

Complaints Handling Policy

1. Policy Statement

Northern Districts Gymnastic Club (NDGC) has the responsibility to ensure a safe environment for all participants and staff. This means having policies, procedures, rules, standards, and guidelines that promote safe programs in a safe environment which are overseen by qualified/certified personnel.

Northern Districts Gymnastic Club recognises its' legal responsibilities regarding harassment and discrimination and moral obligations in ensuring appropriate behaviour and providing safe sporting environments. Northern Districts Gymnastic Club's Complaints Handling Policy will provide individuals with a course of action should they feel their rights are being denied.

1.1. Statement to being a Child Safe Organisation

At the Northern Districts Gymnastic Club (NDGC), we are strongly committed to the safety, wellbeing, and empowerment of all children and young people accessing our programs and services. We support their rights and will act immediately to ensure an environment is maintained where all participants feel safe, respected, valued, and empowered.

NDGC values the contribution of children, young people, and families by fostering a culture of openness where they feel comfortable and encouraged to raise their concerns. We have a zero-tolerance approach to any form of child abuse.

We are committed to providing our employees with child safe training on an ongoing basis and we partner with parents and families to better protect children through holistic education to identify and respond to potential harm.

NDGC has adopted and implemented a tailored Child Safe Policy to complement Gymnastics Australia's (GA) Child Safe Policy, to ensure the highest standards are achieved in respect to the protection and safety of all participants.

In addition, NDGC has several additional supporting policies and codes of conduct that have been created specifically to further support our members. These documents are continually reviewed to ensure they are of the highest possible standard. They are accessible on our website and in the reception area of the Club.

NDGC employs two Child Safety Officers / Member Protection Information Officers to support our Members and Staff in this essential area.

2. Review History

Version	Date Reviewed	Date Endorsed	Content Reviewed
1		January 2020	Creation and endorsement of policy
2	November 2021		Update MPIO details and confidentiality section, statement 1.1, and support services.

3. Policy Scope

This policy applies to all NDGC members, athletes, participants, coaches, officials, administrative staff and volunteers.

4. Complaints

Northern Districts Gymnastic Club 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 section 5 - 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. In any case where a complaint is handled by an external party, NDGC will cooperate with the investigating party, this also includes the police. All complaints will be dealt with promptly, seriously, sensitively and confidentially. NDGC treats all personal information relating to a complaint in accordance with the law. At any stage, it is the prerogative of the Complainant to proceed with, or dissolve, a complaint.

Complaints relating to a breach of the NDGC Child Safe Policy will follow the steps outlined in the Child Safe Complaints Handling Policy.

5. 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. Refer to Appendix A for a Dealing with Difficult Conversations Guide.*

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, 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/Child Safety Officers for assistance with making a complaint:

Ben Barnard

Competitive Programs Manager
ben@ndgc.org.au
9240 6861

Nikki Colev

Senior Recreation Coach
nikki@ndgc.org.au
9240 6861

The MPIO/Child Safety Officer will assist the complainant handle a complaint in an appropriate and consistent manner and may suggest mediation to help solve the problem. See section 7 – Mediation, for further information.

You may also decide to speak with the Gymsport Program Manager, 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.

6. 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 (including mediation)
- 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

7. Mediation

Mediation is a process that seeks to resolve Complaints with the assistance of an impartial person – a Mediator. The Mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, they help those involved discuss the issues and seek to facilitate a mutually agreeable solution.

NDGC recognises that there are some situations where mediation may not be appropriate, including:

- When the people involved have completely different versions of the incident.
- When one or both parties are unwilling to attempt mediation.
- When there is a real or perceived power imbalance between the people involved; or
- That matter involves serious allegations.

In which case, it will consider an alternate method.

7.1. Step 1 – Appointment of a Mediator

The MPIO, Business Manager or Competitive Programs Manager may suggest that the complaint is referred to mediation. If so, they (or delegated person responsible), will appoint a Mediator to help resolve the complaint and set a time and date for both parties to attend. This will be done in consultation with the Complainant(s) and Respondent(s).

- The Mediator must be agreed to by all parties.
- The Mediator must be impartial from the complaint being made.

7.2. Step 2 – Mediation Process

- The parties to mediation must, in good faith, attempt to settle the Complaint by mediation.
- The Mediator will talk with the Complainant(s) and Respondent(s) about how the mediation will take place and who will participate. At a minimum, the Mediator will prepare an agenda of issues to be discussed.
- In conducting the mediation, the Mediator must:
 - Give all parties to the mediation process every opportunity to be heard; and
 - Allow due consideration by all parties of any written statement/s submitted by any party.
- All issues raised during mediation will be treated confidentially. NDGC also respects the rights of the Complainant(s) and the Respondent(s) to pursue an alternative process if the Complaint is not resolved through mediation.
- The parties to a mediation shall not be permitted to be legally represented but may have a support person with them.

7.3. Step 3 – Outcome (resolution or no resolution)

- If the Complaint is resolved by mediation, where appropriate the Mediator may seek to ensure the parties view and agree to a written document outlining the actions to be taken and agreements which have been made.
- If the Complaint is not resolved by mediation, the MPIO, Business Manager or Competitive Programs Manager shall reconsider the complaint and a formal investigation may be performed.

8. How complaints are resolved

- **Agreement**
 - Complaints can be settled by agreement between the people involved, with or without mediation.
- **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.

