher standard than that which he currently holds.

## **8. Professional Standards**

8.1 Accredited+ Coaches (whether or not they discharge their responsibilities in a professional capacity) are required to uphold the highest standards of honesty, reliability, integrity and confidentiality, to

discharge diligently their coaching duties to the best of their ability and to behave in an equitable manner as befits their status as recognised qualified sports' coaches.

8.2 In particular an Accredited+ Coach must:

- 8.2.1 comply at all times with these Rules and with any Rules from time to time varying the same;
- 8.2.2 comply at all times with the LTA Rules and the Disciplinary Code (including for the avoidance of doubt the provisions of the LTA's Anti-Doping Programme as set out in Appendix One to the Disciplinary Code and the Regulations concerning match fixing, financial speculation and betting as set out in Appendix Three to the Disciplinary Code) in force from time to time;
- 8.2.3 adhere to the LTA's Safeguarding Children and Young People policy and Safeguarding Adults policy and follow guidelines laid down from time to time by the LTA;
- 8.2.4 maintain in force throughout the period of the Coach Accreditation+ appropriate public liability insurance cover;
- 8.2.5 maintain in force throughout the period of the Coach Accreditation+ a current Eligible First Aid Certificate;
- 8.2.6 not do anything which would damage the reputation and good standing of the LTA and/or LTA Coach Accreditation and/or the profession of coaching or which would bring the game of tennis into disrepute; and
- 8.2.7 at all times observe the LTA Code of Ethics in force from time to time and any directions or guidelines from time to time published by the LTA.

### **8.3 Criminal and Other Proceedings**

- 8.3.1 Without prejudice to the generality of the foregoing, a criminal conviction or formal police caution, being guilty of an offence relating to match fixing, financial speculation or betting, being guilty of an anti-doping offence, a social care investigation, the abuse of alcohol or drugs, dishonesty, violence or a sexual offence may be regarded as a breach of this Condition. The fact that an Accredited+ Coach has been convicted of a criminal offence, issued with a formal police caution or found guilty of an anti-doping offence or corruption offence by the relevant body shall be deemed to be conclusive evidence of the conviction or caution and of the facts and circumstances surrounding it.
- 8.3.2 Notwithstanding the fact that an Accredited+ Coach may not be charged formally with a criminal offence or may be charged but subsequently not be brought to trial or may be acquitted, the LTA shall nevertheless have the right to instigate or continue a disciplinary action against him with regard to the matter concerned.

8.4 Any breach of these Rules by an Accredited+ Coach may result in disciplinary action being taken pursuant to paragraph 9 below and the Disciplinary Code.

### **9. Disciplinary Matters**

- 9.1 The Committee may instruct the Disciplinary Officer to investigate any disciplinary matter that comes to its attention whether as a result of media publicity or otherwise.
- 9.2 If, having investigated the matter, the Committee considers that the holder of a Coach Accreditation+ accreditation may have breached either restrictions imposed under paragraph 4.6 above or may have failed to comply with the professional standards as set out in paragraph 8 above, then the Committee shall make a formal complaint to the Disciplinary Officer of the LTA in accordance with the Disciplinary Code.

- 9.3 If any further material matter comes to the attention of the Committee which may be relevant to the Disciplinary Officer in considering whether disciplinary action should be brought against the holder of a Coach Accreditation+ accreditation, or in prosecuting such disciplinary action, the Committee shall convey that information to the Disciplinary Officer.
- 10. Consequences of Refusal to Grant Coach Accreditation+, Suspensions and Removal of Accreditation+**
- 10.1 Where an individual's accreditation has not been granted or their Coach Accreditation+ accreditation has been removed or restricted under paragraph 4, the Committee shall notify their decision (with written reasons) to the individual concerned within 14 days of the meeting (unless exceptional circumstances arise). The notification shall advise the LTA and the individual concerned that they have 28 days from the date of the notification in which to appeal the decision. The appeal shall be conducted in accordance with the procedure set out in Schedule 2 to these Rules.
- 10.2 The Committee shall also consider which other individuals or organisations should be made aware of the decision (once the period for an appeal has passed) in order to achieve the aim of the decision appropriately. As a guide, the decision shall normally be communicated to the county association, the registered tennis venue with which the individual concerned is associated, to any members of LTA staff who work with affected organisations or individuals and the complainant (if any).
- 10.3 A coach whose Coach Accreditation+ accreditation has been removed either on a temporary basis or permanently may not describe himself or hold himself out to be an LTA Accredited+ Coach (which shall include not wearing or using any clothing or equipment provided to or available only to Accredited+ Coaches) and the LTA retains the right to refuse to accept such a coach on any LTA course.
- 10.4 A coach whose Coach Accreditation+ accreditation has been removed either on a temporary basis or permanently shall return to the LTA upon request any Accreditation+ Card, Certificate, clothing, equipment or other material that has been issued to him by the LTA in connection with his Coach Accreditation+ accreditation.
- 10.5 A coach whose Coach Accreditation+ accreditation has been removed permanently may apply to the Committee for his case to be reviewed following the third anniversary of the date of the removal of his Coach Accreditation+ accreditation and every three years thereafter or if the coach can show to the Committee's satisfaction that the circumstances have changed to such an extent that his case should be reviewed. Upon review, the Committee may reduce the sanction subject to any conditions it considers appropriate or may decline to do so. Before reaching any decision adverse to the coach, the Committee will give the individual concerned the opportunity to address its concerns and the Committee will furnish brief reasons for any such decisions.
- 11. Data Protection**
- 11.1 The applicant acknowledges and agrees that his name and status of his Coach Accreditation+ accreditation may be included in the LTA's public register of Accredited+ Coaches.
- 11.2 The applicant acknowledges and agrees that the LTA may, pursuant to data protection laws and other relevant laws, as applicable, use his personal data for reasonable purposes in connection with administering Coach Accreditation and pass the personal data to such other organisations as the LTA considers necessary (including, but not limited to, the police, the NSPCC, other sports National Governing Bodies and relevant social care departments).
- 12. General**
- 12.1 All applications for Coach Accreditation+ are subject to these Rules whether or not such applications result in the issue of a Coach Accreditation+ accreditation and all Coach Accreditation+

accreditations are issued subject to these Rules which constitute a binding contract between each Accredited+ Coach and the LTA.

- 12.2 These Rules may be varied from time to time by LTA Board. Any variation to these Rules will be notified in writing via email to all Accredited+ Coaches and following notification will be deemed to be incorporated in these Rules and be binding on all Accredited+ Coaches with immediate effect. The sending of such notification by email to the email address last notified to the LTA by the Accredited+ Coach will be deemed sufficient notification for the purpose of these Rules. Accredited+ Coaches who do not have an email address can request that the LTA informs them of any variation to these Rules in writing via post. Such requests should be made in writing to the LTA, addressed to the Coach Licensing Administrator, and any changes of postal address should be notified to the same.
- 12.3 Any documents from time to time appended to these Rules are intended to form part of them but if there is conflict between their respective provisions these Rules will prevail.
- 12.4 In these Rules words importing the singular include the plural and vice versa and the masculine gender includes the feminine gender.
- 12.5 These Rules shall be governed by and construed in accordance with English Law.

## SCHEDULE 1 TO APPENDIX FOUR

### LTA CODE OF ETHICS AND CONDUCT FOR ACCREDITED TENNIS COACHES AND ASSISTANTS

LTA Accredited+ & Accredited Coaches and Coaching Assistants are deemed to be bound by, and to have accepted, this Code of Ethics and Conduct. This sets out responsibilities to tennis players and parents, to coaching and other colleagues, to the LTA as their National Governing Body, to their coaching employer and to society.

LTA Accredited+ & Accredited Coaches will adhere to the following Code of Ethics and Conduct:

1. Always put your players' best interests at the centre of everything you do.
2. Treat players with respect at all times. Be honest and consistent with them.
3. Treat all players fairly regardless of (but not limited to) athletic potential, socio-economic status, age, disability, ethnicity, gender, gender reassignment, marital or civil partnership status, pregnancy or maternity status, religion/belief or sexual orientation.
4. Encourage all players and fellow coaches and assistants to have respect for one another.
5. Encourage players and other coaches and assistants to develop and maintain integrity.
6. Prepare players to respond to success and failure in a dignified manner.
7. Respect the confidentiality of players/parents/official as appropriate.
8. Clarify in advance with players/parents/employers the number of sessions, fees, method of payment; explain expected outcome and progression from the coaching or sessions.
9. Be sensitive to your players' self-esteem when providing constructive feedback to players.
10. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
11. Involve the players in decisions that will affect them.
12. Recognise players' rights to consult with other coaches and advisers. Co-operate fully with other specialists (eg sport scientists, doctors, physiotherapists, etc).
13. When asked to coach a player, ensure that any previous coach/player relationship has been ended by the players/others in a professional manner.
14. Be acutely aware of the power that coaches and coaching assistants develop over players in the coaching relationship and avoid any intimacy (sexual or otherwise) with players.
15. Avoid situations with players that could be construed as compromising and actions that others could perceive inappropriate.
16. Actively discourage the use of performance enhancing drugs or any illegal substance.
17. At all times act as a role model by maintaining the highest standards of personal conduct and projecting a favourable image of tennis and of coaching at all times.
18. Accept and respect the role of Officials in ensuring that competitions are conducted fairly and according to the rules.
19. Ensure that qualifications and affiliations to associations are not misrepresented.

20. Following completion of your criminal record check, report any alleged criminal offence police, investigation, court case or social care investigation to the LTA at the earliest opportunity.
21. Know and abide by tennis rules, regulations and standards and encourage players to do likewise.
22. Know and abide by the LTA's Anti-Doping Programme. Any breach of the LTA's Anti-Doping Programme will be deemed a breach of this Code of Ethics.
23. Know and abide by the terms of the Uniform Tennis Anti-Corruption Programme. Any breach of the Uniform Tennis Anti-Corruption Programme will be deemed a breach of this Code of Ethics.

Any breach of any of the provision(s) of this Code of Ethics and Conduct by an Accredited+ Coach, Accredited Coach or Accredited Coaching Assistant shall constitute a breach of the Rules of LTA Coach Accreditation+ or of the Rules of LTA Accreditation as applicable and shall be dealt with under the procedures as set out in those Rules.

