



# Morialta Uniting Church Netball Club

## CHILD SAFE / CHILD PROTECTION POLICY

### COMPLAINTS POLICY

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<b>Signature of authorised person:</b>	<b>Judith Johnson</b>
<b>Review schedule:</b>	<b>30/09/2023</b>



# COMPLAINTS POLICY

This procedure has been developed to ensure that complaints about inappropriate behaviour described in this policy are addressed sensitively, consistently, fairly and confidentially.

A complaint may be reported about an individual or group behaviour informally or formally. It may be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy.

There are two possible processes that can be followed:

1. Informal
2. Formal

During the complaints process the complainant and any official dealing with the complaint will:

- Be respectful and courteous
- Not defame any individual
- Be honest
- Maintain confidentiality
- Not involve other parties unnecessarily (eg. Must not cc or bcc other parties as this can escalate an issue that may otherwise be resolved quickly.)

## Informal Process

1. The complainant makes an initial approach to their choice of one of the following people, who then provides information about whether the behaviour will be accepted as an official complaint and about options for resolution.

They are:

- An officer designated to take responsibility for resolving complaints (Complaints Officer)
  - An official of the club
2. The person approached must clarify whether the complainant wants them to act as a mediator or simply wishes to talk the matter through with them. If the complainant does want help to resolve the complaint, then they will do this at an informal level. In an official role, they must do so in an impartial manner with respect to both parties.
  3. There is no written complaint at this stage; however, the person approached should note details of the issue and retain for records. Records pertaining to the informal process should be forwarded to the secretary and recorded for future reference if required.

## Outcomes

Outcomes of an informal complaint may include:

1. The secretary emailing a Code of Conduct reminder to the entire club, a section of the club or an individual team.
2. A caution being issued verbally by a coach, manager or other club official.

## **Formal Process**

If the matter is not resolved with the support and advice of the person initially approached, the complainant may submit a formal complaint in writing explaining the allegation to the Morialta Netball Club Committee.

A delegate of the Committee, as Complaints Officer (or proxy if the complaint is against the Complaints Officer), should attempt to resolve the complaint between the parties concerned by mediation, unless this has already been attempted without success or is clearly not appropriate in the circumstances (for example, the complainant is too distressed to face an alleged harasser). If mediation fails, or is not feasible, the Complaints Officer must ensure that a fair and impartial investigation of the allegations is undertaken, and that appropriate action is implemented to resolve the complaint and, where necessary, to deal with the matter.

- The investigation is conducted by a fairly constituted panel or a suitably skilled and impartial individual from within or outside the club. (This is likely to be the Complaints Officer). Natural justice is to be observed for the person who is the subject of the allegations.
- The typical steps for an investigation consistent with the principles of natural justice are:
  1. The complainant is interviewed and the complaint is documented in writing;
  2. The allegations are conveyed to the alleged in full;
  3. The alleged is given the opportunity to respond;
  4. If there is a dispute over the facts, statements from witnesses and other relevant evidence is gathered;
  5. A finding is made as to whether the complaint has substance; and
  6. A report documenting the investigation process, the evidence, the finding and the recommended outcome/s is submitted to the decision-maker. The decision-maker for Morialta Netball Club shall be the Chairperson.

If the report is endorsed by the decision-maker, the organisation then carries out the recommendations of the report.

## **Outcomes**

Outcomes of an informal complaint may include:

1. An apology
2. Counselling
3. Withdrawal of official duties
4. Player being excluded from a team or the club

Both the complainant and the respondent have the right to appeal against the findings of the investigator/panel or against the resulting recommended action if they have any concerns about procedure, bias or fairness. Appeals are handled by an appeal panel made up of committee members other than those who conducted the original investigation.

- The appeal body can:
  1. Uphold the decision of the investigator/panel,
  2. Reverse the decision of the investigator/panel, and/or
  3. Modify any of the investigator/panel's recommendations for disciplinary action or remedial measures.

## **DEFINITIONS**

### **Complaint**

A formal or informal allegation made against a person from Morialta by a Club Member/s or any other person/s of an inappropriate or unsatisfactory action or behaviour, particularly (but not limited to) assault, abuse, harassment or discrimination.

### **Informal complaint**

A complaint where the complainant requests no action is warranted against a specific individual OR the complainant wishes to attempt to resolve the issue without the assistance/involvement of the Club Management Committee e.g. at an individual or team level with coach/manager.

### **Formal Complaint**

A complaint referred in writing to the Club Management Committee for resolution e.g. a complaint which may initially have been unable to be resolved by two parties or a complaint of a serious nature e.g. assault, abuse, harassment, discrimination etc.

### **Assault**

Intentional physical attack or threatening behaviour towards another person which causes or has the potential to cause injury, offends, upsets, humiliates or frightens another person, including (but not limited to) hitting, slapping, kicking, spitting, throwing of an object, scratching, pulling and tripping.

### **Abuse**

Verbal insult or swearing which intentionally or unintentionally offends, upsets, humiliates or frightens another person.

### **Bullying**

The use of a position of power or strength to threaten, hurt or influence another person.

### **Members**

A person who plays for Morialta, is a parent of a player and/or a Club Official.

### **Harassment**

Continued intentional or unintentional action or behaviour which offends, upsets, humiliates or frightens another person, including (but not limited to) sexual harassment. Addressing issues of poor sportsmanship or inappropriate behaviour would not usually be considered harassment.

### **Discrimination**

Intentional or unintentional action or behaviour which offends, upsets, excludes, humiliates or frightens another person arising from (but not limited to) a person's gender, race, religion, age or sexuality. Addressing issues of poor sportsmanship or inappropriate behaviour would not usually be considered discrimination.

### **Complaints Officer**

The Club Committee Member assigned to conduct or facilitate the investigation and resolution process associated with complaints.

### **Proxy Complaints Officer**

The person/s who makes a complaint.

### **Complainant**

The person/s who makes a complaint.

### **Accused**

The person against whom a complaint has been made.

### **Party(ies)**

The complainant or accused person (or both) and requested relevant representatives.

### **Club Official**

A Committee Member, team Coach or Manager.

**Signed:** *Jude Johnson*  
*Morialta UCA Netball Club Chairperson*

**Date:** 30/09/2022

**Review Date:** 30/09/2023