



COMPLAINT/GRIEVANCES POLICY

PURPOSE

To ensure that complaints/grievances raised by members (including members of the committee), volunteers, stakeholders or community members which may arise in the conduct of netball competitions, activities and events are dealt with in a prompt and equitable manner.

POLICY

It is recognised that people associated with the club will from time to time have complaints or grievances that need to be resolved in the interest of maintaining good relationships. Airport West Netball Club (ASNC) believes that:

- people have the right to have their complaint/ grievances receive careful consideration through established processes that are timely and based on fairness and respect
- the best resolution is one that is reached cooperatively and informally where possible, prior to a formal grievance being lodged in writing
- a person making a complaint or grievance will not be disadvantaged in anyway as a direct result
- where a formal grievance is received by the committee it will be considered in a timely and confidential manner and documented together with the steps towards resolution.

Where a complaint, incident or matter arises which may be dealt with under the [Child Safety in Netball Policy](#) (the “Policy”), then it is to be resolved in accordance with the processes in the Policy, to the exclusion of all other Netball Victoria disciplinary or grievance policies or processes.

Where a complaint, incident or matter arises which is in regards to Tournaments, Competitions, Activities or Events run by an affiliated association or is in regards to an opposing individual, team or club taking part, please refer to [Netball Victoria's Complaint Handling Policy](#)

WHAT CONSTITUTES AN OFFENCE?

An offence includes, but is not limited to:

- (a) Disputing the decision(s) of an umpire
- (b) Abuse of an umpire
- (c) Unsportsmanlike behaviour
- (d) Breach(es) of Code(s) of Conduct including gross breach(es)*.
- (e) Online breach of Code of Conduct as per the Netball Victoria Cybersafety Policy
- (f) Attempting to trip, strike, elbow or kick
- (g) Tripping, striking, elbowing or kicking
- (h) Obscene gestures
- (i) Offensive language (which may include abusive, obscene or insulting language)
- (j) Fighting
- (k) Spitting
- (l) Threatening a person
- (m) Deliberately endangering the health and safety of any player, spectator or official (incidents involving blood/body fluids)
- (n) Failure to co-operate in, or hindering an investigation or Hearing under this Regulation.
- (o) Failure by any person required to attend a Hearing without proper cause when notified



- (p) Coaching, umpiring, playing or engaging in score bench duties while under suspension
- (q) Failure to undertake all requirements of a penalty decision by the set date
- (r) Any other inappropriate or offensive behaviour.

**Gross breach(es) involves actions or behaviours that are considered significantly more severe than minor infractions such as physical violence, verbal abuse, cheating or discrimination/harassment.*

PROCEDURES

The following procedure has been developed as an effective tool to ensure complaints are addressed as early as possible and at the lowest possible level, before they become major issues that require a formal investigation.

It is only after every effort is made to resolve the complaint, that consideration should be given to a more formal process, as outlined in the constitution (rule 12), and an investigation conducted as a last resort. The club will ensure that justice & fairness are adopted at every stage of the complaints process. All formal complaints will be heard and decided on within (1) month of receiving the written grievance.

The first level of these procedures is therefore the most important, if early resolution is to be achieved.

WHAT CONSTITUTES A COMPLAINT

- A Complaint may relate to a member, player, umpire, coach or committee member of ASNC, who in the opinion of the Complainant has committed an Offence.
- A Complaint must relate to an Offence arising from a Tournament, Competition, Activity or Event conducted by ASNC.
- The Offence may occur:
 - (a) Before, during or after the conduct of the Tournament, Competition, Activity or Event;
 - (b) Within the confines or immediate surrounds of the venue to which the Tournament, Competition, Activity or Event is being held;
 - (c) Online, including but not limited to, email and social media outlets, as per [Netball Victoria's Cyber Safety Policy](#);
 - (d) Elsewhere, if directly related to a Tournament, Competition, Activity or Event conducted by the Organising Body.

