

# Club and Club Member Grievance Procedure

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## Purpose

The objective of the Melbourne University Sport (MU Sport) Club and Club Member Grievance Procedure is to provide a fair and transparent framework for the handling of club and/or club member grievances. A grievance may arise where a club and/or club member believes that the club's or an individual member's responsibilities, as outlined in the Member Protection Policy for Clubs and Club Members, has been breached.

## Responding to Complaints

The club will take all complaints about on and off-field behaviour seriously. The club will handle complaints based on the principles of procedural fairness (natural justice), 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 escalated directly to MU Sport where the club believes it is not in a position to independently resolve the complaint.

## Complaint Handling Process

**Step 1:** When a complaint is received by the **club**, the person receiving the complaint (e.g. President, Player and Coach Welfare Coordinator) will:

- request that the complaint is made in writing (see Attachment 1 as an example)
- provide MU Sport with a copy of the written complaint
- convene a meeting with the complainant and 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.

**Step 2:** 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 MU Sport or from an external agency (e.g. State Department of Sport or anti-discrimination agency);

**Step 3:** After undertaking Step 1 and Step 2, the club will:

- respond to the complainant with a decision which may or may not include disciplinary measures;
- inform MU Sport of the club's decision and/or disciplinary measures; or
- refer the complaint to MU Sport where the club believes it is not in a position to independently resolve the complaint.

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by the club to MU Sport. 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.

**Step 4:** In situations where a complaint is referred directly to MU Sport without being heard by the club, 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 MU Sport's recommendations.

Where a complaint is referred directly to MU Sport, or where the complainant or respondent seek to appeal a club's decision, MU Sport will:

- gather information as it relates to the complaint and attempt to mediate a resolution as per Steps 1 and/or 2;
- where mediation is not successful, convene an independent Appeal Panel to hear the appeal;
- facilitate a hearing with the complainant and/or the respondent and the appeal panel in a timely manner;
- document the decision of the appeal panel and communicate to all parties involved.

MU Sport will seek 10 – 15 suitably qualified and/or experienced individuals to form a general Appeal Panel each year. Individuals may be past or present members of affiliated University sporting clubs, past or present members of University staff or individuals external to the University that are deemed to have a suitable skills-set to adjudicate on complaints. A panel of three (3) members will be convened to hear each appeal or complaint made directly to MU Sport.

*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.*

### **Disciplinary Measures**

Step 5: The club will take disciplinary action against a member or supporter found to have breached the University's Club and Club Member Codes of Behaviour, or other University-related policy, or where an individual has made false and/or malicious allegations. Any disciplinary measure imposed under the policy must be:

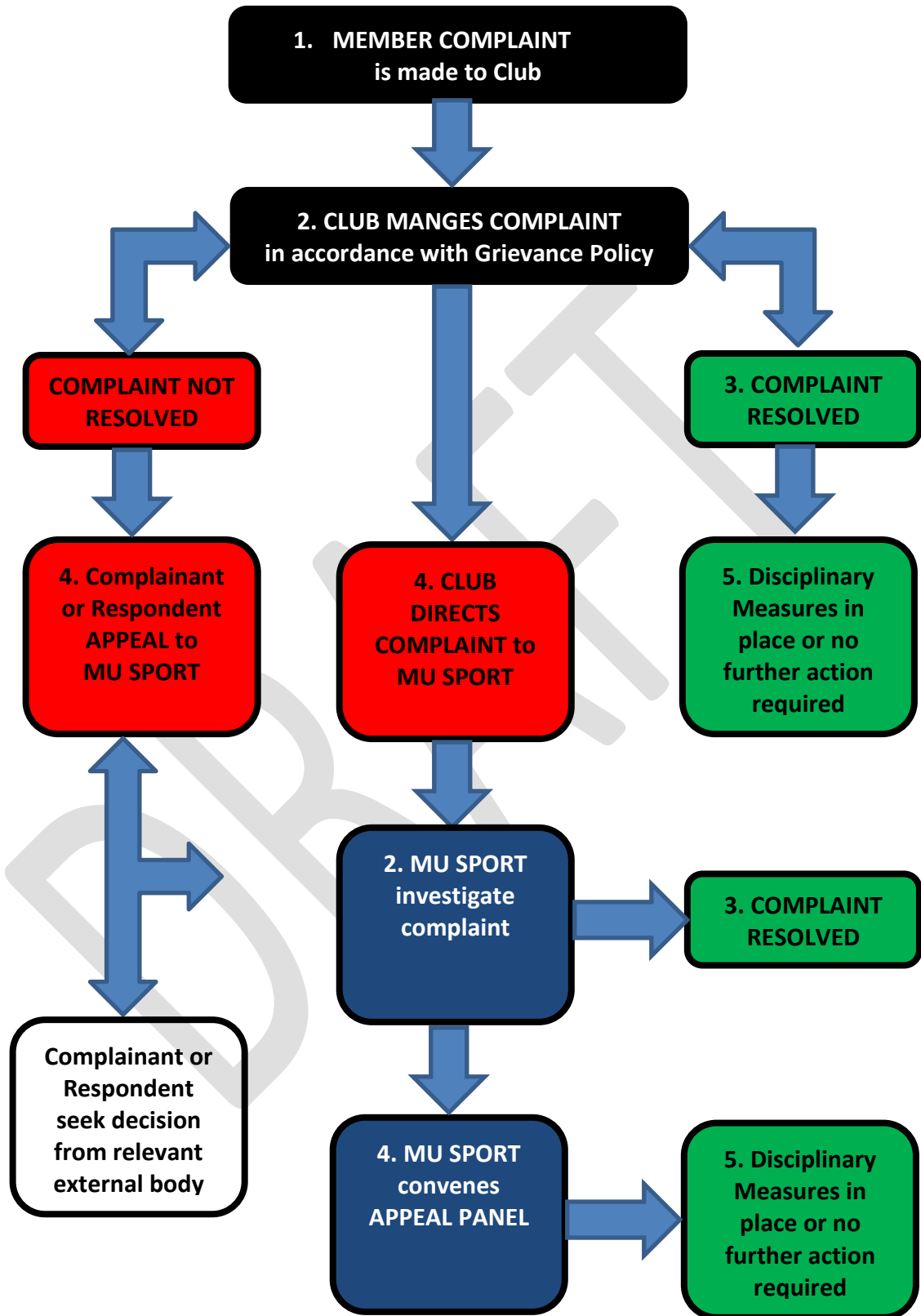
- applied consistent with any contractual rules and requirements;
- fair and reasonable;
- based on the evidence and information presented and the seriousness of the breach;
- determined by our Constitution, By Laws and the rules of the game.

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 the club;
- suspension or termination of membership, participation or engagement in a role or activity;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

Where a complaint is referred directly to MU Sport, or an appeal is made to MU Sport, the Appeal Panel may also sanction disciplinary measures as outlined in Step 5.

Diagram 1: Grievance Procedure Flow Chart



**Attachment 1: REPORTING FORMS**



**RECORD OF COMPLAINT**

<p>CLUB receiving complaint</p>	<p>Melbourne University Lightning Netball Club</p>	<p>Date:</p>
<p>Complainant's Name</p>		
<p>Complainant's contact details</p>	<p>Phone:</p> <p>Email:</p>	
<p>Complainant's role/status in Club</p>	<p><input type="checkbox"/> Administrator (volunteer)                      <input type="checkbox"/> Parent</p> <p><input type="checkbox"/> Athlete/player    <input type="checkbox"/> Spectator</p> <p><input type="checkbox"/> Coach/Assistant Coach                                      <input type="checkbox"/> Support Personnel</p> <p><input type="checkbox"/> Employee (paid)    <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Official</p>	
<p>Name of person complained about</p>		
<p>Person complained about role/status in Club</p>	<p><input type="checkbox"/> Administrator (volunteer)                      <input type="checkbox"/> Parent</p> <p><input type="checkbox"/> Athlete/player    <input type="checkbox"/> Spectator</p> <p><input type="checkbox"/> Coach/Assistant Coach                                      <input type="checkbox"/> Support Personnel</p> <p><input type="checkbox"/> Employee (paid)    <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Official</p>	
<p>Location/event of alleged issue</p>		
<p>Description of alleged issue</p>		

<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other .....
<p>Complainant's suggested resolution</p>	
<p><i>CLUB USE Only:</i></p>	
<p>Information provided to complainant</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	