## **SCHEDULE 2 TO APPENDIX FOUR**

### **Appeal Procedures**

#### **1. Scope**

- 1.1 These Appeal Procedures govern the conduct of all appeals by an individual or the Board of the LTA (in both cases "the Appellant") against a decision by the Licensing and Registration Committee ("the LRC" or "the Committee") ("a Decision").
- 1.2 For the avoidance of doubt, the Board shall not be able to override a decision of the LRC but it may choose to use the formal appeal procedure set out below to appeal a Decision.

#### **2. Procedure**

- 2.1 An Appellant should be aware of the importance of the time limits contained within these Appeal Procedures which will be strictly enforced.
- 2.2 No later than 14 days from the date of a Decision (except in exceptional circumstances), the LRC shall notify the LTA and the individual concerned of the Decision (referred to in these Appeal Procedures as "the Notification"). The Notification shall contain the following information:
  - (a) the reasons for and the effect of the Decision;
  - (b) the date the Decision was made;
  - (c) the date the Decision takes effect; and
  - (d) these Appeal Procedures.
- 2.3 Any individual who wishes to appeal a Decision must serve a Notice of Appeal and a non-refundable Appeal Fee of £100 to the LTA within 28 days of receipt of the Notification. If either the Notice of Appeal or the Appeal Fee is not served within that 28 day period, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.4 If the Board of the LTA wishes to appeal a Decision, it must serve a Notice of Appeal on the Committee Chairperson within 28 days of receipt of the Notification. If the Notice of Appeal is not served within 28 days, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.5 The Notice of Appeal shall set out the Notification appealed against and the grounds upon which it is submitted the LRC misdirected itself or otherwise reached an erroneous decision.
- 2.6 Following receipt of the Notice of Appeal and Appeal Fee, the Committee Chairperson shall forthwith instruct Sport Resolutions (UK) to appoint an Appeal Committee in accordance with paragraphs 2.7 to 2.9 below. The Committee Chairperson shall notify the parties of the composition of the Appeal Committee no later than ten days from receipt of the Notice of Appeal (unless Sport Resolutions (UK) have not provided the composition of the Appeal Committee in that time).
- 2.7 The Appeal Committee shall comprise three members, appointed by Sport Resolutions (UK) with one designated by it as Chairperson. The Appeal Committee shall have the powers set out in paragraph 3 below.
- 2.8 The Appeal Committee shall not include individuals with any connection to the individual concerned or the matters being considered.

- 2.9 Should a member of the Appeal Committee become unable to hear the Appeal following the appointment of the Appeal Committee for whatever reason, Sport Resolutions (UK) shall appoint a replacement member.
- 2.10 A party to the appeal may object to the composition of the Appeal Committee by notifying the Committee Chairperson of the objection and setting out the reasons for such an objection (the notification shall be referred to as "an Objection") no later than 7 days from the date of receipt of notice of the composition of the Appeal Committee in paragraph 2.6 above. Any other party may respond to the Objection, no later than 7 days from the date it is received.
- 2.11 The Committee Chairperson shall, within 7 days from the date of receipt of an Objection, or within 14 days from the date the other party responds, notify the parties that either:
- (a) the composition of the Appeal Committee has changed (in which case the Committee Chairperson shall provide details of the new Appeal Committee); or
  - (b) the composition of the Appeal Committee has not changed (in which case the Committee Chairperson shall give reasons why s/he has not accepted the Objection).
- 2.12 Within 14 days from the date on which the time limit for a party to object to the composition of the Appeal Committee under paragraph 2.10 has expired or at the time of the notification under paragraph 2.11 (as appropriate), the Chairperson of the Appeal Committee shall give such directions (to both the individual and the LTA) as are appropriate for consideration of the matter, in particular:
- (a) the date and place at which the Appeal Committee will meet to determine the Appeal, provided that the Appeal shall not be heard later than 56 days from the date of the receipt of the Notice of Appeal;
  - (b) whether or not the Appeal will proceed by way of written submissions or an oral hearing; and
  - (c) whether or not the parties should be required to submit statements of their evidence and/or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.
- 2.13 An Appeal before the Appeal Committee shall be a full re-hearing on the merits.
- 2.14 The Appeal Committee shall meet on the date fixed by the Chairperson and shall, no later than two weeks after hearing the Appeal, inform the individual concerned and the LTA of its decision together with written reasons for its decision. The decision of the Appeal Committee shall be final and binding.

### **3. Powers of the Appeal Committee**

- 3.1 The Appeal Committee may at its sole discretion disregard any failure by a party to adhere to these Appeal Procedures and may give such further directions as may be appropriate.
- 3.2 Prior to and at the Appeal, the Chairperson may give such directions whether or not made at the request of the parties, for the proper conduct of the Appeal as he deems may be reasonably necessary for the fair conduct of the appeal, including changes to these Appeal Procedures.
- 3.3 The Appeal Committee has the power to uphold or dismiss the appeal, to quash the Decision and/or to take any decision which the LRC has the power to make under the LTA Coach Accreditation+ General Rules and to make such other recommendations to the LTA as it thinks fit. In dismissing an appeal, the Appeal Committee has the power to award legal costs or a contribution towards the legal costs and/or the administration fees of the Appeal hearing where the appeal has

been conducted in a vexatious or frivolous manner. In upholding an appeal, the Appeal Committee has the power to award legal costs or a contribution towards legal costs.

#### **4. Correspondence**

- 4.1 Any notification, correspondence or any other document submitted under these Appeal Procedures shall be sent in writing by first class post or recorded delivery (or airmail if outside the UK) and such documents shall be deemed to have been received by the intended recipient 48 hours (or if by airmail four working days) after posting.

## APPENDIX FIVE

### LTA COACH ACCREDITATION GENERAL RULES

#### 1. Introduction

- 1.1 All coaching assistants and coaches granted accreditation under LTA Coach Accreditation ("**Accredited Coaching Assistants**" and "**Accredited Coaches**") are subject to these Rules, which may be varied from time to time at the discretion of the Lawn Tennis Association Limited ("the LTA") in accordance with paragraph 11.2 below.
- 1.2 A coaching assistant is a person who is eligible to be accredited under this Appendix but is not eligible to apply for a LTA Coach Accreditation+ ("**Coaching Assistant**").
- 1.3 These Rules (apart from the LTA Code of Ethics and Conduct for Accredited Tennis Coaches and Assistants, set out at the Schedule to these Rules) shall not apply to the issue, renewal, upgrade, removal or any other matter (including disciplinary) relating to Accreditation which raises a safeguarding or protection concern about a child, young person or adult deemed at risk is designated as a Safeguarding case under the Safeguarding Procedures (Appendix Two to the Code) ("**a Safeguarding Case**") and such matters shall be dealt with under those Child Protection Procedures and these Rules shall be read subject to this provision.

#### 2. Eligibility for Accreditation

##### Eligibility

- 2.1 A coaching assistant or coach is eligible to apply to be accredited under LTA Accreditation ("Accreditation") if he:
  - 2.1.1 has attained any LTA Coaching Assistant or Coach qualification;
  - 2.1.2 holds a coaching qualification from a coaching organisation or a tennis organisation (including a foreign national governing body of tennis affiliated to the International Tennis Federation) provided that the qualification requires a minimum of 3 days of learning or of learning and assessment; and
  - 2.1.3 has completed a criminal record check and where appropriate and been cleared through the LTA Safeguarding Team; and
  - 2.1.4 paid the applicable fee for Accreditation.

##### Duration

- 2.2 Accreditation shall in normal circumstances be for a term of 12 months from the date of issue unless the LTA decides it is appropriate in the circumstances that the Accreditation should be for a shorter period of time in accordance with Rules 4.6, 4.7, 4.9 and 5.4 below or the Accreditation is removed either on a temporary basis or permanently in accordance with the Disciplinary Code, these Rules and/or the Safeguarding Procedures.

#### 3. Licensing and Registration Committee

- 3.1 The LTA shall appoint a Licensing and Registration Committee ("the LRC" or "the Committee") comprising a minimum of six members, one of whom shall be legally qualified and shall be designated as Committee Chairperson and one of whom shall be a member of the Association of British Tennis Officials. Following recommendations by the Nominations Committee, the Board shall appoint the members for an initial term of three years and may, at their discretion and with the endorsement of the Board, continue for a second term of three years. Subject to approval by the

Board, any individuals who were members of the Committee on 31 December 2017 may continue to serve as members until and including 31 December 2021, notwithstanding that they may have exceeded the maximum terms set out above.

- 3.2 Except as set out in paragraph 3.10 below, all members of the Committee shall be independent of the Association.
- 3.3 For the purpose of this Appendix, “independent” means any person who at the time of his or her appointment, or at any time up to five years prior thereto, shall not:
- (A) be serving or have served as an LTA Officer, on the Board, on Council or in a senior LTA executive position;
  - (B) be or have been an employee or officer of the Association or Member;
  - (C) have had a prior professional relationship with the LTA relevant to the functions of the Committee; or
  - (D) take up any such positions after the date of appointment as a Member of the Committee until his or her retirement, removal or vacation from that office.
- 3.3 The Committee shall meet at least once a year and at such other times as the Committee Chairperson shall require.
- 3.4 The quorum shall be three.
- 3.5 The Committee shall be responsible for all matters relating to the interpretation, implementation and enforcement of these Rules including, in particular, the provisions of paragraph 4 relating to the processing of applications, paragraph 8 relating to disciplinary matters and paragraph 9 relating to loss of accredited status.
- 3.6 The Committee may advise on future eligibility of those individuals who would be eligible for Accreditation upon successful completion of a qualification stated in paragraph 2.1 above.
- 3.7 Any member of the Committee who has an interest in any matter before the Committee must declare that interest and may be precluded from participation in the matter concerned.
- 3.8 The HoS may at any time contact the Committee Chairperson for guidance on a Coach Accreditation case.
- 3.9 The Board shall determine the LTA’s policy on payment of fees and expenses for Committee members from time to time. The LTA/Board may also decide, on an *ex gratia* basis, to provide Committee members complimentary access to tickets to tennis events
- 3.10 Any individuals who were members of the LRC on 31 December 2017 but are not independent may continue to serve as members of the LRC until and including 31 December 2021.

