



COMPLAINTS HANDLING AND DISPUTES RESOLUTION PROCEDURE

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EXTERNAL USE

COMPLAINTS HANDLING AND DISPUTES RESOLUTION PROCEDURE

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COMPLAINTS HANDLING AND DISPUTES RESOLUTION PROCEDURE

Complaints Handling and Disputes Resolution Foundation

Purpose The purpose of this procedure is to provide a fair and transparent framework for the handling of Association and/or club member complaints and disputes.

Scope **In Scope** of this document is all interested parties involved in Little Athletics in South Australia and includes:

- SALAA.
- Affiliated Clubs.
- SALAA Personnel.
- Athletes, Coaches, Officials.
- Spectators.

Out of Scope is sporting team or program selection decisions.

Intended Users Intended users of the Complaints and Disputes procedure are:

- SALAA Board.
 - SALAA Management & Staff.
 - Affiliated Clubs.
 - Members.
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Prerequisites Before following these processes:

- All affiliated clubs must have adopted/adapted this procedure.
- SALAA must have approved the procedure and displayed it publicly on the website.

COMPLAINTS HANDLING AND DISPUTES RESOLUTION PROCEDURE

1. Complaints Handling and Disputes Resolution Expectations

Principles

Intended users of this policy are expected to ensure that all complaints and disputes are:

- Taken seriously.
 - Handled with sensitivity and confidentiality.
 - Be robust in the investigation and discovery of information.
 - Be fair and free of victimization.
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Responsibilities and Accountabilities

The responsibilities and accountabilities are as follows:

SALAA Board is responsible for:

- Reviewing and responding to any complaints referred to the Board within seven (7) days.
- Authorising any penalties to be applied in line with Grievance Tribunal recommendations.

Chief Executive Officer (CEO) is responsible for:

- Receiving, investigating and responding to complaints made to the Association within fourteen (14) days.
- Maintaining all documentation required in a confidential manner.

Grievance Tribunal is responsible for:

- The fair and robust investigation and determination of all complaints and disputes referred.
- Making recommendations to the SALAA Board.

SALAA Staff are responsible for:

- Following up any complaints and disputes made to them.
- Referring any complaint to the CEO as required.

Affiliated Clubs are responsible for:

- Responding to any complaints or disputes in line with this procedure.
 - Referring any complaints or disputes that remain unresolved to the Association.
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COMPLAINTS HANDLING AND DISPUTES RESOLUTION PROCEDURE

2. Complaints Handling and Disputes Resolution Detail

2.1 Commitment Statement

SALAA's Commitment Statement

South Australian Little Athletics Association (SALAA) aims for our complaints and disputes procedure to have integrity and be free of unfair repercussions or victimisation.

It is in everybody's interests to resolve problems at an early stage before they escalate into more significant issues.

Confidentiality

Confidentiality will be maintained at all times. Identities will not be disclosed if requested, unless required by law. Not disclosing identity may compromise the opportunity to resolve issues.

2.2 Complaint Reporting Process

Informal Resolution

Try and sort out with the person or people involved first if possible. Informal complaints or disputes can be via private conversation or involve a mediator.

Minor Complaints

Minor complaints or disputes directed to an employee of SALAA may be dealt with at the time. They should be referred/discussed with the appropriate person and attempt to reach a resolution. Where this is not possible/appropriate or if there is not a satisfactory resolution, the formal complaints procedure should be followed.

Anonymous Complaints

Anonymous complaints or disputes will be assessed for validity where possible. These are more likely to remain unresolved. The formal grievance process will not be used unless these are subsequently put in writing and the complainant identified.

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Formal Process A formal complaint or dispute can be lodged with SALAA. Timely response to formal complaints will be made. Formal complaints must be in writing.

Lodging complaints with a club Where a complaint or dispute relates to issues within a club, the complaint should be reported to and handled by the club. If a satisfactory result is unable to be reached it may be referred to the Association.

When a complaint is lodged with a club When a complaint or dispute is directed to the club, the President and/or committee member should respond promptly and investigate fully. All avenues should be explored prior to referral to the Association.

Club matters that should be referred to SALAA Club matters that should be referred and requires SALAA's interventions include:

- Serious misconduct.
- Child safety.
- Continued and repetitive breaches of code of conduct.
- Threat of serious financial impact to club.
- Unresolved issues that have had all efforts exhausted to resolve.

Lodge a complaint in writing Complaints and disputes must be lodged with the Association in writing. This can be done by facsimile, email or letter.

What should be included? Complaints and disputes should detail:

- Name, address and contact phone numbers of the person making the complaint.
- A brief description of the problem.

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Who should the complaint be made to?

Complaints or disputes should be directed to the CEO of SALAA, unless the complaint relates to the CEO. Then they should be directed to the Chairman of the SALAA Board. The child protection officer and/or designated contact person should always be consulted where the complaint relates to inappropriate behaviour involving a child or young person under 18.

