**10. Responding to Complaints**

**10.1 Complaints**

Our club takes all complaints, about on and off-field behaviour, seriously.

Our club will handle complaints based on the principles of procedural fairness.

that is:

all complaints will be taken seriously;

both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);

irrelevant matters will not be taken into account;

decisions will be unbiased and fair; and

any penalties imposed will be fair and reasonable.

More serious complaints may be sent to our district/region/state or national body.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club will need to report the behaviour to the police and/or relevant government authority.

**10.2 Complaint Handling Process**

When a complaint is received by our club, the person receiving the complaint (e.g. President,) will:

listen carefully and ask questions to understand the nature and extent of the problem;

ask what the complainant would like to happen;

explain the different options available to help resolve the problem;

take notes; and

maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

supporting the person complaining to talk to the person being complained about

bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);

gathering more information (e.g. from other people that may have seen the behaviour);

seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);

referring the complaint to our district, regional, state or national association; and/or

referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to our district, regional, state or national association and an investigation is conducted, the club will:

co-operate fully;

ensure the complainant and respondent are not victimised;

where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and

act on our district, regional, state or national association’s recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

**10.3 Disciplinary Measures**

Our club will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

Be applied consistent with any contractual and employment rules and requirements;

Be fair and reasonable;

Be based on the evidence and information presented and the seriousness of the breach;

Be determined by our Constitution, By Laws and the rules of the game.

Possible measures that may be taken include:

verbal and/or written apology;

counselling to address behaviour;

withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;

suspension or termination of membership, participation or engagement in a role or activity;

de-registration of accreditation for a period of time or permanently;

a fine; or

any other form of discipline that our club considers reasonable and appropriate.

**10.4 Appeals**

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by our club to our district, regional, state or national association. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

**Other info**

As a club administrator it’s important that your handling of complaints is fair, just and transparent (i.e. you follow clear processes and procedures).

You should apply the following principles:

* **Treat** complaints seriously
* **Act** promptly
* **Treat** people fairly and listen to both sides of the story
* **Stay** neutral
* **Keep** parties to the complaint informed
* **Try to Maintain** confidentiality if possible
* **Protect** against victimisation
* **Keep** accurate records
* **Make** decisions based only on information gathered not personal views
* **Disciplinary** action should be relative to the breach

Dealing with complaints involves talking to the people involved and listening to their respective sides of the story.  Before you take this step, think about the best way of organising the meeting, how the people involved might respond and what you can do to manage the situation in a fair and impartial manner. Below are some tips to help prepare for meeting:

* **Put** yourself in place of the people involved.
* **Think** about what you’re going to say and how you’re going to say it.
* **Consider** how the issue relates to your club’s policies and codes of behaviour.
* **Recognise** that different people will probably want different things.
* **Don’t** be defensive or allow yourself to be pressured into a particular course of action.
* **Be clear**about how you will manage expectations about the complaint process and outcomes:
  + if a person wants help but doesn’t want to be identified explain that you’re limited in the actions you can take, unless the complaint involves a child
  + if a person insists on immediate disciplinary measures let them know that the person they are complaining about has the right to tell their side of the story
  + if you have conflict of interest (e.g., you are related to the person being complained about) remove yourself from the process.
* **Remember**: the safety of club members should be your first priority, particularly if the complaint involves possible child abuse.

**Putting yourself in the place of those involved**

[Think about the complainant](http://www.playbytherules.net.au/about-complaints/dealing-with-complaints/preparing-to-meet-with-the-people-involved" \l "think-about-the-complainant)

**Think about the complainant**

Making a complaint can be very difficult. The person making the complaint may be:

* angry, upset, afraid or hostile concerned that they’ll get a reputation as a trouble-maker
* fearful that there may be retaliation because they’ve made a complaint
* uncomfortable about discussing their concerns
* concerned that little may change as a result of meeting with you
* defensive, particularly if the person against whom they are complaining is another club official.

You can direct complaints to the President, Executive Officer or Member Protection Information Officer (if the sport or club has one) of your club or organisation.

Lodge your complaint at the level at which the issue occurs (e.g. if it’s a club issue, then it should be dealt with at the local level; if it’s a state or national issue direct it to the appropriate authority).

If you’re worried that a child is at risk report your suspicions immediately to your state or national sporting organisation and child protection authority (this is a legal requirement in some states).

If the issue is serious (e.g. sexual harassment or physical assault) you can either lodge a complaint with your sport or contact your state’s:

* anti-discrimination agency if you want advice or to refer a complaint about discrimination and harassment, or the Australian Human Rights Commission
* police department to report allegations of assault or to request police assistance.

You can also contact either agency at any time during the complaint handling process. If you’re not satisfied with the way the complaint’s been handled or you’re unhappy with the outcome, you may be able to either lodge an appeal or direct the complaint to the next level (e.g. state or national organisation).