MAKING A COMPLAINT : FIRST LEVEL: one-on-one informal discussion and facilitation between relevant parties

1. When a member wishes to raise a complaint, they should initially attempt to resolve the complaint through informal discussions with the other party or parties involved, stating the nature of the offensive behaviour and requesting that it ceases.
2. The member against whom the complaint is made should make a full verbal response to the other member who has raised the complaint, within a period of five (5) working days. This response should include the action that will be taken to address the complaint.
3. If the member does not feel they can raise the matter with the other party or if they are not satisfied with the outcome of the discussion with the other party, they should verbally advise a board member of the committee and may request assistance in resolving the complaint.
4. The board member selected should ensure they make every effort to resolve the matter within the earliest possible time frame. The board member may:
 - i. take notes about the complaint (which will be kept in a secure and confidential place)
 - ii. try to find out the facts of the complaint;
 - iii. ask what outcome the complainant would like, how they want the problem resolved and if they require other support (ie Netball Victoria or a mediator);
 - iv. explain how our complaints procedure works;
 - v. provide possible options to resolve the problem;
 - vi. act as a support person if required;
 - vii. referral to an appropriate person to help resolve the problem;
 - viii. if necessary, inform the relevant government authorities and/or police if required by law to do so; and



- ix. maintain strict confidentiality.

If, at any time, the board committee member views that the offence constitutes elevation to the second level or if a resolution can not be made at the first level the complainant will be advised to make a written formal complaint (grievance) using the [ASNC grievance form](#) (Appendix 1).

5. Outcomes from initial Contact. After talking with the board committee member the complainant may decide:
 - i. there is no problem and no further action is required;
 - ii. the problem is minor and they do not wish to take the matter forward;
 - iii. to try and resolve the problem, with or without a support person such as a committee member;or
 - iv. to resolve the matter through the formal process by making a formal complaint.

If you wish to remain anonymous, Airport Saints Netball Club Inc. cannot assist you to resolve your complaint. Airport Saints Netball Club Inc. must follow the principles of natural justice and be fair to both sides. This means that Airport Saints Netball Club Inc. may be required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond to all the allegations.

MAKING A FORMAL COMPLAINT (GRIEVANCE): SECOND LEVEL: Escalation to Grievance

A grievance should only be raised to this level as a last resort or when the issue is so serious that an investigation is warranted in the first instance.

1. If satisfaction is not reached at the first level of the process, a written formal complaint (grievance) can then be made by forwarding the grievance in writing to the Airport Saints Netball Club committee airportsaints@gmail.com clearly setting out the issue or problem using the [ASNC grievance form](#) (Appendix 1).
2. The ASNC Committee will acknowledge receipt of the grievance within 48 hours.
3. The Board will determine the most appropriate person to investigate the issue raised and method of dealing with the grievance. This may include individual discussions with parties concerned, discussions with witnesses, review of decisions and reviews of processes. The investigators should be mindful of not including hearsay or unrelated issues.
4. The Club will endeavour to resolve the grievance within 14 days of receipt of the grievance. Where this is not possible, the Club will keep the complainant informed of the progress and likely time for resolution.
5. If the grievance relates to a person, they will receive a copy of the grievance and have the right of reply.
6. Any person who is the subject of a grievance, cannot be involved in the investigation of the complaint.
7. Once the investigation is complete and all information has been gathered, the investigator/s should prepare a report to inform a decision by the Board. The investigator may also choose to have an independent person, such as a Netball Victoria Representative, review the decision.
8. The investigator should provide recommendations for resolution of the issue based on information gathered. The investigator may also recommend the engagement of an independent mediator from either within or outside of the club.
9. The Committee should reach unanimous agreement of a recommendation for resolution.
10. The Committee should reply in writing to the complainant outlining their investigation outcomes and provide formal advice regarding how the matter will be finalised.

DOCUMENTATION

All discussions within the second level of this process should be documented and signed by participating parties.