2.3 Complaint Resolution Process

Receipt of Complaint

Once a complaint has been received, the following will occur:

Step	Action
1.	Written acknowledgment of the complaint by the CEO outlining the process to be followed.
2.	Meet with the parties, in person or via video conferencing, within seven (7) days to obtain details and/or evidence of the complaint.
3.	Gather evidence from other parties or sources.
4.	Review the complaint and establish all relevant facts.

Once all of the facts have been established, a written response should be developed outlining the investigation and conclusions.

Mediation

At the request of the complainant, mediation may be used to attempt to resolve the matter. Mediation may occur before or after the investigation of a complaint. A neutral third party will be used. Choice of mediator is by mutual agreement.

Referral to the Board

Complaints and disputes should be referred to the Board once all facts have been established if they relate to the following:

- Financial Matters.
- Child Safety.
- Legal Matters.
- Media.
- Any issue that may compromise the reputation of SALAA.

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Board Resolution	The Board will meet to discuss any referred complaints. The Board may undertake further investigation or referral to third parties. The decision of the Board must be conveyed to the CEO within seven (7) days for communication to the complainant.
Maintaining Documentation	Records of all complaints will be maintained. All discussions, interviews and any other documents sourced will be retained.
Communicating with the Complainant	The CEO will respond to the complaint within fourteen (14) days wherever possible. A formal written response will be provided.

2.4 Appeals Process

Unsatisfactory Resolution	If the parties are unable to resolve the dispute at the initial meeting or are unsatisfied with the resolution, the matter must be referred to Appeals Tribunal within ten (10) days.
Appeals Tribunal	<p>The Appeals Tribunal ("The Tribunal") will be an independent panel consisting of three (3) individuals. All persons must be:</p> <ul style="list-style-type: none">• Independent from the situation.• Internal or external to the organisation.• Have the relevant skills and knowledge to deal with the issue.

The tribunal will be conveyed by the Tribunal Coordinator.

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Tribunal Coordinator	<p>The Tribunal Coordinator will be a member of the SALAA Board or staff. They must be independent of the matter and have the relevant skills or knowledge pertaining to the matter. The coordinator will be responsible for:</p> <ul style="list-style-type: none">• Convening meetings.• Providing information to all parties.• Coordinating activities/referrals/reports.• Communicating outcomes and recommendations to the Board/CEO.
Tribunal Process	<p>The tribunal hearing will be held as soon as practicable at a time convenient to all. The tribunal will consider any evidence, and in any form, that it deems relevant. Support person(s) are permitted in the hearing, however must not be involved in the process.</p>
Non-Attendance at Tribunals	<p>If no valid reason for non-attendance is given, the hearing may continue at the discretion of the Tribunal Coordinator. The hearing may be rescheduled where there is a valid reason.</p>
Tribunal Outcomes	<p>Tribunal outcomes are by majority vote. Outcomes will be conveyed to the Board. All recommendations for penalty, sanctions or other actions must be discussed and authorised by the Board prior to conveying to the complainant.</p>
Referral to National Body	<p>Only in the most serious cases should the matter be referred to the national body, unless the matter has arisen at or relates to the national level.</p>

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2.5 Penalties

Penalties that may be imposed by the Appeals Tribunal

If the tribunal finds the misconduct proven, they may recommend any one or more of the following penalties:

- Verbal and/or written apology.
- Written warning.
- Counselling directive to address the behaviour.
- Withdrawal of award, placing, records, achievements held or sanctioned by the Association.
- Demotion or transfer to another club, role or activity.
- Suspension or cancellation of membership, role or engagement.
- Suspension from participating or engaging in activity(ies).
- Disallow or suspend a coach or official from a role(s) within a club.
- Any other action or direction that the Tribunal considers to be appropriate.

Penalties against Affiliated Clubs

If a finding is made that an affiliated Little Athletics club has breached a rule or policy of the Association, one or more of the following penalties may be recommended:

- A written warning.
- Suspension of rights, privileges and benefits provided to the club by the Association.
- Suspension or withdrawal of any funding granted or given to it by the Association.
- Remove Association endorsement of events held by or under the auspices of the club.
- Suspend or terminate affiliation with the Association.

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Vexatious Complaints

If it is reasonably established that a complainant has knowingly made an untrue, vexatious, or malicious complaint, the matter will be referred to the Board. Appropriate action may include disciplinary action against the complainant.

External Referral

Complaints may also be pursued externally under anti-discrimination, child protection, criminal, or other relevant legislation.

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3. Resources and Reference Material

Related Documents

Child Safety Policy and associated documents

Member Protection Policy

Code of Conduct (Behaviour)

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4. Definitions

Complaint Definition A formal expression of dissatisfaction with some aspect of the Associations services, policies and procedures whether justified or not.

Complainant Definition A person making a complaint.

Grievance Definition A cause of distress felt to afford reason for complaint.

Judiciary Committee Definition Judiciary committee, as per the SALAA constitution, will be referred to in this document as "The Appeals Tribunal".

Mediation Definition A process by which a neutral third party helps people in conflict negotiate a mutually acceptable agreement.

Member Definition A member of SALAA.

Vexatious Complaint Definition An action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance.
