

Complaint procedures

Discrimination and other inappropriate behaviour – steps

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

Complaint steps	Factors to consider
<p>Formal – responding to a written complaint</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"> • disciplinary action, if the complaint is substantiated • a request that the parties involved attend a mediation session; • not proceeding with the complaint if it is found to be lacking in substance, vexatious or contrived; • referral to a hearings tribunal or other body as defined in the constitution and by-laws; • referral to an appropriate outside body. 	<p>An investigation is likely if:</p> <ul style="list-style-type: none"> • there is an imbalance of power; • attempts to resolve the problem have failed; • the allegations are serious and/or on-going and involve more than one person; • the allegations have been denied; • the person making the complaint has been victimised.
<p>Appeal or referral</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"> • the outcome was unfair e.g. the disciplinary measures were too harsh; • the process was unfair e.g. there was a conflict of interest or those involved weren’t impartial.