



## Willi Tigers Netball Club

### Complaints Procedure

The following steps should be taken in the management of complaints and this Complaints Procedure has been developed in consideration of Netball Australia's Members Protection Policy.

#### **COMPLAINT**

A complaint must be made in writing to Club.

The committee should consider and appoint a Complaint Manager, should an investigation be required.

The Complaint Manager should not have a conflict of interest or personal interest in the matter.

When a complaint is received by the Committee it should determine the appropriate process for resolving the problem including:

- Mediation;
- Further evidence collection by the Complaint Manager;
- Referral to an external body (ie court, tribunal, government agency, external mediator, police, other authority); or
- Another process agreed between the Committee and the parties.

Taking into account the complaint, the Committee/Complaint Manager will decide whether:

- To collect further evidence;
- If the parties agree, to refer the complaint to mediation;
- To commence another process appropriate in the circumstances, examples of which include:
  - Referring the matter to the police or other appropriate authority;
  - Implementing an interim arrangement (such as temporarily separating the parties from engaging with one another to avoid a reoccurrence of the alleged incident);
- Where the parties reach a compromised resolution, to record an outcome and finalise the complaint (ie a written apology to conclude the matter, an agreement to cease the behaviour complained of etc.).

#### **Commence Appropriate Process**

If the Committee/Complaint Manager decides that further evidence is required, the Complaint Manager will investigate the information collection process.

#### **Collect Evidence**

As part of this process, Complaint Manager will:

- Request a written response from the respondent;
- Collect witness statements (if applicable and required); and
- Collect any other evidence including video footage, photos, recordings etc.

#### **Report**

The Complaint Manager will compile information and prepare a Report for the Committee, which will include recommendations for any action/penalty.

#### **Decision**

The Committee to consider the Report and determine, then confirm any action/penalty.

#### **Communicating the Decision of the Committee**

The decision of the Committee is communicated to the parties.



## **APPEALS**

The decision of the Committee can be appealed and Appeals should be made in writing to the Club.

### **Appoint Appeals Tribunal**

- The Appeals Tribunal will comprise;
  - One person who in the Committee's reasonable opinion is experienced in ensuring that procedural fairness is provided; and
  - Another person who in the Committee's reasonable opinion has a thorough knowledge of the sport of netball, (collectively, Appeals Tribunal).
- The Complaint Manager will give the Appeals Tribunal members copies of all the evidence collected and the Report table to the Committee.

### **Role of the Appeals Tribunal**

The Appeals Tribunal is responsible for determining the Appeal by either:

- Assessing the evidence "on the papers" (without holding a hearing); or
- Collecting additional evidence (without holding a hearing); or
- Holding a hearing.

The Appeals Tribunal will make a decision to either:

- Substantiate the Appeal against the decision; or
- Dismiss the Appeal.

The Appeals Tribunal must communicate its decision to the parties in writing and record the outcome.

If the Appeals Tribunal dismisses the appeal:

- The decision is final and a party may only dispute a decision on the basis of failure to accord procedural fairness.

The Appeals Tribunal must communicate the final penalty to the parties in writing and record the outcome in the Record of Appeals Tribunal.

There is no further right to Appeal.