



## Complaint procedures

### Discrimination and other inappropriate behaviour – steps

Complaint steps	Factors to consider
<p><b>Self help</b></p>	<p>This is appropriate if:</p> <ul style="list-style-type: none"> <li>the person feels confident talking to the other person about the problem;</li> <li>there is not an imbalance of power;</li> <li>the person complaining simply wants the behaviour to stop and is not interested in disciplinary action.</li> </ul>
<p><b>Informal action – providing information</b>            Either a Member Protection Information Officer, club administrator or official can provide information.            If possible the complaint should be resolved informally.</p>	<p>This action usually occurs when the person making the complaint:</p> <ul style="list-style-type: none"> <li>is not sure how to handle the problem;</li> <li>wants to talk confidentially about what to do;</li> <li>is aware of a power imbalance and wants to explore his/her options.</li> </ul>
<p><b>Informal action – providing support</b>            This can include:</p> <ul style="list-style-type: none"> <li>having a confidential talk to the person being complained about;</li> <li>bringing the parties together to try and resolve the issue;</li> <li>mediation by an external mediator.</li> </ul>	<p>This action could be taken if:</p> <ul style="list-style-type: none"> <li>there is a power imbalance between the individuals;</li> <li>there's a chance of stopping the behaviour before it gets worse;</li> <li>there is likely to be on an going relationship between the two e.g. between player and coach;</li> <li>the person just wants the behaviour to stop (i.e. no further action to be taken);</li> <li>the complaint is about inappropriate behaviour that doesn't appear to be serious, have a long history or involve a number of people.</li> </ul>

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Updated August 2016

<b>Complaint steps</b>	<b>Factors to consider</b>
<p><b>Formal – responding to a written complaint</b></p> <p>This usually involves undertaking an investigation and deciding on a course of action. Investigations can be conducted internally (e.g. by a club’s sub committee) or involve the state sporting organisation or an external investigator – the latter is likely to be the case if the problem is serious.</p> <p>Actions following an investigation could include:</p> <ul style="list-style-type: none"> <li>• disciplinary action, if the complaint is substantiated</li> <li>• a request that the parties involved attend a mediation session;</li> <li>• not proceeding with the complaint if it is found to be lacking in substance, vexatious or contrived;</li> <li>• referral to a hearings tribunal or other body as defined in the constitution and by-laws;</li> <li>• referral to an appropriate outside body.</li> </ul>	<p>An investigation is likely if:</p> <ul style="list-style-type: none"> <li>• there is an imbalance of power;</li> <li>• attempts to resolve the problem have failed;</li> <li>• the allegations are serious and/or on-going and involve more than one person;</li> <li>• the allegations have been denied;</li> <li>• the person making the complaint has been victimised.</li> </ul>
<p><b>Appeal or referral</b></p> <p>An appeal can be made once the finding of the complaint is known.</p> <p>Referral to an external authority (e.g. anti-discrimination agency) can happen at any time during the complaint process.</p>	<p>This action may be requested if either party believes:</p> <ul style="list-style-type: none"> <li>• the outcome was unfair e.g. the disciplinary measures were too harsh;</li> <li>• the process was unfair e.g. there was a conflict of interest or those involved weren’t impartial.</li> </ul>