



TOWNSVILLE CITY NETBALL ASSOCIATION INC.

COMPLAINTS POLICY

Policy type	TBC	Version	1.0
Board Approval Date	14/11/2022	Review Date	14/11/2023

Our commitment

Townsville City Netball Association Inc. (TCNAI) is committed to providing an environment where all players, coaches, officials, and parents can feel safe, are shown respect, are fairly treated and have a right to be heard.

TCNAI aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice.

All complaints will be dealt with promptly, seriously, sensitively, and confidentially to minimise the impact on those involved and other players or parties within the association or any external parties

TCNAI procedures for handling and resolving complaints are outlined in this policy and the referenced documents.

Individuals and organisations may seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

The scope of this policy

This policy applies to all players, coaches, umpires, volunteers, and spectators associated with TCNAI and or its events and activities.

Any person (complainant) may report a complaint about a person or persons bound by this Policy (respondent) if they feel they have been harassed, bullied, or discriminated against or there has been a breach of this Policy

TCNAI responsibilities

TCNAI will provide a complaints procedure that has integrity and is free of unfair repercussions or victimisation against the person making the complaint

TCNAI may choose to handle a complaint informally or formally.

Informal resolution could be possible by a low-key conversation where both parties accept the basic facts of a situation; and the person 'in the wrong' can be instructed about a better way to have acted.

A Formal resolution could involve an investigation carried out by an internal officer or if appropriate the engagement of an external investigator. The investigation of a complaint may lead to the matter be referred to

- a hearing or appeals panel or
- mediation or
- the police or other appropriate authority

or the complaint may be dismissed.

Townsville City Netball Association Inc. will recognise and enforce any decision made, and any form of discipline imposed, as an outcome of this Policy and the associated procedures.

TCNAI has the right to refuse entry to its facilities and/or registration of teams/ individuals as part of imposed disciplinary action

Complaints Procedure

1. Determine the appropriate referral for the complaint
If your complaint relates to behaviour or an incident that occurred at the club level, or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

If your complaint relates to behaviour or an incident that occurred at the Association level, or involves people at the Association level, then the complaint should be reported to and handled by the Townsville City Netball Association Inc. in the first instance.
2. If you have a complaint to be addressed by TCNAI you should put it in writing and provide it to the Operations Manager in person or via email or if it involves the Operations Manager to the President. Your written complaint should provide details of the issue/ the circumstances surrounding the issue, any witnesses, impacts on yourself and others
The Operations Manager/ President will determine the level of investigation to be undertaken.
3. All parties involved in the complaint will be provided with an opportunity to be heard and to provide evidence of their position.
4. If deemed appropriate TCNAI may call in an external mediator to assist in the process.
5. The complaint resolution process will be evidence based and carried out with the best interests of the association and its stakeholders as the primary principle.
6. The Board will be advised of all complaints and receive (if desired) a copy of the final report.
7. An appeal of the decision made by a TCNAI staff member can be made to the Board whose decision is final.
8. When a complaint has been investigated and a report prepared TCNAI may determine what further action, if any, to be taken. This could include
 - A direction to undertake further investigation
 - Disciplinary action
 - Referring the complaint to an informal or a formal mediation session, a hearing tribunal and/or the police or other appropriate authority
9. All persons associated with TCNAI should avoid making an untrue complaint, or one that is malicious, vexatious or inappropriately intended to cause distress. Such instances are hurtful and disruptive and may result in disciplinary action.