#### **4. Applications and Cases**

- 4.1 All applications for Accreditation and payment of the fee (as stipulated from time to time by the LTA) shall be made in the form or manner prescribed by the LTA.
- 4.2 It is the responsibility of the applicant to ensure that all information provided to the LTA is up to date and accurate so that the LTA may process the application. A failure to do so may delay the processing of the application or result in its refusal.
- 4.3 All applicants are required (at their own expense) to:

- 4.3.1 provide a current Eligible First Aid Certificate (as defined in paragraph 4.5);
- 4.3.2 (subject to paragraph 4.4), have completed an appropriate criminal record check through the LTA with a disclosure date not more than 12 months before the date of processing of the accreditation application and it having been assessed as being acceptable by the LTA Safeguarding Team; and
- 4.3.3 The LTA also reserves the right to require the applicant to provide the names of two independent persons from whom a confidential reference may be sought and to seek such further information including but not limited to the qualifications or suitability of any applicant as the LTA may deem appropriate.

4.4 Where an applicant renews his accreditation under paragraph 5.1, the LTA may waive the requirements under paragraph 4.3.2 for a maximum of two consecutive applications.

4.5 The following certificates will be considered "Eligible First Aid Certificates" for the purposes of the LTA Coach Accreditation:

- 4.5.1 a six hour "Emergency First Aid at Work" course; or
- 4.5.2 an 18 hour "First Aid at Work" course, where such courses are accredited by the Health and Safety Executive.

The LTA will maintain and publish a list of courses and/or course providers through which coaching assistants/coaches can obtain an Eligible First Aid Certificate.

4.6 The Committee may decline to issue or may revoke a Coach Accreditation or may issue a Coach Accreditation subject to or vary it so that it is subject to such restrictions as it thinks appropriate on any of the following grounds:

- 4.6.1 where the LTA has undertaken an appropriate criminal record check and the results of that check are not in the Committee's decision satisfactory;
- 4.6.2 where another sports' governing body or coaching organisation has withdrawn the individual's coaching accreditation or similar licence;
- 4.6.3 the individual has, in the Committee's opinion, unsuitable qualities, attitudes or abilities to be an Accredited Coach Assistant/Coach and/or the individual's behaviour suggests he is unsuitable to hold an Accreditation including but not limited to drugs, dishonesty, violence or sexual offences;
- 4.6.4 the provision of misleading or false information or the refusal to provide information properly requested by the LTA pursuant to paragraphs 4.2 and 4.3;
- 4.6.5 the commission of an act which has been disclosed or is otherwise known to the LTA which amounts to a breach of professional standards for the purposes of these Rules or otherwise amounts to Misconduct under the Disciplinary Code;
- 4.6.6 failure to hold current public liability insurance cover in accordance with paragraph 7.2.4 below; or
- 4.6.7 to hold an Accreditation could bring LTA Coach Accreditation and/or the LTA into disrepute; and/or
- 4.6.8 any other material reason which in the opinion of the Committee renders that person not a fit and proper person to be Accredited.

Accredited Coaching Assistants/Coaches shall be under a continuing obligation to satisfy the provisions of this paragraph.

- 4.7 Where the HoS has considered an application or information has come to light in relation to an individual who holds Coach Accreditation and the HoS has concerns as to whether the LTA should grant/revoke/vary the Accreditation, s/he should inform the individual of those concerns within such time limits as the HoS shall decide.
- 4.8 If the HoS decides to send the case to the Committee to decide whether it should grant/revoke/vary the Accreditation then the HoS will convene a meeting of the Committee to consider the case.
- 4.9 The HoS shall provide to the individual concerned in advance of the case being considered by the Committee:
- (a) the full contents of the internal or external report (including any advice received from external advisers) prepared for the LTA;
  - (c) any additional documents or correspondence which the HoS considers relevant to the presentation of the case to the Committee; and
  - (c) the LTA's written submissions for the Committee.
- 4.10 The HoS shall ask the individual concerned to provide written submissions on the contents of the report within such time limit as the HoS shall decide.
- 4.11 Upon receipt of written submissions from the individual concerned, the HoS shall provide within 14 days any further written submissions on behalf of the LTA to the individual concerned. The individual concerned shall have the opportunity to amend his or her own written submissions if desired within such time limit as the HoS shall decide.
- 4.12 Upon receipt of an amended written submission from the individual concerned or upon expiry of the time limit set out in 4.10 or 4.11 above, the HoS shall provide the following to the Committee and to the individual concerned:
- 4.12.1 the information as set out at 4.9 above;
  - 4.12.2 the written submissions on behalf of the LTA; and
  - 4.12.3 the written submissions received from the individual concerned.
- 4.13 The Committee Chairperson shall have power (in his sole discretion) to set directions generally as to the conduct of the proceedings. In addition, the Chairperson may, upon receipt of the above, request further information from the LTA or the individual concerned and/or ask the HoS to conduct further internal or arrange further external investigation.
- 4.14 Once the materials identified above have been received, the Committee will schedule a date for the hearing. The Chairperson of the Committee shall select two other members to form a LRC Tribunal to consider the report.
- 4.15 The LRC will usually consider the case based on the documents submitted. There is no right to attend but the individual and/or the HoS may request permission from the LRC Chairperson that they attend. In addition, the LRC Chairperson may invite the individual and the HoS to attend the LRC meeting. Where the LRC Chairperson has agreed to a request from one of the parties to attend or has invited the individual and HoS to attend, each shall be entitled to attend regardless of whether the other attends.
- 4.16 Where the LRC Chairperson has accepted a request from the individual and/or the HoS to attend or has invited the parties to attend, at least 21 days' notice will be given of the date, place and time of

any hearing (unless the LRC Chairperson deems it appropriate to have the hearing sooner). At least 14 days before the date of the hearing, the HoS shall serve on the person or body the evidence s/he is intending to bring to support the findings of the report. The HoS will also request details of any witnesses and/or evidence that the person or body subject to the report wishes to bring before the LRC Tribunal. If such evidence is not furnished to the HoS within the time frame specified by the HoS s/he may request that the hearing be adjourned upon such terms (including costs) as the LRC shall determine.

- 4.17 All proceedings of the LRC Tribunal shall take place in private and the public and the press shall have no right of access to the room where the hearing is taking place. The LRC Tribunal shall not issue any press statement or conduct any press conferences. All media announcements in relation to any decision of the LRC Tribunal shall be approved by the HoS and published only in accordance with paragraph 10 of the Code.
- 4.18 Every person responding to enquiries made by the HoS or giving evidence before the LRC Tribunal is under a duty to give full and truthful evidence. If the LRC Tribunal believes that a person or body has not given full and truthful evidence, this conduct may be the subject of a charge of Misconduct.
- 4.19 Any person appearing before the LRC Tribunal shall, at their own expense, have the right to be represented by legal counsel of his, her or its choice or may be accompanied by a person who may speak on his, her or its behalf.
- 4.20 At the hearing, the HoS and/or a legally qualified individual shall present the evidence to the LRC Tribunal. The standard of proof shall be that of the balance of probabilities. In all cases, the Association shall bear the burden of proving that the contents of the report have been made out. The individual shall have the right to cross-examine any and all witnesses called by the Association to prove those contents. However, the fact that an individual has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.
- 4.21 Once the HoS and/or the legally qualified individual has completed his or her presentation on behalf of the Association, the individual shall then have the right to present his or her case to the LRC Tribunal. The individual shall be entitled (subject to considerations of relevance) to call all and any witnesses that s/he wishes to call. The HoS and/or the legally qualified individual shall have the right to cross-examine such witnesses.
- 4.22 Once the individual has completed his, or her presentation, the HoS and/or the legally qualified individual shall make his or her concluding remarks. The individual shall then have the right to make concluding remarks or to have such remarks made on his, or her behalf. Upon the conclusion of the closing submissions, the LRC Tribunal will retire to consider its verdict.
- 4.23 If any person deemed to be vulnerable attends the Committee Chairperson shall issue directions taking into account the person's vulnerabilities.
- 4.24 Upon consideration of the documents provided and hearing any individuals invited to speak at their meeting, the Committee shall decide upon one or more of the following options:
  - 4.24.1 that no further action be taken and grant an unrestricted Accreditation;
  - 4.24.2 refuse the application for an Accreditation/revoke the Accreditation;
  - 4.24.3 impose a written warning outlining the areas of concern which must be addressed by the individual concerned either before Accreditation is granted or within a specified time limit;
  - 4.24.4 impose conditions upon any Accreditation, held by the individual concerned or to be granted by the Committee; and/or

4.24.5 require that the individual concerned be supervised and/or work with a mentor for a specified period of time or permanently.

4.25 It is the responsibility of every Accredited Coaching Assistant/Coach to update his online profile with any changes to the initial information supplied to the LTA and in particular any change of address (including email address).

## **5. Renewals and Upgrading**

5.1 Accreditation may be renewed on expiry for 12 months on fulfilment of the requirements for renewal as specified by the LTA from time to time including payment of the fee. Accreditation will be issued subject to continued adherence to these Rules.

5.2 Where an Accreditation is renewed before its expiry, the new Accreditation will run from the date of expiry of the previous Accreditation.

5.3 It is the responsibility of an Accredited Coaching Assistant/Coach to renew his or her Accreditation in a timely fashion. An Accredited Coaching Assistant/Coach who has not renewed his or her Accreditation before the end of the two-month period after the date of expiry of his or her previous term of Accreditation will be treated as a new applicant and shall not be treated as renewing the Accreditation for the purposes of paragraph 4.4 and therefore will be required to complete a new criminal record check. If an Accreditation is renewed by an Accredited Coaching Assistant/Coach on time an appropriate criminal record check for that Accredited Coaching Assistant /Coach will only be required every three years. However, an Accredited Coaching Assistant/Coach must on their first and second anniversary of the date of the criminal record check complete the LTA self-declaration form otherwise they will not be eligible to renew their Accreditation.

5.4 The LTA may decline to renew an Accreditation or grant the renewed Accreditation subject to such restrictions as it thinks appropriate on the same grounds as are set out in paragraph 4.6. The LTA will follow the procedure set out in paragraphs 4.7 to 4.15 above.

## **6. Promotion**

6.1 Accredited Coaching Assistants/Coaches may describe themselves, for the duration of Accreditation only, as being an "LTA Accredited Coaching Assistant/Coach" (as applicable) but on written material any use of these words must be accompanied by a statement of his actual qualification.

6.2 Accredited Coaching Assistants/Coaches may not use the name or initials or logo of the LTA on any stationery or promotional literature save as provided in paragraph 6.1.

6.3 Accredited Coaching Assistants/Coaches shall not make or publish or knowingly permit the making or publication of any statement pertaining to his qualifications which is false or misleading and in particular shall not make or publish or permit the making or publication of any statement the effect of which is to mislead the public into believing that he is qualified to a higher standard than that which he currently holds.