Please see Appendix 1 for [ASNC grievance form](#) or refer to Netball Victoria's by going to <https://cdna.net.au/wp-content/uploads/2018/07/Complaint-Form-2017.pdf>

DEALING WITH A GRIEVANCE

- Grievances dealing with players and netball issues will be directed to the secretary



and president. The secretary and president are expected to request a relevant official to investigate, review the matter and provide a draft reply or other suggested course of action.

- The grievance shall remain confidential during this process although any person subject to the grievance is entitled to be informed of the details of it. The draft reply may be placed before the Committee and considered by them. Once the grievance and the final written reply have been reviewed and agreed upon by the Committee, it will be sent to the aggrieved person. The committee may use any of the following methods to resolve the grievance (but not limited to these methods).
 1. Provide a written reply to the complainant detailing the matters considered by the committee during this process.
 2. Explain to the complainant, any processes that have been undertaken by the club in relation to the issue relating to the grievance.
 3. If agreeable by the person making the grievance and the person who is the subject of the grievance, arrange a meeting between the parties to discuss the matter. •
 4. Obtain any background information in relation to the grievance to ensure a clear indication of all factors concerning the grievance is able to be made.
 5. Impose a [penalty](#) as outlined in this policy.
 6. Deem the matter unable to be resolved after these processes have been followed.
 7. Take no action and the grievance dismissed (dependant on the validity of the grievance).

OTHER ACTION CONSIDERED BY THE CLUB

Suitable action in relation to the grievance will vary according to the circumstances, but can include and is not limited to:

- an undertaking by the club to review the practices / procedures as outlined in the grievance.
- an undertaking by the club to implement the suggestions made in relation to the grievance.
- the decision of the committee in relation to the matter will be final.
- the grievance form will be filed with any appropriate endorsements noted.
- the grievance register will be endorsed appropriately.

SERIOUS GRIEVANCES

All allegations of a serious or criminal nature will be reported immediately to the police or relevant agency or authority. Under no circumstances will Airport Saint Netball Club conduct its own investigations into any serious allegations or allegations of a criminal nature.

TEAM ALLOCATION OR GRADING GRIEVANCE

- Any grievances in regard to the team selection process or outcomes are to be directed in writing to the Secretary via airportsaints@gmail.com .
- All grievances will be acknowledged within 48 hours of receipt.
- The Secretary will determine the most appropriate person to deal with the grievance.
- Concerns with the process will be considered and responded to by a representative of the Board.
- Concerns in regard to selection will initially be addressed by the Board, in consultation with a member of the Selection Panel.
- You will receive a response to your grievance within seven days.
- If your grievance cannot be addressed within this time, you will be contacted to explain why.

CLUB RESPONSIBILITIES:

- ASNC Committee aims to be aware of conflicts and grievance and treat all issues as "legitimate"



and then will assess the merit of the grievance.

- ASNC Committee will assess the issue by speaking with relevant parties and seeking feedback and further information.
- ASNC will decide what should be done, make a plan and carry out relevant actions to improve the situation.
- ASNC President and/or nominee will act as mediator when required between two parties.
- ASNC President and/or nominee will refer a selection grievance to the Selection Committee and will assist to resolve the issue.
- If the grievance remains unresolved the issue may be raised at the ASNC Committee meetings in a confidential manner if the President and/or nominee deems appropriate where necessary action will be taken.

PENALTIES

Persons on a first offence shall have this considered when assessing the penalty to be imposed.

The Committee and/or investigator may consider the Respondent's prior history in determining a penalty to be imposed provided the penalty does not exceed the maximum penalties assigned to offences as listed in the table below.

If the investigator or ASNC Board considers that a charge has been proven, any one or more of the following penalties may be imposed:

- A warning;
- A monetary fine;
- Suspension;
- Disqualification; and/or
- Remedial penalties such as:
 - Written apology
 - Training and education
 - Rereading / re-signing Code(s) of Conduct(s)
- Any other such penalty as the Complaints Manager or Hearing Panel considers appropriate.

