



MAGPIES NETBALL CLUB INC

Policy Title:	COMPLAINTS HANDLING PROCEDURES
Policy Type:	Governance
Date:	January 2023
Revision Date:	

Magpies Netball Club will address all complaints in a fair, timely and transparent manner. All complaints will be treated seriously. Magpies Netball will provide individuals with an informal and formal process to resolve the matter.

Magpies Netball will maintain confidentiality as far as possible and ensure that no individual is victimised for making, supporting or providing information about a complaint.

Policy Statement

Magpies Netball is committed to effective and efficient resolution of complaints. Magpies Netball will endeavour to finalise all complaints within 30 days and to undertake the following steps in the complaint handling process within the specified timeframes:

- Record of incident – same day (record to be taken by the coach / manager / committee member)
- Acknowledge – within 5 days
- Finalise – within 30 days

Magpies Netball aims to support people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

A complaint can be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this Policy. Complaints will always vary. They may be about individual or group behaviour; they may be extremely serious or relatively minor; they may be about a single incident or a series of incidents; and the person about who the allegation is made may admit to the allegations or emphatically deny them.

Magpies Netball acknowledges our affiliation with Mackay Netball Association (MNA) policies. If complaints relate to other MNA affiliated clubs or members, MNA policies and procedures will be followed. If complaints relate solely to Magpies Netball members or spectators, the following procedures will be followed.

If at any point in the complaint process the panel considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to an Executive Special Meeting for appropriate action.

All formal complaints must be in writing and signed. No complaint made anonymously will be investigated.

ALL COMPLAINTS MUST BE LODGED WITHIN 7 DAYS OF THE ALLEGED INCIDENT TAKING PLACE
(ie. if on a Saturday - the complaint must be lodged by 5pm on the following Saturday. If on a Wednesday - the complaint must be lodged by 5pm on the following Wednesday).

ANY COMPLAINT LODGED OUTSIDE OF THESE TIME FRAMES WILL NOT BE CONSIDERED - NOR ACKNOWLEDGED.



MAGPIES NETBALL CLUB INC

The executive of Magpies Netball retains the right to investigate any complaint or circumstance (including bringing the game or Magpies Netball or any of our sponsors into disrepute) that it becomes aware of – regardless of whether a formal complaint is lodged. This reservation of right extends but is not limited to instances of: umpire abuse, unacceptable behaviours by members and unacceptable spectator behaviours.

If the complaint relates to a member of the executive – then the executive member concerned will be excluded from all discussions surrounding the complaint and will take no part in the handling of the complaint.

If the Club is acting against a member or spectator of our club, the following process will occur in conjunction with the current **Breaches of Code of Conduct schedule** (known as the schedule).

If the issue is categorised in the **reteach** category of the schedule, the issue will be discussed by the coach and manager of the team with the individual involved. These discussions must be noted in the coach's book.

If the issue is categorised in the **minor** category of the schedule, the issue will be discussed by a member of the executive with the coach and manager of the team. A member of the executive will speak to the member involved about their conduct and remind them of the behaviour expectations as members or spectators of the club. These discussions must be noted in the coach's book and a note made in the minutes of the next committee meeting. The Disputes Officer can be involved at this stage but this is not compulsory.

If the issue is categorised in the **major** or **malicious** categories of the schedule, the issue will be discussed at a special meeting of the Executive Committee with minutes taken outlining the issue. The club Disputes Officer will be included in this meeting. The Disputes Officer will lead the process. The formal process outlined below will be followed.

OPTIONS AVAILABLE TO THE COMPLAINANT

INFORMAL APPROACHES

Talk with the other person

Members may first endeavour to resolve the complaint between the parties involved prior to lodging an official complaint with the Club. Parties are encouraged to involve our current Disputes Officer to help with discussions. Details of such endeavours must be lodged with any official complaint made.

FORMAL APPROACHES

Making a Formal Complaint

Step 1.

Written notification using the prescribed form must be emailed to the secretary at secretary@magpiesnetballmackay.org within the relevant time frame outlining the nature of the complaint.

Step 2.

The written notification must include:-



MAGPIES NETBALL CLUB INC

- Complaints form in the prescribed form
- Statements by all persons witness to the event. Digital signatures will be accepted.
- If applicable, a statement as to what steps have been taken to resolve this complaint between individuals, and notes of the discussions which have taken place.

Step 3.

The Secretary will forward copies of the Complaints form and written statement together with all witness statements to the respondent who has allegedly committed the offence or breach.

Step 4.

The respondent will have seven (7) days in which to respond.

The response must include:-

- (a) a statement as to whether the allegations are accepted or denied.
- (b) Statements by all persons who are either directly involved or a witness to the event. Digital signatures will be accepted.

If a response and accompanying statements are not received within seven (7) days then the respondent will be deemed to have committed the offence / breach and penalties will be imposed as per the current Breaches of Code of Conduct schedule. If there is no penalty listed in the schedule for the alleged offence then Executive will impose a penalty.

Step 5.

- 5.1 **If the allegation is accepted by the respondent** then the penalties will be imposed as per the Breaches of Code of Conduct schedule. If there is no penalty specified for the nature of the offence, then a penalty shall be imposed as deemed appropriate by the Executive.
- 5.2 **If the allegation is refuted by the respondent** or if the respondent wishes to raise allegations against the complainant then these allegations must be raised in the statements and will then be forwarded to the complainant.
- 5.3 After reviewing all of the statements provided and depending upon the seriousness of the occurrence the Executive will at this stage either:-
 - (a) Issue a "Conduct Warning" which at the discretion of the Executive may include a penalty as per the schedule; or may
 - (b) Schedule a meeting with all persons who they deem necessary to discuss the incident with. The Executive will nominate 2 options of time and date.

All parties required to be interviewed by the Executive must present at the meeting.

If the respondent and /or witnesses do not attend a meeting then the incident will be deemed to have occurred and will be dealt with in accordance with the Breaches of Code of Conduct schedule. Alternatively, the Executive may, at its discretion, suspend such members from taking part in any further games until such time as they present before the Executive.

If the complainant and/or witnesses do not attend a meeting then the complaint will be deemed to have



MAGPIES NETBALL CLUB INC

lapsed and no further investigations will take place.

Step 6.

The Executive will make a finding as to whether the complaint is:

- a. substantiated (there is sufficient evidence to support the complaint);
- b. inconclusive (there is insufficient evidence either way);
- c. unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
- d. mischievous, vexatious or knowingly untrue.

Step 7.

The Executive (or its representative) will advise in writing of the outcome of the investigation and as to whether the allegations were found to be substantiated, inconclusive, unsubstantiated and/or mischievous. Written notification will be provided to both the Claimant and the Respondent.

The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Procedures for appeal are located in the Constitution.

Date	Changes made