## **7. Professional Standards**

7.1 Accredited Coaching Assistants/Coaches (whether or not they discharge their responsibilities in a professional capacity (full or part-time)) are required to uphold the highest standards of honesty, reliability, integrity and confidentiality, to discharge diligently their coaching duties to the best of their ability and to behave in an equitable manner as befits their status as recognized qualified sports coaches.

7.2 In particular, Accredited Coaching Assistants/Coaches must:

7.2.1 comply at all times with these Rules and with any Rules from time to time varying the same;

- 7.2.2 comply at all times with the LTA Rules and the Disciplinary Code (including for the avoidance of doubt the provisions of the LTA's Anti-doping Programme as set out in Appendix One to the Disciplinary Code and the Regulations concerning match fixing, financial speculation and betting as set out in Appendix Three to the Disciplinary Code.
- 7.2.3 adhere to the LTA's Safeguarding Children and Young People policy and Safeguarding Adults policy and follow the guidelines laid down from time to time by the LTA;
- 7.2.4 maintain throughout the period of the Accreditation appropriate public liability insurance cover and a current Eligible First Aid Certificate;
- 7.2.5 not do anything which would damage the reputation and good standing of the LTA and/or LTA Coach Accreditation and/or the profession of coaching or which would bring the game of tennis into disrepute; and
- 7.2.6 at all times observe the LTA Code of Ethics in force from time to time and any directions or guidelines from time to time published by the LTA.

### **7.3 Criminal and other Proceedings**

- 7.3.1 Without prejudice to the generality of the foregoing, a criminal conviction or formal police caution, being guilty of an offence relating to match fixing, financial speculation or betting, being guilty of an anti-doping offence, a social care investigation, the abuse of alcohol or drugs, dishonesty, violence or a sexual offence may be regarded as a breach of this Condition. The fact that an Accredited Coaching Assistant/Coach has been convicted of a criminal offence, or found guilty of an anti-doping offence or corruption offence by the relevant body or issued with a formal police caution shall be deemed to be conclusive evidence of the conviction or caution and of the facts and circumstances surrounding it.
- 7.3.2 Notwithstanding the fact that an Accredited Coaching Assistant/Coach may not be charged formally with a criminal offence or may be charged but subsequently not be brought to trial or may be acquitted, the LTA shall nevertheless have the right to instigate or continue a disciplinary action against him with regard to the matter concerned.

- 7.4 Any breach of these Rules by an Accredited Coach Assistant/Coach may result in disciplinary action being taken pursuant to paragraph 8 and the Code.

### **8. Disciplinary Matters**

- 8.1 The Committee may instruct the Disciplinary Officer to investigate any disciplinary matter that comes to its attention whether as a result of media publicity or otherwise.
- 8.2 If, having investigated the matter, the Committee considers that the Accredited Coaching Assistant/Coach may have breached either paragraph 4.6 above or may have failed to comply with the professional standards as set out in paragraph 7 above, then the Committee shall make a formal complaint to the Disciplinary Officer of the LTA in accordance with the Disciplinary Code.
- 8.3 If any further material matter comes to the attention of the Committee which may be relevant to the Disciplinary Officer in considering whether disciplinary action should be brought against the Accredited Coaching Assistant/Coach, or in prosecuting such disciplinary action, the Committee shall convey that information to the Disciplinary Officer.

### **9. Consequences of Refusal to Grant Accreditation, Suspensions and Removal of Accreditation**

- 9.1 Where an individual's Accreditation has not been granted or their Accreditation has been removed or restricted under paragraph 4, the Committee shall notify their decision (with written reasons) to the individual concerned within 14 days of the meeting (unless exceptional circumstances arise). The notification shall advise the LTA and the individual concerned that they have 28 days from the date

of the notification in which to appeal the decision. The appeal shall be conducted in accordance with the procedure set out in Schedule 2 to these Rules.

- 9.2 The Committee shall also consider which other individuals or organisations should be made aware of the decision (once the period for an appeal has passed) in order to achieve the aim of the decision appropriately. As a guide, the decision shall normally be communicated to the county association, the registered tennis venue with which the individual is associated, to any members of LTA staff who work with affected organisations or individuals and the complainant if any).
- 9.3 An Accredited Coaching Assistant/Coach who has had his Accreditation terminated either on a temporary basis or permanently may not describe himself or hold himself out to be an "LTA Accredited Coaching Assistant/Coach" (which shall include not wearing or using any clothing or equipment provided to or available only to Accredited Coaching Assistants/Coaches) and the LTA retains the right to refuse to accept such a coach on any LTA course.
- 9.4 A coach whose Accreditation has been cancelled either on a temporary basis or permanently shall immediately return to the LTA upon request any official documentation, clothing bearing the LTA logo, equipment or other material that has been issued to him by the LTA in connection with his Accreditation.
- 9.5 Any Accredited Coaching Assistant/Coach who has had his Accreditation terminated either on a temporary basis or permanently may apply to the Committee for his case to be reviewed following the third anniversary of the date of the removal of his Accreditation and every three years thereafter or if the coach/coaching assistant can show to the Committee's satisfaction that the circumstances have changed to such an extent that his case should be reviewed. Upon review, the Committee may reduce the sanction subject to any conditions it considers appropriate or may decline to do so. Before reaching any decision adverse to the coach/coaching assistant, the Committee will give the individual concerned the opportunity to address its concerns and the Committee will furnish brief reasons for any such decisions.

## **10. Data Protection**

- 10.1 The applicant acknowledges and agrees that his name and status of his Accreditation may be included in the LTA's public register of Accredited Coaching Assistants/Coaches.
- 10.2 The applicant acknowledges and agrees that the LTA may, pursuant to data protection laws and other relevant laws, as applicable, use his or her personal data for reasonable purposes in connection with administering Coach Accreditation and pass the personal data to such other organisations as the LTA considers necessary (including, but not limited to, affiliated bodies of the LTA, Sport England, Sport Coach UK, the NSPCC, other sports National Governing Bodies; the police and relevant social care departments).

## **11. General**

- 11.1 All applications for Accreditation are subject to these Rules whether or not such Applications result in the issue of Accreditation and all Accreditations are issued subject to these Rules which constitute a binding contract between each Accredited Coaching Assistant/Coach and the LTA.
- 11.2 These Rules may be varied from time to time by the LTA Board. Any variation to these Rules will be notified in writing via email to all Accredited Coaching Assistants/Coaches and following notification will be deemed to be incorporated in these Rules and be binding on all Accredited Coaching Assistants/Coaches with immediate effect. The sending of such notification by email to the email address last notified to the LTA by the Accredited Coaching Assistants/Coaches will be deemed sufficient notification for the purpose of these Rules.
- 11.3 Any documents from time to time appended to these Rules are intended to form part of them but if there is conflict between their respective provisions these Rules will prevail.

- 11.4 In these Rules words importing the singular include the plural and vice versa and the masculine gender includes the feminine gender.
- 11.5 These Rules shall be governed by and construed in accordance with English Law.

## **SCHEDULE 1 to APPENDIX FIVE**

### **LTA CODE OF ETHICS AND CONDUCT FOR ACCREDITED TENNIS COACHES AND ASSISTANTS**

LTA Accredited Coaches and Coaching Assistants are deemed to be bound by, and to have accepted, this Code of Ethics and Conduct. This sets out responsibilities to tennis players and parents, to coaching and other colleagues, to the LTA as their National Governing Body, to their coaching employer and to society.

LTA Accredited Coaches will adhere to the following Code of Ethics and Conduct:

1. Always put your players' best interests at the centre of everything you do.
2. Treat players with respect at all times. Be honest and consistent with them.
3. Treat all players fairly regardless of athletic potential, socio-economic status, age, disability, ethnicity, gender, gender reassignment, marital or civil partnership status, pregnancy or maternity status, religion/belief or sexual orientation.
4. Encourage all players and fellow coaches and assistants to have respect for one another.
5. Encourage players and other coaches and assistants to develop and maintain integrity.
6. Prepare players to respond to success and failure in a dignified manner.
7. Respect the confidentiality of players/parents/officials as appropriate.
8. Clarify in advance with players/parents/employers the number of sessions, fees, method of payment; explain expected outcome and progression from the coaching or sessions.
9. Be sensitive to your players' self-esteem when providing constructive feedback to players.
10. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
11. Involve the players in decisions that will affect them.
12. Recognise players' rights to consult with other coaches and advisers. Co-operate fully with other specialists (eg sport scientists, doctors, physiotherapists, etc).
13. When asked to coach a player, ensure that any previous coach/player relationship has been ended by the player/others in a professional manner.
14. Be acutely aware of the power that coaches and coaching assistants develop over players in the coaching relationship and avoid any intimacy (sexual or otherwise) with players.
15. Avoid situations with players that could be construed as compromising and actions that others could perceive inappropriate.
16. Actively discourage the use of performance enhancing drugs, drugs and any illegal substance.
17. At all times act as a role model by maintaining the highest standards of personal conduct and projecting a favourable image of tennis and of coaching at all times.

18. Accept and respect the role of Officials in ensuring that competitions are conducted fairly and according to the rules.
19. Ensure that qualifications and affiliations to associations are not misrepresented.
20. Following completion of your criminal record check, report any alleged criminal offence, police investigation, court case or social care investigation to the LTA at the earliest opportunity.
21. Know and abide by tennis rules, regulations and standards, and encourage players to do likewise.
22. Know and abide by the LTA's Anti-Doping Programme. Any breach of the LTA's Anti-Doping Programme will be deemed a breach of this Code of Ethics.
23. Know and abide by the terms of the Uniform Tennis Anti-Corruption Programme. Any breach of the Uniform Tennis Anti-Corruption Programme will be deemed a breach of this Code of Ethics.

Any breach of any of the provision(s) of this Code of Ethics and Conduct by an Accredited+ Coach, Accredited Coach or Accredited Coaching Assistant shall constitute a breach of the Rules of LTA Coach Accreditation+ or of the Rules of LTA Coach Accreditation as applicable and shall be dealt with under the procedures as set out in those Rules.

## **SCHEDULE 2 TO APPENDIX FIVE**

### **Appeal Procedures**

#### **1. Scope**

- 1.1 These Appeal Procedures govern the conduct of all appeals by an individual or the Board of the LTA (in both cases "the Appellant") against a decision by the Licensing and Registration Committee ("the LRC" or "the Committee") ("a Decision").
- 1.2 For the avoidance of doubt the Board of the LTA shall not be able to override a decision of the LRC but it may choose to use the formal appeal procedure set out below to appeal a Decision.

