

Complaints Management Procedure

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Controlling Body	Manager – Pivotal Gymnastics Management

1.0 Background

Northern Districts Gymnastic Club Inc (NDGC) & Pivotal Gymnastics Management (PGM) recognises its' legal responsibilities regarding harassment and discrimination and moral obligations in ensuring appropriate behaviour and providing safe sporting environments. Northern Districts Gymnastic Club Inc & Pivotal Gymnastics Management Complaints Management Procedure will provide individuals with a course of action should they feel their rights are being denied.

2.0 Complaints

Northern Districts Gymnastic Club Inc & Pivotal Gymnastics Management aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy, in particular, regarding fees and payments, coaching practices, venue and facilities.

A complaint may be reported as an informal or formal complaint (see below *3.0 Making a Complaint*). The complainant decides whether the complaint will be dealt with informally or formally unless the MPIO/Business Manager considers that the complaint falls outside the parameters of this policy and would be better dealt with another way. All complaints will be dealt with promptly, seriously, sensitively and confidentially. At any stage, it is the prerogative of the Complainant to proceed with, or dissolve, a complaint.

Complaints relating to a breach of the Gymnastics Australia Child Safe Policy shall follow the Complaint Handling Process as outlined in Attachment B of the Child Safe Policy located on the Gymnastics Australia website.

3.0 Making a Complaint

Option 1: Wherever possible, a person planning to make a complaint (the complainant), regarding a matter, should in the first instance address the problem with the person or people involved (the respondent) if able to do so. *This is the preferred option when making a complaint unless the nature of the complaint is considered serious.*

Option 2: If the above is not possible, or cannot be resolved as per option 1, the complainant can lodge a complaint (verbal or written), formal or informal to their Gymsport Program Manager, or the Competitive Programs Manager or Business Manager, if the Gymsport Program Manager is the subject of the complaint. All complainants can contact the club's MPIO for assistance with making a complaint:

- Ben Barnard – Competitive Programs Manager
doc@ndgc.org.au
9240 6861
- Chris Bowden – NDGC President
9420 6861

The MPIO will assist the complainant handle a complaint in an appropriate and consistent manner.

Talk to the Gymsport Program Manager (preferred), Competitive Programs Manager or Business Manager if you:

- Think there is a chance of quickly stopping the problem before it develops
- Are likely to have an ongoing working relationship with the person you are complaining about
- Want them to talk confidentially to the person you are complaining about and convey your concerns
- Want them to bring you together with the other party to conciliate
- Want to discuss options and outcomes
- Need to protect others

Make a written complaint to the Gymsport Program Manager, Competitive Programs Manager or Business Manager if:

- You have tried to resolve the problem and failed
- Your allegations are very serious
- Your allegations have been denied and you want to substantiate them
- You want the complaint investigated
- You have been victimised for complaining
- You are complaining against a senior person and an investigation will help you ensure you are not disadvantaged

You will need to provide exact details and any evidence of your allegations, which will lead to an investigation. You can have a support person with you at any interviews or meetings.

4.0 What to expect when you lodge a formal complaint

- A documented report of your complaint
- No judgements made
- Explanation of the complaint procedure
- Find out how you would like it handled
- Decide who is the appropriate person to handle the complaint or appoint someone to investigate
- Reassurance of your protection from victimization
- Options on support or representation
- Immediate removal of offensive material
- Conveyance of your concerns to the person/people you are complaining about and ask for their version of events
- Try to conciliate the parties to reach a satisfactory agreement for all
- Seek further information and interview any witnesses

- Find whether the complaint has substance
- Recommendation of an outcome including any disciplinary action
- Consideration of staff education and training
- Monitoring of the situation

5.0 How complaints are resolved

- Agreement
 - Complaints can be settled by agreement between the people involved.
- Not substantiated
 - If there is not enough evidence to decide if the allegations happened or were likely, no disciplinary action will be taken. NDGC may:
 - Monitor the situation
 - Consider education or training
- Disciplinary Action
 - If there is found to be a breach of our policy or the law, we may discipline those responsible. If a complaint is found to have been false or malicious, we may discipline the person making the complaint. Untrue allegations could lead to legal action for defamation.
 - The level of discipline will depend on:
 - The severity and frequency of the discrimination or harassment
 - The weight of the evidence
 - Whether the behaviour was intentional or malicious
 - Existence of any prior incidents or official warnings
 - Whether there are any mitigating circumstances
 - Discipline could involve:
 - Counselling
 - Apologising
 - Warning (formal)
 - Demotion, suspension, or probation
 - Dismissal
 - Disaffiliation
 - Other appropriate discipline measures
 - Referral to authorities for disciplinary measures

Anyone disciplined will have a record of the complaint and the outcome placed on their employee file either internally or in their iMIS database.

6.0 Vexatious Complaints & Victimisation

Northern Districts Gymnastic Club Inc & Pivotal Gymnastics Management aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the MPIO or Manager considers that a complainant has knowingly made an untrue complaint or the

complaint is vexatious or malicious, the matter may be referred to the Disciplinary Committee for appropriate action which may include disciplinary action against the complainant.

Northern Districts Gymnastic Club Inc & Pivotal Gymnastics Management will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

7.0 Appeals and Tribunals

A hearings tribunal may be formed to hear a formal complaint that has been referred by the MPIO/Business Manager or is an alleged breach of the policy. A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal. Every person/s and organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this policy. The Appeals tribunal will be made up of the NDGC Leadership Team.

8.0 Documentation

Records, notes and reports will be kept confidential and not kept in employee files unless there is disciplinary action. All notes will be filed in a confidential system with limited access.