

NEWTON JAGUARS NETBALL CLUB  
**COMPLAINT RESOLUTION PROCEDURE**



**1. PURPOSE**

- To ensure a consistent process is in place to assist the NJNC Committee and Officials resolve complaints which may arise within The Club.
- To identify the roles and responsibilities within The Club associated with resolving complaints.

**2. SCOPE**

This procedure applies to all complaints arising from or raised against Club Members or their associates while associated with The Club's netball activities e.g. training, matches, Club functions and any other functions as a representative or accompanying a representative of The CLUB. It will not apply to team selection processes unless it is alleged the process for selection constitutes discrimination or sexual harassment.

**3. DEFINITIONS**

**Complaint**

A formal or informal allegation made against a person 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 or the complainant wishes to attempt to resolve the issue can be resolved 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.

**THE CLUB**

Newton Jaguars Netball Club.

**Bullying**

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

**Members**

A person who plays for The Club, 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.

**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.

**Contact Officer**

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

**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 Club Management Committee Member, team Coach or Manager.

**4. GUIDELINES**

- 4.1 All Members (or any other person) who believe they or any other person are being intentionally or unintentionally subjected to any actions or behaviour which is offensive, upsetting, excluding, humiliating or frightening are strongly encouraged to raise a formal or informal complaint with the relevant coach/manager or Management Committee. Such actions or behaviour includes (but is not limited to) assault, abuse, harassment and discrimination.
- 4.2 In certain situations (e.g. assault, sexual harassment, racial discrimination etc) the complainant complaints may wish to direct the matter with the relevant Statutory Authority (e.g. Police, Equal Opportunity Commission etc)
- 4.3 Formal complaints will be recorded on a "Complaint Report Form". Formal records will not be kept regarding informal complaints.
- 4.4 The CLUB encourages initial low level informal resolution of complaints via the relevant coach/manager where possible/appropriate. If the complainant feels this to be inappropriate or prefers to refer the complaint to the Management Committee, the Management Committee will act in accordance with Section 5.2 of this procedure.
- 4.5 A complainant will be entitled to assistance from a Club Official (upon request) to resolve an issue.

**5. PROCESS**5.1 Informal complaints**Important Note:**

All complaints relating to assault, sexual harassment and discrimination must be immediately referred to the Club Management Committee for formal investigation and resolution.

- 5.1.1 An informal complaint may be made to any Club Official (or directly to the Club Contact Officer).

- 5.1.2 The Club Official must ensure the complainant is aware of his/her option to choose other methods to resolve the complaint before proceeding to resolve the matter informally.
- 5.1.3 Upon request the Club Official or Club Contact Officer will, at their earliest convenience, assist to resolve the issue taking into consideration any confidentiality requirements set by the complainant.
- 5.1.4 The Club Official shall investigate the complaint and establish facts by discussing the events individually with the complainant, any witnesses, and the accused person
- 5.1.5 The Club Official must ensure that
  - the complainant is consulted to identify the circumstances which may assist to ensure a timely and satisfactory resolution; and
  - the accused person/s are provided with relevant information regarding the complaint
- 5.1.6 All parties are entitled to have representation to assist with the resolution process
- 5.1.7 If the complaint is substantiated cooperation is expected from both parties to identify a satisfactory and timely resolution.
- 5.1.8 The Club Official will consult with the Contact Officer (and vice versa) to determine an agreed course of action to achieve a suitable resolution. Other Policies, Procedures, Codes of Conduct etc will be referenced in this process.
- 5.1.9 Both Parties will be notified of the course of action required by them to assist resolve the complaint
- 5.1.10 The Club Official will continue to monitor and provide support to both parties to assist in preventing a recurrence of the event/s.
- 5.1.11 If the matter can not be resolved informally the complainant can choose to make a formal complaint to the Management Committee.
- 5.1.12 Notes of any discussions held may be taken for possible future reference. These should be forwarded to the Management committee.

5.2 Formal Complaint

It is intended that formal complaints are made only when dealing with more serious or continued breaches of the Clubs Policies, Procedures Codes of Conduct etc (e.g. 'Non negotiables').

- 5.2.1 Where a complainant wishes a complaint be dealt with formally, the complainant must refer the complaint to the Management Committee in writing.
- 5.2.2 On receipt of a formal complaint the Management Committee shall refer the matter to the Contact Officer.
- 5.2.3 The Contact Officer (or delegate) will ensure the complaint is appropriately investigated and a just and appropriate resolution is found which is considerate of all parties and ultimately reflects the best interests of The Club by;
  - ensuring the complainant is aware of his/her option to choose other methods to resolve the complaint before proceeding to resolve the matter formally.

- as far as reasonably practicable maintaining parties confidentiality.
  - establishing facts.
  - ensuring parties are aware of the Formal Complaint process.
  - providing relevant information of any actions that may result if a complaint is substantiated.
  - maintaining sufficient notes of any discussions between parties to ensure that an accurate account of what has occurred can be provided later if necessary
- 5.2.4 After the initial investigation, the Contact Officer must provide a written recommendation to the Management Committee detailing a course of action to be taken to resolve the complaint. The recommended actions must be founded in accordance with other Club Policies, Procedures, Codes of Conduct etc.
- 5.2.5 The Management Committee will consult on the recommendation at its next scheduled meeting or earlier if deemed urgent. Consultation via email and telephone in these cases is appropriate if requested.
- 5.2.6 A decision on actions to be taken to resolve a complaint will be determined by the Management Committee based on a majority vote.
- 5.2.7 The Contact Officer shall notify the complainant and the accused (in writing) of the Management Committee's decision/s
- 5.2.8 If either party wishes to dispute the decision/s of the Management Committee they may request (in writing) a review of the decision stating their reasons. A review will be conducted at the discretion of the Management Committee based on a majority vote.
- 5.2.9 After a satisfactory completion of the process (determined by majority of the Management Committee) including any review process, the decisions made by the Management Committee will be final.
- 5.2.10 The Contact Officer will initiate actions determined by the Management Committee with the parties to ensure resolution.
- 5.2.11 All parties must abide by the decisions made by the Management Committee.
- 5.2.12 The Contact Officer will review the process for improvement.

## 6. DOCUMENTATION

- 6.1 Upon satisfactory completion of the formal complaint process a final report must be prepared by the Contact Officer (or delegated person) detailing the following;
- the persons/parties involved
  - the complaint (not required if the complainants written complaint attached)
  - persons/parties interviewed
  - any discussions held with parties
  - actions taken to resolve issue (if initially taken prior to formal complaint)
  - resolution recommendations
  - Management Committee decision

- A written acknowledgement from the complainant that the complaint was addressed by the Management Committee.

6.2 The report must be forwarded to the Management Committee and kept on record for 7 year

## 7. REFERENCES

Player Code of Conduct

Coaches Code Of Conduct

Parent and Supporter Code of Conduct

Privacy Policy

NJNC Constitution & By-Laws