#### **2. Procedure**

- 2.1 An Appellant should be aware of the importance of the time limits contained within these Appeal Procedures which will be strictly enforced.
- 2.2 No later than 14 days from the date of a Decision (except in exceptional circumstances), the LRC shall notify the LTA and the individual concerned of the Decision (referred to in these Appeal Procedures as "the Notification"). The Notification shall contain the following information:
  - (a) the reasons for and the effect of the Decision;
  - (b) the date the Decision was made;
  - (c) the date the Decision takes effect; and
  - (d) these Appeal Procedures.
- 2.3 Any individual who wishes to appeal a Decision must serve a Notice of Appeal and a non-refundable Appeal Fee of £100 to the LTA within 28 days of receipt of the Notification. If either the Notice of Appeal or the Appeal Fee is not served within that 28 day period, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.4 If the Board of the LTA wish to appeal a Decision, it must serve a Notice of Appeal on the Disciplinary Officer within 28 days of receipt of the Notification. If the Notice of Appeal is not served within 28 days, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.5 The Notice of Appeal shall set out the Notification appealed against and the grounds upon which it is submitted the LRC misdirected itself or otherwise reached an erroneous decision.
- 2.6 Following receipt of the Notice of Appeal and Appeal Fee, the Committee Chairperson shall forthwith instruct Sport Resolutions (UK) to appoint an Appeal Committee in accordance with paragraphs 2.7 to 2.9 below. The Committee Chairperson shall notify the parties of the composition of the Appeal Committee no later than ten days from receipt by the LTA of the Notice of Appeal (unless Sport Resolutions (UK) have not provided the composition of the Appeal Committee in that time).
- 2.7 The Appeal Committee shall comprise three members appointed by Sport Resolutions (UK) with one designated by it as Chairperson. The Appeal Committee shall have the powers set out in paragraph 3 below.
- 2.8 The Appeal Committee shall not include individuals with any connection to the individual concerned or the matters being considered.

- 2.9 Should a member of the Appeal Committee become unable to hear the Appeal following the appointment of the Appeal Committee for whatever reason, Sport Resolutions (UK) shall appoint a replacement member.
- 2.10 A party to the appeal may object to the composition of the Appeal Committee by notifying the Committee Chairperson of the objection and setting out the reasons for such an objection (the notification shall be referred to as "an Objection") no later than 7 days from the date of receipt of notice of the composition of the Appeal Committee in paragraph 2.6 above. Any other party may respond to the Objection, no later than 7 days from the date it is received.
- 2.11 The Committee Chairperson shall, within 7 days from the date of receipt of an Objection, or within 14 days from the date the other party responds notify the parties that either:
- (a) the composition of the Appeal Committee has changed (in which case the Committee Chairperson shall provide details of the new Appeal Committee); or
  - (b) the composition of the Appeal Committee has not changed (in which case the Committee Chairperson shall give reasons why it has not accepted the Objection).
- 2.12 Within 14 days from the date on which the time limit for a party to object to the composition of the Appeal Committee under paragraph 2.10 has expired or at the time of the notification under paragraph 2.11 (as appropriate), the Chairperson of the Appeal Committee shall give such directions (to both the individual and the LTA) as are appropriate for consideration of the matter, in particular:
- (a) the date and place at which the Appeal Committee will meet to determine the Appeal, provided that the Appeal shall not be heard later than 56 days from the date of the receipt of the Notice of Appeal;
  - (b) whether or not the Appeal will proceed by way of written submissions or an oral hearing; and
  - (c) whether or not the parties should be required to submit statements of their evidence and/or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.
- 2.13 An Appeal before the Appeal Committee shall be a full re-hearing on the merits.
- 2.14 The Appeal Committee shall meet on the date fixed by the Chairperson and shall, no later than two weeks after hearing the Appeal, inform the individual concerned and the LTA of its decision together with written reasons for its decision. The decision of the Appeal Committee shall be final and binding.

### **3. Powers of the Appeal Committee**

- 3.1 The Appeal Committee may at its sole discretion disregard any failure by a party to adhere to these Appeal Procedures and may give such further directions as may be appropriate.
- 3.2 Prior to and at the Appeal, the Chairperson may give such directions whether or not made at the request of the parties, for the proper conduct of the Appeal as he deems may be reasonably necessary for the fair conduct of the appeal, including changes to these Appeal Procedures.
- 3.3 The Appeal Committee has the power to uphold or dismiss the appeal, to quash the Decision and/or to take any decision which the LRC has the power to make under the LTA Coach Accreditation General Rules and to make such other recommendations to the LTA as it thinks fit. In dismissing an appeal, the Appeal Committee has the power to award legal costs or a contribution towards the legal costs and/or the administration fees of the Appeal hearing where the appeal has been conducted in

a vexatious or frivolous manner. In upholding an appeal, the Appeal Committee has the power to award legal costs or a contribution towards legal costs.

#### **4. Correspondence**

- 4.1 Any notification, correspondence or any other document submitted under these Appeal Procedures shall be sent in writing by first class post or recorded delivery (or airmail if outside the UK) and such documents shall be deemed to have been received by the intended recipient 48 hours (or if by airmail four working days) after posting.

## APPENDIX SIX

### LTA OFFICIALS LICENSING SCHEME GENERAL CONDITIONS

#### 1. Introduction

- 1.1 The Lawn Tennis Association Limited ("the LTA") encourages all tennis officials to apply for a licence under the Officials Licensing Scheme ("**Officials Licence**"). The Officials Licence Scheme is a scheme run by the LTA which grants accreditation to officials who meet the LTA's required standards. These standards include a commitment to continuing personal development, conduct and possession of a satisfactory Disclosure Barring Service (DBS) check and Barred List check. The scheme is an easy way for parents, players and tennis venues to identify those officials who meet these standards. The purpose of the scheme is to create a recognised standard which officials involved in British tennis can attain, thereby allowing officials to become more proficient, including by taking advantage of benefits offered by the LTA (a list of which shall be published by the LTA from time to time) and enhancing the standing of officiating in British tennis further. Only Licensed Officials will be eligible for selection for Grade 5 and above LTA approved competitions.
- 1.2 All Officials Licences are issued subject to these Conditions which may be varied from time to time at the discretion of the LTA in accordance with paragraph 12.2.
- 1.3 These Conditions (apart from the LTA Code of Ethics and Conduct for Licensed Officials (the "**LTA Code of Ethics**"), set out at the Schedule to these Conditions) shall not apply to the issue, renewal, upgrade, removal or any other matter (including disciplinary) relating to an Officials Licence which raises a safeguarding or protection concern about a child, young person or adult deemed at risk, and is designated as a Safeguarding case under the Safeguarding Procedures (Appendix Two to the Disciplinary Code) ("**a Safeguarding case**") and such matters shall be dealt with under those Safeguarding Procedures and these Conditions shall be read subject to this provision.

#### 2. Eligibility for and duration of an Officials Licence

##### Eligibility

- 2.1 A person who wishes and is eligible to be an LTA licensed official must apply to the LTA for an Officials Licence in the form and manner required by the LTA. An official is eligible to apply for an Officials Licence if he has:
- 2.1.1 passed an "LTA Officials Basic Course" as defined in paragraphs 2.3 and 2.4 below;
- 2.1.2 save for when a person has not previously held an Officials Licence, attained a minimum of 8 Continuing Personal Development Credits ("**Credits**") within the twelve month period prior to the issuing of the Officials Licence;
- 2.1.3 completed a criminal record check where appropriate and been cleared through the LTA Safeguarding Team; and
- 2.1.4 natural or corrected 20/20 vision and natural or corrected adequate hearing and submit to eye and/or hearing tests as reasonably required by the LTA; and
- 2.1.5 paid the applicable fee for the Officials Licence.
- 2.2 An official who holds an official's qualification, that meets the criteria stipulated by the LTA, from a foreign national governing body of tennis affiliated to the International Tennis Federation or from another recognised organisation is eligible to apply for and may be issued with an Officials Licence subject to such conditions, including successful completion of an LTA Officials Basic Course or the attainment of Credits, as the LTA deems appropriate.

- 2.3 Either of the following will be considered as an LTA Officials Basic Course:
- 2.3.1 an LTA Basic Referee Course; or
  - 2.3.2 an LTA Basic Line Umpire Course.
- 2.4 Any official who has met the criteria stipulated by the LTA is eligible to apply to take one of the LTA Officials Basic Courses.
- 2.5 The LTA will, at its discretion, provide courses of additional training in order to enable officials to attain (and maintain) the level of Credits required to be eligible for an Officials Licence. The LTA will maintain and publish a list of LTA courses.

#### Duration

- 2.6 An Officials Licence shall in normal circumstances be valid for one year from the date of issue (as stated on any certificate or licence card issued), unless the LTA decides it is appropriate in the circumstances that the Officials Licence should be issued for a shorter period of time in accordance with the paragraphs 4.6, 4.7, 4.9 and 6.4 below or the Officials Licence is removed either on a temporary basis or permanently in accordance with paragraph 9, the Disciplinary Code and/or the Safeguarding Procedures.
- 2.7 Upon the granting of an Officials Licence the LTA may issue a Certificate or similar as evidence of the holding of an Officials Licence.

### **3. The Licensing and Registration Committee**

- 3.1 The LTA shall appoint a Licensing and Registration Committee ("the LRC" or "**the Committee**") comprising a minimum of six members, one of whom shall be legally qualified and shall be designated as the Committee Chairperson and one of whom shall be a member of the Association of British Tennis Officials. Following recommendations by the Nominations Committee, the Board shall appoint the members for an initial term of three years and may, at their discretion and with the endorsement of the Board, continue for a second term of three years. Subject to approval by the Board, any individuals who were members of the Committee on 31 December 2017 may continue to serve as members until and including 31 December 2021, notwithstanding that they may have exceeded the maximum terms set out above.
- 3.2 Except as set out in paragraph 3.10 below, all members of the Committee shall be independent of the Association.
- 3.3 For the purpose of this paragraph, "independent" means any person who at the time of his or her appointment, or at any time up to five years prior thereto, shall not:
- (A) be serving or have served as an LTA Officer, on the Board, on Council or in a senior LTA executive position;
  - (B) be or have been an employee or officer of the Association or a Member;
  - (C) have had a prior professional relationship with the LTA relevant to the functions of the Committee; or
  - (D) take up any such positions after the date of appointment as a Member of the Committee until his or her retirement, removal or vacation from that office.
- 3.4 The Committee shall meet at least once a year and at such other times as the Committee Chairperson shall require.
- 3.5 The quorum shall be three.