NDGC documents all complaints regardless of whether the complaint meets statutory reporting thresholds.

9. Vexatious complaints and victimisation

NDGC 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 NDGC Leadership Team for appropriate action which may include disciplinary action against the complainant.

NDGC 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.

10. Appeals and Tribunals

A hearing 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. The Appeals Tribunal will be made up of the NDGC Leadership Team. A respondent may lodge one appeal only to the appeal tribunal (NDGC Leadership Team) 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.

11. Confidentiality and Documentation

- NDGC documents all complaints regardless of whether the complaint meets statutory reporting thresholds.
- NDGC stores records in accordance with best practice principles for access and use.
- NDGC treats all personal information relating to a complaint in accordance with the law.

12. Related Policies, Procedures and Forms

- NDGC Child Safe Policy
- NDGC Child Safe Complaints Handling Policy
- Gymnastics Australia Child Safe Policy
- Gymnastics Australia Member Protection Policy

13. Additions and Changes to Policy

Recommended changes to this policy may be submitted to NDGC for consideration.

Management will review the recommendations and make changes to this policy if necessary.

Should changes be accepted, the policy would be updated, dated and circulated.

14. Confidentiality and Reporting

Breaches of this policy must be reported to NDGC within 14 days of any occurrence. Breaches of this policy must be kept confidential and disclosure to any third party beyond NDGC management is not permitted.

Appendix A: Dealing with Difficult Conversations Guide

Key Information:

- Often conflict within our organisation and amongst our members is created by miscommunication, misunderstanding or a lack of education. It will be our default reaction to assume one of these to be the source of a conflict. It is unacceptable to make negative assumptions without seeking clarification first from the individual/s or other parties involved.
- Everyone within our organisation will have their own opinions on certain topics or situations. Please respect other people's opinions and be open to other suggestions or ways of doing things. No one in our organization is better than anyone else and no one has the right to be treated as inferior or behave as a superior.

What to do when conflict or a disagreement arises:

- In the first instance, you should address the issue with the other person/people directly involved. This means having a meeting/talk with the other person/coach/athlete/member rather than going directly to the Program Manager, Competitive Programs Manager or Business Manager.
- Conflict can arise due to (some examples, but not limited to):
 - Difference in opinions
 - Differences in values
 - Interpersonal conflict
 - Performance issues
 - Disagreement in technical decisions

Steps to follow:

1. Read through the Member Protection – Complaints Manager Policy, including Appendix A (This document)
2. Arrange a time to speak with the other person/people involved. Ask the other person nicely without judgement and without demand. This should be a private conversation.
3. When speaking to the other person/people, the initiator needs to identify a specific incident or pattern of behaviour which has caused the conflict. The below questions and statements should be used.
 - When you did or said this ... (be specific & avoid generalisation, give the facts without emotion or exaggeration)
 - It made me feel like this... (what was the impact of the action or words on yourself or the team?)
 - This is important because... (what lasting effect do you believe this may have on your relationship or the organisation?)
 - This is what I would like... (what is the different behaviour that you would like to see?)
 - What do you think? (Give the other person the time and space to respond to your thoughts)

If the above is followed and the two parties cannot come to a mutual agreement, the initiator/complainant may choose to lodge a formal/informal verbal/written complaint outlined in section 3.0, option 2.

Appendix B: Support Services

If you or someone you know is in immediate danger, contact the police on 000.

If you or someone you know is in crisis, and you are unsure which service to contact, call Kids Help Line or Lifeline. Both are available from anywhere in Australia, 24 hours a day and provide generalist crisis counselling, information and referral services.

 <p>kidshelpline Anytime Any Reason</p>	<p style="text-align: center;"><u>Kids Helpline</u></p> <p>Free 24/7, confidential and private phone and online counselling service for young people aged 5 to 25.</p> <p style="text-align: center;">1800 55 1800</p>
 <p>Lifeline Saving Lives Crisis Support. Suicide Prevention.</p>	<p style="text-align: center;"><u>Lifeline</u></p> <p>Provides all Australians access to crisis support and suicide prevention services.</p> <p style="text-align: center;">13 11 14</p>
 <p>1800RESPECT NATIONAL SEXUAL ASSAULT, DOMESTIC FAMILY VIOLENCE COUNSELLING SERVICE</p>	<p style="text-align: center;"><u>1800 RESPECT</u></p> <p>Support if you, or someone you know, is experiencing sexual assault or domestic and family violence (all ages).</p> <p style="text-align: center;">1800 737 732</p>
 <p>Bravehearts Educate Empower Protect Our Kids</p>	<p style="text-align: center;"><u>Bravehearts</u></p> <p>Australia's leading child protection organisation working to make Australia the safest place in the world to raise a child. They provide support, education, and training.</p> <p style="text-align: center;">www.bravehearts.org.au 1800 272 830 (6.30am to 2.30pm AWST)</p>
 <p>headspace</p>	<p style="text-align: center;"><u>headspace</u></p> <p>Headspace is the National Youth Mental Health Foundation providing early intervention mental health services to 12–25-year-olds. Headspace can help young people with mental health, physical health and work and study support.</p> <p style="text-align: center;">www.headspace.org.au</p>
 <p>REACH OUT.COM</p>	<p style="text-align: center;"><u>Reachout</u></p> <p>Reachout helps under 25's with everyday questions through to tough times.</p> <p style="text-align: center;">www.au.reachout.com</p>