The range of penalties set out below may be imposed at the discretion of the Board. The table below sets out the standard offences and maximum penalties to be applied by the Board where a charge has been found proven. Whether a penalty is to be imposed shall be at the discretion of the Board. Should the Board determine that a period of suspension is required, the Board must not apply a period of suspension which would exceed the maximum penalty for an Offence as listed below.

	Offence	Maximum Penalty
(a)	Disputing the decision(s) of an umpire	Up to 2 weeks
(b)	Abuse of an umpire	Up to 4 weeks
(c)	Unsportsmanlike behaviour	Up to 4 weeks
(d)	Breach(es) of Code(s) of Conduct	Up to 3 weeks
	Gross Breach(es) of Code(s) of Conduct	Up to 6 weeks



(f)	Online breach of Code of Conduct as per the Netball Victoria Cybersafety Policy	Up to 10 weeks
g)	Attempting to trip, strike, elbow or kick	Up to 4 weeks
h)	Tripping, striking, elbowing or kicking	Up to 8 weeks
(i)	Obscene gestures	Up to 2 weeks
(j)	Offensive language (which may include abusive, obscene or insulting language).	Up to 2 weeks
(k)	Fighting Up to 8 weeks (l) Spitting	Up to 4 weeks
(m)	Threatening a person	Up to 6 weeks
(n)	Deliberately endangering the health & safety of any player, spectator or official (incidents involving blood/body fluids)	10 weeks
o)	Failure to cooperate in, or hindering an investigation or Hearing under this Regulation	Up to 4 weeks
(p)	Failure by any person required to attend a Hearing without proper cause when notified	Up to 4 weeks
q)	Coaching, umpiring, playing or engaging in score bench duties while under suspension	Up to 6 weeks
	Failure to undertake all requirements of a penalty decision by the set date	Up to 3 weeks

If the Board believes that exceptional circumstances exist whereby the penalty to be imposed should exceed the maximum penalty as outlined in the table above, the Board must contact Netball Victoria for approval to impose such a penalty.

Any incident outside the Offences listed in the Regulations should be referred to Netball Victoria.

For further information please refer to:

[Netball Victoria's Complaint Handling Policy](#)

¹Airport Saints Constitution

[Netball Victoria's member protection policy 2023](#)

[Netball Australia Netball Integrity policy framework, conduct and disciplinary policy 2023](#)



Appendix 1

ASNC GRIEVANCE FORM	
Event / Competition:	
Venue of incident:	
Exact location of incident:	
Date of incident:	
Time of incident:	
Nature of Complaint: <small>Can tick more than one box</small>	<input type="checkbox"/> Competition Related Incident <input type="checkbox"/> Hazard / Potential Hazard <input type="checkbox"/> Inappropriate Behaviour <input type="checkbox"/> Other _____
Complainant Name:	
	<input type="checkbox"/> Under 18 <input type="checkbox"/> Over 18
Complainant Address:	
Complainant Phone:	
Complainant Email:	
Role / Status in netball:	<input type="checkbox"/> Athlete or Player <input type="checkbox"/> Coach or Assistant Coach <input type="checkbox"/> Official <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Support Personnel <input type="checkbox"/> Team Manager <input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Other _____
Respondent Name:	
	<input type="checkbox"/> Under 18 <input type="checkbox"/> Over 18 <i>Please note that a copy of this report will be provided to the respondent</i>
Role / Status in netball:	<input type="checkbox"/> Athlete or Player <input type="checkbox"/> Coach or Assistant Coach <input type="checkbox"/> Official <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Support Personnel <input type="checkbox"/> Team Manager



	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Other _____
<p>Please provide a detailed description of alleged incident: <i>Please use additional pages if more detail is required</i></p>	
<p>Outline any action taken at the time of the incident :</p>	
<p>Name/s of any witnesses to alleged incident:</p>	
<p>Signed:</p>	
<p>Date:</p>	