Sanctions

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Principles

Any disciplinary measure imposed by TCNAI must:

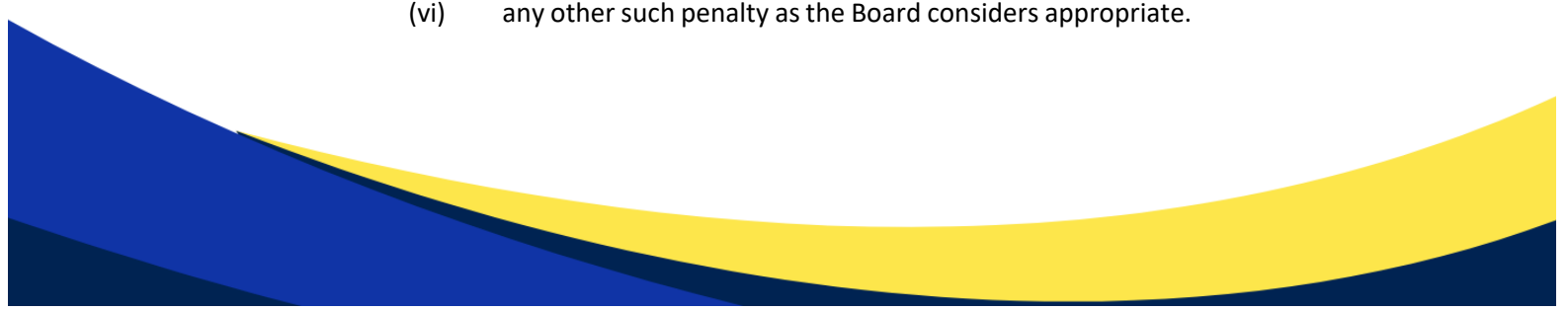
- (a) conform to the principles of natural justice.
- (b) be fair and reasonable.
- (c) be based on the evidence and information presented; and
- (d) be within the powers of the TCNAI Board

Penalties

If TCNAI Board determines that an organisation has breached a rule, regulation, or policy of TCNAI, they may impose any one or more of the following penalties:

- (i) direct that any funding granted or given to it by TCNAI cease from a specified date, or from a specified period.
- (ii) impose a monetary fine for an amount determined by the Hearing Tribunal or Appeal Tribunal.
- (iii) impose a warning.
- (iv) suspend or terminate the organisations affiliation or membership in accordance with the applicable constitution.
- (v) suspend any rights, privileges and benefits provided to that organisation for a specified period and/or terminated.
- (vi) any other such penalty as the Board is empowered to administer and considers appropriate.

If TCNAI Board determines that a person has breached a rule, regulation, or policy of TCNAI, it may impose any one or more of the following penalties on such person:

- (i) Terminate the appointment of the role which the offender holds with such organisation.
 - (ii) impose a warning.
 - (iii) (in the case of a coach or an umpire) recommend that the relevant governing body de-register the accreditation of the coach/umpire for a period or indefinitely.
 - (iv) withdraw any awards, placing, records won in any tournaments, activities or events held or sanctioned by TCNAI
 - (v) in the case of disciplinary action taken against a team or a club, the penalties may include disqualification from a competition or finals series and the removal of competition points.
 - (vi) any other such penalty as the Board considers appropriate.
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Definitions

Complaint means any concern, dispute, or problem to do with TCNAI, its activities and events and the behaviour of the Association's staff, members, volunteers, and visitors. Complaints can arise due to behaviours, acts, situations, omissions, or decisions, which the complainant considers to be unfair or unjustified and requires addressing by TCNAI.

Mediation means a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions.

A Hearing/ appeals panel is a small group of impartial, informed people that may be appointed by the Board of TCNAI to assess a complaint

Appeal means an individual wishes to dispute or challenge a decision that has been made by TCNAI in relation to a complaint that has been raised through the formal procedure outlined in this policy.

Related Documents

- TCNAI Code of Behaviour
- Investigation Procedure – attached
- Mediation Procedure -attached
- Hearing and Appeal Tribunals Procedure -attached

Netball Qld Policy (will advise details)

References –

For further details regarding relevant legislation please refer to

<https://www.legislation.qld.gov.au/browse/inforce> for Commonwealth legislation

<https://www.legislation.qld.gov.au/browse/inforce> for Qld legislation

Contact details

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