ISAF Race Officials

Race Officials Performance - Regulation 32

A submission from the Chairman of the Race Officials Committee

Purpose or Objective

To clarify the purpose of Regulation 32 and update it in accordance with experience gained since it was introduced.

Proposal

Amend Regulation 32 as follows:

32.1 **ISAF shall use the following procedure when it receives a report.** The Race Officials Committee shall consider any reports about the *alleging inadequate* conduct and/or competence of an ISAF Race Official adopting the following procedure.

32.2 **On receipt of a positive report concerning an ISAF Race Official’s conduct or competence he shall be informed of the content of that report.**

32.2 **To be considered under this Regulation, a report shall be in writing, and the submitter of the report shall accept that his identity is disclosed to the ISAF Race Official concerned. A report may be submitted by a race official, competitor, technical delegate, Member National Authority or authorized member of the organizing authority or class association. However, the Chief Executive Officer may in his discretion decide that a report from another source is to be considered under this Regulation.**

32.3 **When ISAF receives a report alleging inadequate conduct or competence of an ISAF Race Official’s conduct or competence, it shall be considered by the Chief Executive Officer and if it needs further action it shall be referred to the Chairman of the Race Officials Committee and a Vice President who shall place it in one of the following four categories, namely, insignificant, minor, major or urgent and serious on the following basis:**

(a) **Insignificant Reports** — reports which are considered not to be of any significance in relation to the competence or conduct of the ISAF Race Official concerned.

(b) **Minor Reports** — reports which are relevant to the conduct or competence of the ISAF Race Official and which should be communicated to him to assist him in improving his technique, but which are not serious enough to warrant any sanction.

(c) **Major Reports** — reports which disclose a lack of competence or conduct serious enough to warrant a formal investigation and possible sanctions. These may include a series of minor reports commenting on the same or similar problems. A report will be categorized as major if it describes a level of competence or conduct clearly below the level required for appointment as an ISAF International Race Official.

(d) **Urgent and Serious Reports** — reports which disclose a lack of competence or conduct so serious that it would be appropriate to consider immediate suspension of the ISAF Race Official and subsequent possible sanctions.
(a) **Category A**: An insignificant report which is considered not to disclose any inadequate conduct or competence of the ISAF Race Official concerned.

(b) **Category B**: A significant report which is considered to allege inadequate conduct or competence of the ISAF Race Official concerned. A report will be categorized as Category B if it describes a level of competence or conduct clearly below the level required for appointment as an ISAF Race Official in the relevant discipline.

(c) **Category C**: A significant report which is considered to allege inadequate conduct or competence so serious that it requires urgent action, which may include immediate suspension of the ISAF Race Official concerned while the report is being investigated.

32.4 Reports will be categorized as insignificant, unless they are in writing and made by: a race official, competitor, Technical Delegate, a Member National Authority or authorized member of the organizing authority or class association.

32.5 Where a report or complaint is categorized as insignificant **Category A**, no further action shall be taken.

32.6 Where a report or complaint is categorized as minor, it shall be recorded by the Chief Executive Officer. At intervals of approximately six months ISAF Race Officials shall be sent copies or resumes of such reports relating to him, in a form where its source is disclosed. The purpose of doing so will primarily be to educate him. The Chairman of the Race Officials Committee and a Vice President may request the race official to undertake appropriate action in order to improve his performance. If requested by the race official, further advice and assistance will be provided by ISAF to help overcome any problems that he may have. The Chairman of the relevant Sub-committee shall be supplied with all copies and resumes of minor reports and all requests to undertake action that are sent to race officials in its discipline.

32.7 Where a report or complaint is categorized as Category B, the ISAF Race Official concerned shall receive an allegation based on the report. The Race Official can either accept the allegation or request an investigation. If the Race Official accepts the allegation, the Chairman of the Race Officials Committee and all its Sub-committees shall make a decision in accordance with Regulation 32.9. If the Race Official requests an investigation, formal action by ISAF shall be taken.

32.8 Where a report or complaint is categorized as major or as urgent and serious **Category C**, formal action by ISAF shall be taken. The Chairman of the Race Officials Committee and a Vice President may suspend the Race Official pending the formal action.

32.9 Where formal action is to be taken, the Chairman of the Race Officials Committee shall appoint a panel of three people to investigate the report. The panel, if appointed, shall include two members who will be members of the Race Officials Committee or its sub-committees and may include one member of other ISAF committees and commissions or the Review Board, if appropriate.

32.98 The panel shall investigate the report and make a recommendation to the Chairman of the Race Officials Committee and all its Sub-committees either that no further action is taken, or that sanctions shall be imposed or that a report shall be made to the Chief Executive Officer for referral to the Disciplinary Commission under Regulation 32.5 in accordance with Regulation 32.9. The Race Official concerned shall be informed of the
investigation at its inception and the complaints concerned shall be supplied with the report and all relevant documents. He shall be entitled to answer the allegations in writing or before the panel as he elects. If sanctions are recommended they shall be specified. The Chairmen of the Race Officials Committee and all its sub-committees shall confirm review the recommendation and decide either to confirm it or that the sanction to be imposed shall be less than that recommended. On confirmation the Chairman shall report the decision to the Executive Committee.

32.109 The panel may recommend an appropriate sanction, for example recommendations and decisions under this Regulation may be either that no further action is taken, that sanctions shall be imposed or that a report shall be made to the Chief Executive Officer for referral to the Disciplinary Commission under Regulation 35. The following are examples of sanctions that may be imposed:

(a) that a formal warning shall be given;
(b) that a reprimand shall be given;
(c) that the ISAF Race Official shall not be appointed to or approved for events of a specified grade or type;
(d) that the ISAF Race Official shall be supervised when attending an event;
(e) that the ISAF Race Official shall attend a seminar before attending a further event;
(f) that the ISAF Race Official shall be re-assessed in his discipline, if assessment is a requirement before appointment in that discipline;
(g) that the ISAF Race Official shall take a test in the discipline concerned;
(h) that the ISAF Race Official shall be suspended from his appointment for a specified period of time followed by a re-evaluation prior to reinstatement or termination of appointment; or
(i) that the appointment of the ISAF Race Official shall be terminated.

32.10 When a decision is made under this regulation, the Chairman of the Race Officials Committee shall report it to the Executive Committee.

32.11 If the recommendation is that the appointment be terminated, the matter shall be referred to the Executive Committee which shall be the only body with authority to terminate an appointment.

32.12 A Race Official may appeal against any sanction imposed under Regulation 32, except a referral to the Disciplinary Commission, imposed under Regulation 32 to the ISAF Review Board.

32.13 The submitter of a report shall be informed of the actions taken by ISAF, unless the Chairman of the Race Officials Committee decides that this is inappropriate.

Current Position
As above.
Reasons

1. Regulation 32 has been successful in providing an orderly process for handling negative reports about ISAF race Officials. Unfortunately, it has also implied that ISAF receives almost no positive reports. In addition, there is an overlap with the regatta reporting system. This submission clarifies that Regulation 32 deals only with processing of negative reports.

2. Currently, Regulation 32 distinguishes between minor and major reports which has proved difficult to handle in practice. This submission removes that distinction.

3. Currently, Regulation 32 requires an investigation even if the ISAF Race Official concerned accepts the allegation. This submission introduces a simple process for such cases.

4. This submission introduces the requirement that the submitter of a report receives information about the actions taken by ISAF, except if it is deemed inappropriate, e.g. for personal reasons.

5. Finally, the order has been made more logical and some simplifications have been made to the wording.