- 3.6 The Committee shall be responsible for all matters relating to the interpretation, implementation and enforcement of these Conditions including, in particular, the provisions of paragraph 4 relating to the processing of applications, paragraph 9 relating to disciplinary matters and paragraph 10 relating to loss of licence.
- 3.7 Any member of the Committee who has an interest in any matter before the Committee must declare that interest and may be precluded from participation in the matter concerned.
- 3.8 The HoS may at any time contact the Committee Chairperson for guidance and advice on an Official's Licence case.
- 3.9 The Board shall determine the LTA's policy on payment of fees and expenses for Committee members from time to time. The LTA/Board may also decide, on an *ex gratia* basis, to provide Committee members complimentary access to tickets to tennis events.
- 3.10 Any individuals who were members of the LRC on 31 December 2017 but are not independent may continue to serve as members of the LRC until and including 31 December 2021.

#### **4. Applications and Cases**

- 4.1 All applications for an Officials Licence and payment of the fee (as stipulated from time to time by the LTA) shall be made in the form or manner prescribed by the LTA.
- 4.2 It is the responsibility of the applicant to ensure that all information provided to the LTA is up to date and accurate so that the LTA may process the application for the Officials Licence. A failure to do so may delay the processing of his application or result in its refusal.
- 4.3 Applicants are required (at their own expense) to:
- 4.3.2 (subject to paragraph 4.4), have completed an appropriate criminal record check through the LTA with a disclosure date not more than 12 months (the LTA may, at its discretion, in individual circumstances change this time period) before the date of processing of the registration application and it having been assessed as being acceptable by the LTA Safeguarding Team;
  - 4.3.3 if requested by the LTA, complete the LTA self-declaration form; and
  - 4.3.4 if requested by the LTA, provide the names of two independent persons from whom a confidential reference may be sought and to provide such further information including but not limited to the qualifications, suitability or training record of any applicant as the LTA may deem appropriate.
- 4.4 Where an applicant renews an Officials Licence under paragraph 6.1, the LTA may waive paragraph 4.3.2 for a maximum of two consecutive applications.
- 4.5 The following certificates will be considered "Eligible First Aid Certificates" for the purposes of the Officials Licensing Scheme, where such courses and the provider are accredited by the Health and Safety Executive:
- 4.5.1 a six hour "Emergency First Aid at Work" course; or
  - 4.5.2 an eighteen hour "First Aid at Work" course.

The LTA will maintain and publish a list of courses and/or course providers through which officials can obtain an Eligible First Aid Certificate.

- 4.6 The Committee may decline to issue or revoke an Officials Licence or may issue an Officials Licence subject to or vary it so that it is subject to such restrictions as it thinks appropriate on any of the following grounds:
- 4.6.1 where the LTA has undertaken an appropriate criminal record check and the results of that check are not in the Committee's decision satisfactory;;
  - 4.6.2 where another sports' governing body or coaching organisation has withdrawn the individual's coaching licence or similar licence or accreditation;
  - 4.6.3 the individual has in the Committee's opinion, unsuitable qualities, attitudes or abilities to be an official and/or the individual's behaviour suggests he is unsuitable to be issued an Official's Licence including but not limited to drugs, dishonesty, violence or sexual offences;
  - 4.6.4 the provision of misleading or false information or the refusal to provide information properly requested by the LTA pursuant to paragraph 4.2 and 4.3;
  - 4.6.5 failure (where applicable) to attain the required Credits or to fulfil any other eligibility requirements;
  - 4.6.6 the commission of an act which has been disclosed or is otherwise known to the LTA which amounts to a breach of professional standards for the purposes of these Conditions or otherwise amounts to Misconduct under the Disciplinary Code;
  - 4.6.7 the LTA reasonably believes that the individual does not have natural or corrected 20/20 vision and natural or corrected adequate hearing or the individual refuses to submit to a sight and/or hearing test following a request by the LTA;
  - 4.6.8 to hold an Officials Licence could bring the Scheme and/or the LTA into disrepute;  
and/or
  - 4.6.9 any other material reason which in the opinion of the Committee renders that person not a fit and proper person to hold an Officials Licence.

The holder of an Officials Licence shall be under a continuing obligation to satisfy the provisions of this Condition.

- 4.7 Where the HoS has considered an application or information has come to light in relation to an individual who holds an Officials Licence and the HoS has concerns as to whether the LTA should grant/revoke/vary an Officials Licence, s/he should inform the individual of its concerns within such time limit as the HoS shall decide.
- 4.8 If the HoS decides to send the case to the Committee to decide whether it should grant/revoke/vary a licence then the HoS will convene a meeting of the Committee to consider the case.
- 4.9 The HoS shall provide to the individual concerned in advance of the case being considered by the Committee:
- (a) the full contents of the internal or external report (including any advice received from external advisers) prepared for the LTA;
  - (b) any additional documents or correspondence which the HoS considers relevant to the presentation of the case to the Committee; and
  - (c) the LTA's written submissions for the Committee.
- 4.10 The HoS shall ask the individual concerned to provide written submissions on the contents of the report within such time limit as the HoS shall decide.

- 4.11 Upon receipt of written submissions from the individual concerned, the HoS shall provide within 14 days any further written submissions on behalf of the LTA to the individual concerned. The individual concerned shall have the opportunity to amend his or her own written submissions if desired within such time limit as the HoS shall decide.
- 4.12 Upon receipt of an amended written submission from the individual concerned or upon expiry of the time limit set out in 4.10 or 4.11 above, the HoS shall provide the following to the Committee and to the individual concerned:
- 4.12.1 the information as set out at 4.9 above;
- 4.12.2 the written submissions on behalf of the LTA; and
- 4.12.3 the written submissions received from the individual concerned.
- 4.13 The Committee Chairperson shall have power (in his sole discretion) to set directions generally as to the conduct of the proceedings. In addition, the Chairperson may, upon receipt of the above, request further information from the LTA or the individual concerned and/or ask the HoS to conduct further internal or arrange further external investigation.
- 4.14 Once the materials identified above have been received, the Committee will schedule a date for the hearing. The Chairperson of the Committee shall select two other members to form a LRC Tribunal to consider the report.
- 4.15 The LRC will usually consider the case based on the documents submitted. There is no right to attend but the individual and/or the HoS may request permission from the LRC Chairperson that they attend. In addition, the LRC Chairperson may invite the individual and the HoS to attend the LRC meeting. Where the LRC Chairperson has agreed to a request from one of the parties to attend or has invited the individual and HoS to attend, each shall be entitled to attend regardless of whether the other attends.
- 4.16 Where the LRC Chairperson has accepted a request from the individual and/or the HoS to attend or has invited the parties to attend, at least 21 days' notice will be given of the date, place and time of any hearing (unless the LRC Chairperson deems it appropriate to have the hearing sooner). At least 14 days before the date of the hearing, the HoS shall serve on the person or body the evidence s/he is intending to bring to support the findings of the report. The HoS will also request details of any witnesses and/or evidence that the person or body subject to the report wishes to bring before the LRC Tribunal. If such evidence is not furnished to the HoS within the time frame specified by the HoS s/he may request that the hearing be adjourned upon such terms (including costs) as the LRC shall determine.
- 4.17 Every person responding to enquiries made by the HoS or giving evidence before the LRC Tribunal is under a duty to give full and truthful evidence. If the LRC Tribunal believes that a person or body has not given full and truthful evidence, this conduct may be the subject of a charge of Misconduct.
- 4.18 Any person appearing before the LRC Tribunal shall, at their own expense, have the right to be represented by legal counsel of his, her or its choice or may be accompanied by a person who may speak on his, her or its behalf.
- 4.19 At the hearing, the HoS and/or a legally qualified individual shall present the evidence to the LRC Tribunal. The standard of proof shall be that of the balance of probabilities. In all cases, the Association shall bear the burden of proving that the contents of the report have been made out. The individual shall have the right to cross-examine any and all witnesses called by the Association to prove those contents. However, the fact that an individual has been convicted of a criminal offence or issued with a formal police caution shall be deemed to be conclusive evidence of a conviction or caution and of the facts and circumstances surrounding it.

4.20 Once the HoS and/or the legally qualified individual has completed his or her presentation on behalf of the Association, the individual shall then have the right to present his or her case to the LRC Tribunal. The individual shall be entitled (subject to considerations of relevance) to call all and any witnesses that s/he wishes to call. The HoS and/or the legally qualified individual shall have the right to cross-examine such witnesses.

4.21 Once the individual has completed his, or her presentation, the HoS and/or the legally qualified individual shall make his or her concluding remarks. The individual shall then have the right to make concluding remarks or to have such remarks made on his, or her behalf. Upon the conclusion of the closing submissions, the LRC Tribunal will retire to consider its verdict.

4.22 If any person deemed to be vulnerable attends the Committee Chairperson shall issue directions taking into account the person's vulnerabilities

4.23 If, upon consideration of the documents provided and hearing any individuals invited to speak at their meeting, the Committee shall decide upon one or more of the following options:

4.23.1 that no further action be taken and grant an unrestricted Officials Licence;

4.23.2 refuse the application for an Officials Licence/revoke the Officials Licence;

4.23.3 impose a written warning outlining the areas of concern which must be addressed by the individual concerned either before the Official's Licence is granted or within a specified period;

4.23.4 impose conditions upon any Officials Licence, held by the individual concerned or to be granted by the Committee; and/or

4.23.5 require that the individual concerned be supervised and/or work with a mentor for a specified period of time or permanently.

4.24 If, having issued an Officials Licence it comes to the attention of the Committee that information which relates to the conduct of the Licensed Official prior to the grant (or renewal) of his Officials Licence (and which the Committee considers falls within any of the grounds set out in paragraph 4.6 above) has either:

4.24.1 not been considered during the application process in accordance with paragraph 4.7 to 4.15; or

4.24.2 has come to light after the grant (or renewal) of the Officials Licence;

the Committee may inform the Licensed Official of its concerns and seek his comments upon these concerns. The Committee has the discretion to request the Licensed Official to make oral representations to the Committee and the Licensed Official may be accompanied by a representative, whether legal or otherwise. Based upon the information and the comments of the Licensed Official, the Committee shall reach its decision and may cancel the Officials Licence or impose such conditions on the Officials Licence as it thinks appropriate.

4.25 It is the responsibility of every Licensed Official to update his online profile with any changes to the initial information supplied to the LTA and in particular any change of address (including email address).

