



## Club Behaviour Policy 2018-19

Macclesfield Town Football Club reserves the right to refuse entry to and/or eject from the ground any person that fails (or in the Club's reasonable opinion is likely to fail) to comply with any of the Ground Regulations or whose presence within the ground is or could (in the Club's reasonable opinion), be construed as constituting a source of danger, nuisance or annoyance to any other person. This could lead to further action by the Club including, but not limited to, the withdrawal of any Club membership and or match ticket and/or season ticket(s) (without reimbursement) and other benefits.

Club bans will be considered or imposed for major or repeated minor breaches of Ground Regulations. For minor breaches a supporter will be warned that their actions are liable to lead to a Club ban if they continue and they will then be given a chance to modify their behaviour. A club warning will be held on record at Macclesfield Town FC and may be used for future reference.

Every supporter, for whom a Club ban is being considered, will be contacted in writing within 14 days of the allegations and offered the opportunity to present in writing or video evidence they wish to be considered. Details of the alleged offence and what evidence supports these allegations, such as CCTV evidence or a written account from Club officials or other witnesses, will be made available to them should they request it. During the period of such an investigation it may be necessary to suspend a fan from attending games. Every endeavour will be made to conduct the investigation as quickly as possible. Supporters will be informed in writing of the decision reached within seven days of a decision being made. If the supporter is under the age of 18 years, the evidence can be submitted by a parent/legal guardian/carer.

**Any Macclesfield Town FC supporter arrested by the police for football related offences either at home or away, will be suspended from attending matches until the outcome of any Police investigation is known. On receiving the outcome of the Police investigation, the Club will then write to the supporter accordingly. There will be no appeal should the Club then impose a ban if it is based on the outcome of the Police investigation, should the supporter have been found to be guilty of an offence. The minimum ban for any offence where a caution is given by the Police or where charges are brought about by the Police and found proven including fixed penalty fines will be 12 months.**

In addition to the offences detailed below, which are extracts from the English Football League Ground Regulations, any other breaches of the English Football League Ground Regulations could lead to further action being taken by the club. A copy of the full English Football League Ground Regulations can be found on the Club website and are also posted about the ground. Please read the Club Sanctions Policy in conjunction with the following extracts from the English Football League Ground Regulations.

### **Regulation 7**

The following articles must not be brought within the Ground – knives, fireworks or any other pyrotechnics, smoke canisters, air-horns, flares, weapons, dangerous or hazardous items, laser devices, glass bottles, glass vessels, cans, poles, any articles that are prohibited by the Rules and Regulations, and any article that might be used as a weapon and/or compromise public safety. Any person in possession of such items will be refused entry to (or ejected from) the Ground. The Club may impose a ban and/or the removal of season ticket(s) and/or Club membership for any such behaviour.



### **Regulation 9**

The use of threatening behaviour, foul or abusive language is strictly forbidden and will result in arrest and/or ejection from the Ground. The Club may impose a ban and/or the removal of season ticket(s) and/or Club membership for any such behaviour.

### **Regulation 10**

Racial, homophobic, or discriminatory abuse, chanting or harassment is strictly forbidden and will result in arrest and/or ejection from the Ground. The Club may impose a ban for one or more matches.

### **Regulation 11**

Under the Football (Offences) Act 1991 (as amended) the following are offences for which a person can be arrested by a police officer and conviction could result in a Banning Order being made under the Football Spectators Act 1989 (as amended): The list is non-exhaustive.

1. The throwing of any object within the Ground without lawful authority or excuse;
2. The chanting of anything of a racist, homophobic or discriminatory nature; and/or
3. The entry onto the playing area or any adjacent area to which spectators are not generally admitted without lawful authority or excuse.

Convictions may result in a banning order being made.

### **Regulation 15**

English Football League stadiums are smoke free and smoking including e-cigarettes is not permitted within the ground.

### **Regulation 17**

Under the Sporting Events (Control of Alcohol) Act 1985 (as amended), the following are offences for which a person can be arrested by a Police Officer and conviction could result in a Banning Order being made.

### **Appeals Procedure**

Our appeals procedure provides supporters with a route to follow if they have a dispute with a decision or action taken by the Club with regards to them as an individual which they deem unfair. Any supporter wishing to appeal a Club Banning Notice must do so in writing within 14 days of receiving the Club Banning Notice stating their grounds for appeal. If the supporter is under the age of 18 years this must be countersigned by their parent/legal guardian.

Upon receiving the appeal request Macclesfield Town Football Club will acknowledge receipt of the appeal in writing. This correspondence will include information about:

- a. Confirmation of details of the original action taken by the Club.
- b. When the appeal hearing will take place.
- c. Where the appeal hearing will take place.

The appeal hearing will endeavour to take place within 14 days of receiving the appeal.

This notification will invite the supporter to a meeting with the Appeals Panel or Club Representative, to be held as soon as possible for both parties, at which the supporter will be invited to state their case. The supporter may be accompanied by a person nominated by them. (If the supporter is under the age of 18 years they must be accompanied by their parent/legal guardian/carer) who may speak on their behalf. The Club will not pay travel or attendance expenses for any person attending the hearing.

At the meeting, the Club will provide the supporter with evidence showing the alleged offences, which may take the form of:



- a. CCTV footage of the alleged incident (s), or
- b. Written evidence by Club Officials, or a Police Officer, or any other person who has directly witnessed the offence.

At the meeting the supporter will also be given the opportunity to submit/provide their own evidence such as a witness statement or footage recorded on a mobile device.

It is not mandatory for the supporter to attend the appeals hearing. The supporter will be informed within 14 days in writing of the outcome of the hearing and this decision will be binding on the Club and the supporter.

### **Appeal Decisions**

The appeal outcome may:

1. Cancel the ban.
2. Lower the number of banned matches.
3. Uphold the original banning notice.
4. Increase the number of banned matches.

### **Appeal Panel**

The Appeal Panel may include some, or all the following depending on availability:

1. Club Welfare Officer
2. General Manger or nominated club representative.
3. Independent Third Party.

No supporter will be eligible to return to the Moss Rose Ground following a **Club Ban or a Football Banning Order** unless they have signed a **Code of Conduct agreement**.

### **Away Fixtures**

Macclesfield Town FC will pass the details of any supporter subject to a home club ban on to the clubs we are due to visit informing them that this ban is in place. This information will be passed via our Information Sharing Agreement with the Cheshire Constabulary. Information shared will be the name, address and date of birth of the supporter subject to the home Club ban.

Macclesfield Town FC will inform all parties that after the completion of the fixture this information should be disposed of.

Macclesfield Town Football Club is registered under the Data Protection Act, 1998 and undertakes and adheres to the strict data protection policy to ensure the security details of supporters and customers of the Club.

### **Breaches of Ground Regulations at Away Fixtures**

If any information is passed to Macclesfield Town Football Club of supporters breaching Ground Regulations at away fixtures, and if supporting evidence is available, the Club may impose a ban.

### **Social Media**

If any supporter is found to have made, via any social media site, any commentary deemed to be defamatory, obscene, discriminatory, proprietary, or libellous (whether relating to the Club, other individuals, or any other company – including the Club's customers and sponsors), the Club may impose a ban.