## **5. Training**

5.1 All Licensed Officials are required to undertake training as stipulated from time to time by the LTA to obtain their Credits.

- 5.2 Where an individual has not previously held an Officials Licence, that individual will not be required to have attained the relevant Credits to obtain an Officials Licence for the first year.
- 5.3 The holder of an Officials Licence is required to attain a minimum of eight (8) Credits in each year of his Officials Licence period in order to be eligible to renew the Officials Licence. The LTA may at its discretion in individual cases deem that part or all of this requirement has been fulfilled through other accreditations gained or the membership of other schemes.
- 5.4 A list of Continuing Personal Development Courses and the Credits applicable to them will be drawn up and published by the LTA on at least an annual basis.
- 5.5 The LTA reserves the right:
- 5.5.1 to amend the number and type of courses and Credits applicable to each of them;
  - 5.5.2 to divide the Credit system into categories;
  - 5.5.3 to require that Credits are attained in more than one category and to restrict the number of Credits that may be attained in each category;
  - 5.5.4 to make a particular element or elements of training compulsory;
  - 5.5.5 to require third-party course providers who wish to provide Continuing Personal Development Courses which attract Credits to register with the LTA and to charge them an annual registration fee;
  - 5.5.6 to specify minimum standards and criteria to be met by all providers of Continuing Personal Development Courses which attract Credits; and/or
  - 5.5.7 to charge a reasonable administration fee for the approval of individual Officials Development Courses as eligible to award Credits.
- 5.6 It is the responsibility of each Licensed Official (and where applicable an applicant) to ensure that a full and proper record of his training is maintained in the form or manner from time to time prescribed by the LTA. A failure to ensure the maintenance of a full and proper record of his training in the form or manner prescribed may result in a decision not to issue or renew an Officials Licence or to issue an Officials Licence with such restrictions as the Committee thinks appropriate.

## **6. Renewals**

- 6.1 An Officials Licence may be renewed on expiry for one additional year (or such lesser time as the Committee considers appropriate in the circumstances) on fulfilment of the requirements for renewal as specified by the LTA from time to time including payment of the fee (as stipulated from time to time by the LTA ). A new Officials Licence will be issued subject to continued adherence to these Conditions, including that the Licensed Official has satisfied the requirements of paragraph 5.6 relating to the proper maintenance of records.
- 6.2 Where an Officials Licence is renewed within two months of its expiry, a new Officials Licence will run from the date of expiry of the previous Officials Licence.
- 6.3 It is the responsibility of a Licensed Official to renew his Officials Licence in a timely fashion. The Official may apply to renew the Officials Licence at any time from the period commencing one month prior to the expiry of the Officials Licence. If a Licensed Official does not renew his Officials Licence within a two month period after the date of expiry of his previous Officials Licence, it will be considered that he has left the LTA Officials Licensing Scheme and is no longer a Licensed Official. Officials are free to re- apply for an Officials Licence at any time, but will be treated as a new applicant (save that the exemption under paragraph 5.2 will not apply to such individuals and they will be required to attain the relevant Credits prior to attaining the Officials Licence again), and

therefore will be required to complete a new criminal record check. If an Officials Licence is renewed by a Licensed Official on time, an appropriate criminal record check for that Licensed Official will only be required every three years. However, a Licensed Official must on the first and second anniversary of the date of the DBS check and Barred List check complete the LTA annual self-declaration form.

6.4 The LTA may decline to renew an Officials Licence or decide to renew an Officials Licence subject to such restrictions as it thinks appropriate on the same grounds as are set out in paragraph 4.6. The LTA will follow the procedure set out in paragraph 4.7 to 4.15 above.

6.5 Having reached its decision the Committee shall inform the official and follow the procedure outlined in paragraph 4.7.

## **7. Promotion**

7.1 The holder of an Officials Licence may describe himself, for the duration of the Officials Licence only, as being an "LTA Licensed Tennis Official" but on written material of any description these words must be accompanied by a statement of his actual qualification.

7.2 A Licensed Official may not use the name or initials or logo of the LTA on any stationery or promotional literature save as provided in paragraph 7.1.

7.3 A Licensed Official shall not make or publish or knowingly permit the making or publication of any statement pertaining to his qualifications as a Licensed Official which is false or misleading and in particular shall not make or publish or permit the making or publication of any statement the effect of which is to mislead the public into believing that such official is qualified to a higher standard than that which he currently holds.

## **8. Professional Standards**

8.1 Licensed Officials (whether or not they discharge their responsibilities in a professional capacity) are required to uphold the highest standards of honesty, reliability, integrity, impartiality and confidentiality, to discharge diligently their officiating duties to the best of their ability and to behave in an equitable manner as befits their status as a recognised qualified official.

8.2 In particular a Licensed Official must:

8.2.1 comply at all times with these Conditions and with any Conditions from time to time varying the same;

8.2.2 comply at all times with the LTA Rules and the Disciplinary Code (including for the avoidance of doubt the Regulations concerning match fixing, financial speculation and betting as set out in Appendix Three to the Disciplinary Code) in force from time to time;

8.2.3 adhere to the LTA's Safeguarding Children and Young People policy and Safeguarding Adults policy and follow guidelines laid down from time to time by the LTA;

8.2.4 comply with the relevant rules of any LTA sanctioned event at which he is selected to officiate and co-operate with other officials to ensure the fair and equitable management of that event;

8.2.5 not do anything which would damage the reputation and good standing of the LTA and/or the LTA Officials Licensing Scheme and/or officiating generally or which would bring the game of tennis into disrepute; and

8.2.6 at all times observe the LTA Code of Ethics and Conduct in force from time to time and any directions or guidelines from time to time published by the LTA.

### **8.3 Criminal and other Proceedings**

8.3.1 Without prejudice to the generality of the foregoing, a criminal conviction or formal police caution, an offence relating to match fixing, financial speculation or betting, a social care investigation, the abuse of alcohol or drugs, dishonesty, violence or a sexual offence may be regarded as a breach of this Condition. The fact that a Licensed Official has been convicted of a criminal offence, found guilty of a corruption offence by the relevant body or issued with a formal police caution shall be deemed to be conclusive evidence of the conviction or caution and of the facts and circumstances surrounding it.

8.3.2 Notwithstanding the fact that a Licensed Official may not be charged formally with a criminal offence or may be charged but subsequently not be brought to trial or may be acquitted, the LTA shall nevertheless have the right to instigate or continue a disciplinary action against him with regard to the matter concerned.

8.4 Any breach of these Conditions by a Licensed Official may result in disciplinary action being taken pursuant to paragraph 9 and in accordance with the Disciplinary Code.

### **9. Disciplinary Matters and Withdrawal of the Officials Licence**

9.1 The Committee may instruct the Disciplinary Officer to investigate any complaint or disciplinary matter that comes to its attention, whether as a result of media publicity or otherwise, in order to establish if the official has been or is in breach of these Conditions, is guilty of Misconduct (as defined in the Disciplinary Code) or is otherwise unsuitable to hold an Officials Licence.

9.2 If, having investigated the matter, the Committee considers that the holder of an Officials Licence may have breached either paragraph 4.6 above or may have failed to comply with the professional standards as set out in paragraph 8 above, then the Committee shall make a formal complaint to the Disciplinary Officer of the LTA in accordance with the Disciplinary Code.

9.3 If any further material matter comes to the attention of the Committee which may be relevant to the Disciplinary Officer in considering whether disciplinary action should be brought against the holder of an Officials Licence, or in prosecuting such disciplinary action, the Committee shall convey that information to the Disciplinary Officer.

9.4 The Disciplinary Officer shall investigate the complaint in accordance with the Disciplinary Code and is entitled to impose an interim suspension, place restrictions on the Officials Licence, reduce the level at which the official is entitled to officiate or withdraw the Officials Licence for such period as is seen fit.

### **10. Consequences of Suspension or Removal of the Officials Licence**

10.1 Where an Officials Licence has been granted or their Licence withdrawn, suspended or 9.4 (or during any period of investigation under paragraph 9.1), the Committee shall notify their decision (with written reasons) to the individual concerned within 14 days of the meeting (unless exceptional circumstances arise). The notification shall advise the LTA and the individual concerned that they have 28 days from the date of the notification in which to appeal the decision. The appeal shall be conducted in accordance with the procedure set out in Schedule 2 to these Conditions.

10.2 Where an official is under an interim suspension (in accordance with the Disciplinary Code) the LTA shall be entitled to take one or more of the following actions:

10.2.1 inform the Association of British Tennis Officials, the Tennis Integrity Unit, the DBS and the relevant tennis venues, players, tennis associations and local authorities that the official has had his Officials Licence suspended;

10.2.2 suspend the official's insurance cover; and

10.2.4 withdraw or no longer propose the official for accreditation by the LTA for any LTA sanctioned events.

10.3 An official whose Officials Licence has been removed either on a temporary basis or permanently may not describe himself or hold himself out to be an LTA Licensed Official (which shall include not wearing or using any clothing or equipment provided to or available only to Licensed Officials) and the LTA retains the right to refuse to accept such an official on any LTA course or to appoint/recommend such an official to officiate at any event.

10.4 An Official whose Officials Licence has been removed either on a temporary basis or permanently shall return to the LTA upon request any Licence Card, Certificate, clothing, equipment or other material that has been issued to the individual concerned by the LTA in connection with his Officials Licence.

10.5 An official whose Officials Licence has been removed permanently may apply to the Committee for his case to be reviewed following the third anniversary of the date of the removal of his Officials Licence and every three years thereafter or if the official can show to the Committee's satisfaction that the circumstances have changed to such an extent that his case should be reviewed. Upon review, the Committee may reduce the sanction subject to any conditions it considers appropriate or may decline to do so. Before reaching any decision adverse to the official, the Committee will give him the opportunity to address its concerns and the Committee will furnish brief reasons for any such decisions.

## **11. Data Protection**

11.1 The official acknowledges and agrees that his name and status of his Officials Licence may be included in the LTA's public register of Licensed Officials.

11.2 The official acknowledges and agrees that the LTA may, pursuant to data protection law and other relevant laws, as applicable, use his personal data for reasonable purposes in connection with administering the Officials Licence Scheme and pass the personal data to such other organisations as the LTA considers necessary (including, but not limited to, the police, the NSPCC, other sports National Governing Bodies and relevant social care departments).

## **12. General**

12.1 All applications for an Officials Licence are subject to these Conditions whether or not such applications result in the issue of an Officials Licence and all Officials Licences are issued subject to these Conditions which constitute a binding contract between each Licensed Official and the LTA.

12.2 These Conditions may be varied from time to time by the LTA Board. Any variation to these Conditions will be notified in writing via email to all Licensed Officials and following notification will be deemed to be incorporated in these Conditions and be binding on all Licensed Officials with immediate effect. The sending of such notification by email to the email address last notified to the LTA by the Licensed Official will be deemed sufficient notification for the purpose of these Conditions. Licensed Officials who do not have an email address can request that the LTA informs them of any variation to these Conditions in writing via post. Such requests should be made in writing to the LTA, addressed to the Officials Licensing Administrator, and any changes of postal address should be notified to the same.

12.3 Any documents from time to time appended to these Conditions are intended to form part of them but if there is conflict between their respective provisions these Conditions will prevail.

12.4 In these Conditions words importing the singular include the plural and vice versa and the masculine gender includes the feminine gender.

12.5 These Conditions shall be governed by and construed in accordance with English Law.

## SCHEDULE 1 TO APPENDIX SIX

### LTA CODE OF ETHICS AND CONDUCT FOR LICENSED OFFICIALS

Licensed Officials are deemed to be bound by, and to have accepted, this Code of Ethics and Conduct. This sets out responsibilities to tennis players, parents, officials and other colleagues, the LTA as the National Governing Body and to society.

LTA Licensed Officials will adhere to the following Code of Ethics and Conduct.

1. At all times act as a role model by maintaining the highest standards of professional conduct and projecting a favourable image of tennis and officiating at all times.
2. Maintain complete impartiality with respect to all players and other officials at all times. Avoid situations with players, parents and others involved in tennis which could be construed as compromising your impartiality and avoid actions that others could perceive as inappropriate. This includes socialising with players whilst at events where you are officiating.
3. Do not officiate in any match in which you have a relationship with one of the players that might be considered a conflict of interest. You must register any conflict or potential conflict of interest with LTA Officiating. This includes when you are a coach, team captain, friend or relative of an individual competing in a tournament where you are officiating. You must also register with LTA Officiating the fact that you work for or have an interest in a company that has a commercial interest in tennis. This is to enable the LTA to assess whether this could affect your impartiality or perceived impartiality.
4. Know and abide by the ITF Rules of Tennis, the ITF Duties and Procedures for Officials and all LTA, ITF, ATP and WTA Tournament Regulations and codes of conduct for events where you are officiating.
5. Abide by the terms of the Uniform Tennis Anti-Corruption Programme. You must not be involved in any betting activity in connection with any tennis event or receive any money, benefit or other reward (whether financial or otherwise) for the provision of any information concerning the weather, court conditions, status, outcome or any other aspect of any match or occurrence at any tennis event. Any breach of the Uniform Tennis Anti-Corruption Programme shall be deemed to be a breach of this Code.
6. Treat players, their entourage, parents, spectators, officials and others involved in tennis with respect at all times and treat all players fairly regardless of (but not limited to) socio- economic status, age, disability, ethnicity, gender, gender reassignment, marital or civil partnership status, pregnancy or maternity status, religion/belief or sexual orientation.
7. Respect the confidentiality of players, parents, coaches and officials. This includes, but is not limited to, medical information.
8. Do not criticise or attempt to explain calls or decisions by other officials to anyone (including on social media) other than, privately, to those officials, the Supervisor/Referee and/or the Chief Umpire/Manager.
9. Do not have conversations with spectators whilst officiating except in the ordinary course of controlling spectators during a match.
10. Following completion of your criminal record check, complete the LTA annual self-declaration form and report any alleged criminal offence, police investigation or court case or social care investigation to the LTA at the earliest opportunity.
11. Ensure that qualifications and affiliations to associations are not misrepresented.

12. Maintain a professional appearance at all times and wear the correct uniform.
13. Do not drink any alcoholic drinks before any match on the day you are officiating (and for at least 12 hours prior to officiating), at any time on-site whilst play is in progress or whilst in uniform.
14. You must not be under the influence of any drugs and/or illegal substances. In the case of prescription drugs, where prescribed medication may have side effects which affect performance, such as drowsiness, you must notify the tournament organisers and LTA Officiating immediately.
15. Do not participate in a media interview or meeting with a journalist where your statements relating to any tennis matter can be printed or broadcast without the prior written approval of the governing body responsible for your appointment.
16. You must adhere to the terms and conditions of each selection including by being available for the duration of the appointment (unless you have been permitted to withdraw by an individual with appropriate authority).

Any breach of any of the provision(s) of this Code of Ethics and Conduct by a Licensed Official shall constitute a breach of the Conditions of the LTA Officials Licence Scheme and shall be dealt with under the procedures as set out in those Conditions.

## **SCHEDULE 2 TO APPENDIX SIX**

### **Appeal Procedures**

#### **1. Scope**

- 1.1 These Appeal Procedures govern the conduct of all appeals by an individual or the Board of the LTA (in both cases "the Appellant") against a decision by the Licensing and Registration Committee ("the LRC" or "the Committee") ("a Decision").
- 1.2 For the avoidance of doubt the Board of the LTA shall not be able to override a decision of the LRC but it may choose to use the formal appeal procedure set out below to appeal a Decision.

#### **2. Procedure**

- 2.1 An Appellant should be aware of the importance of the time limits contained within these Appeal Procedures which will be strictly enforced.
- 2.2 No later than 14 days from the date of a Decision (except in exceptional circumstances), the LRC shall notify the LTA and the individual concerned of the Decision (referred to in these Appeal Procedures as "the Notification"). The Notification shall contain the following information:
  - (a) the reasons for and the effect of the Decision;
  - (b) the date the Decision was made;
  - (c) the date the Decision takes effect; and
  - (d) these Appeal Procedures.
- 2.3 Any individual who wishes to appeal a Decision must serve a Notice of Appeal and a non-refundable Appeal Fee of £100 to the LTA within 28 days of receipt of the Notification. If either the Notice of Appeal or the Appeal Fee is not served within that 28 day period, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.4 If the Board of the LTA wish to appeal a Decision, it must serve a Notice of Appeal on the Disciplinary Officer within 28 days of receipt of the Notification. If the Notice of Appeal is not served within 28 days, the Appeal shall not be considered unless in the sole opinion of the LTA President (who may seek external legal advice) it was not reasonably practical for submission within the time limit.
- 2.5 The Notice of Appeal shall set out the Notification appealed against and the grounds upon which it is submitted the LRC misdirected itself or otherwise reached an erroneous decision.
- 2.6 Following receipt of the Notice of Appeal and Appeal Fee, the Committee Chairperson shall forthwith instruct Sport Resolutions (UK) to appoint an Appeal Committee in accordance with paragraphs 2.7 to 2.9 below. The Committee Chairperson shall notify the parties of the composition of the Appeal Committee no later than ten days from receipt by the LTA of the Notice of Appeal (unless Sport Resolutions (UK) have not provided the composition of the Appeal Committee in that time).
- 2.7 The Appeal Committee shall comprise three members appointed by Sport Resolutions (UK), with one designated by it as Chairperson. The Appeal Committee shall have the powers set out in paragraph 3 below.

- 2.8 The Appeal Committee shall not include individuals with any connection to the individual concerned or the matters being considered.
- 2.9 Should a member of the Appeal Committee become unable to hear the Appeal following the appointment of the Appeal Committee for whatever reason, Sport Resolutions (UK) shall appoint a replacement member.
- 2.10 An Appellant may object to the composition of the Appeal Committee by notifying the Committee Chairperson of the objection and setting out the reasons for such an objection (the notification shall be referred to as "an Objection") no later than 7 days from the date of receipt of notice of the composition of the Appeal Committee in paragraph 2.6 above. Any other party may respond to the Objection, no later than 7 days from the date it is received.
- 2.11 The Committee Chairperson shall, within 7 days from the date of receipt of an Objection, or within 14 days from the date the other party responds notify the Appellant that either:
- (a) the composition of the Appeal Committee has changed (in which case the Committee Chairperson shall provide details of the new Appeal Committee); or
  - (b) the composition of the Appeal Committee has not changed (in which case the Committee Chairperson shall give reasons why s/he has not accepted the Objection).
- 2.12 Within 14 days from the date on which the time limit for an Appellant to object to the composition of the Appeal Committee under paragraph 2.10 has expired or at the time of the notification under paragraph 2.11 (as appropriate), the Chairperson of the Appeal Committee shall give such directions (to both the individual and the LTA) as are appropriate for consideration of the matter, in particular:
- (a) the date and place at which the Appeal Committee will meet to determine the Appeal, provided that the Appeal shall not be heard later than 56 days from the date of the receipt of the Notice of Appeal;
  - (b) whether or not the Appeal will proceed by way of written submissions or an oral hearing; and
  - (c) whether or not the parties should be required to submit statements of their evidence and/or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.
- 2.13 An Appeal before the Appeal Committee shall be a re-hearing.
- 2.14 The Appeal Committee shall meet on the date fixed by the Chairperson and shall, no later than two weeks after hearing the Appeal, inform the individual concerned and the LTA of its decision together with written reasons for its decision. The decision of the Appeal Committee shall be final and binding.

### **3. Powers of the Appeal Committee**

- 3.1 The Appeal Committee may at its sole discretion disregard any failure by a party to adhere to these Appeal Procedures and may give such further directions as may be appropriate.
- 3.2 Prior to and at the Appeal, the Chairperson may give such directions whether or not made at the request of the parties, for the proper conduct of the Appeal as he deems may be reasonably necessary for the fair conduct of the appeal, including changes to these Appeal Procedures.
- 3.3 The Appeal Committee has the power to uphold or dismiss the appeal, to quash the Decision and/or to take any decision which the LRC has the power to make under the LTA Officials Licensing Scheme General Conditions and to make such other recommendations to the LTA as it thinks fit. In dismissing an appeal, the Appeal Committee has the power to award legal costs or a contribution towards the legal costs and/or the administration fees of the Appeal hearing where the appeal has

been conducted in an a vexatious or frivolous manner. In upholding an appeal, the Appeal Committee has the power to award legal costs or a contribution towards legal costs.

#### **4. Correspondence**

- 4.1 Any notification, correspondence or any other document submitted under these Appeal Procedures shall be sent in writing by first class post or recorded delivery (or airmail if outside the UK) and such documents shall be deemed to have been received by the intended recipient 48 hours (or if by airmail four working days) after posting.