



Ballarat Little Athletics

Complaints Policy

Effective: 12/10/2020

Version: 1.0

Table of Contents

Policy Administration.....	3
Document Control	3
Definitions.....	4
Purpose.....	4
Introduction.....	5
Complaint Management System.....	6
What is a Complaint?.....	6
Oral Complaints:.....	6
Written Complaints:.....	7
Role of the Secretary in Receipt of a Complaint	7
Informal complaint files:.....	7
Unresolved Complaints:.....	8
Grievance Procedure.....	8
Disciplinary Action as a Result of a Complaint	9
Grounds for taking disciplinary action:.....	9
Disciplinary subcommittee:.....	9
Notice to member:	9
Decision of subcommittee:.....	10
Appeal rights:	10
Conduct of disciplinary appeal meeting:.....	11
Responsibilities	11



Policy Administration

Policy Owner	Ballarat Little Athletics Centre
Date of Last Review	
Next Scheduled Review	
Related Policies	Code of Conduct
Supporting Procedures or Guidelines	<ul style="list-style-type: none">- LAVic – Privacy Act 1988- Model Rules for an Incorporated Association – Associations Incorporation Reform Regulations 2012- BLAC Handbook

Document Control

Version Number	Changes and Updates	Approved by:
0.1	Draft policy	Julie Green – LAVic
1.0	Implementation of Policy	Jo Collins - Secretary

Definitions

LAVic	Little Athletics Victoria
BLAC	Ballarat Little Athletics Centre

Purpose

The Complaints Policy is intended to ensure that BLAC handle complaints fairly, efficiently, and effectively. The Centre's objective is to ensure that its complaints procedure is properly and effectively implemented, and that complainants feel confident that their complaints and worries are listened to and acted upon promptly and equitably.

Our complaints process aims to:

- allow us to respond to questions raised by people who file complaints in a timely and effective manner
- increase athlete and family confidence in our administrative process; and
- provide information that we can use to improve the quality of our Centre, our members and complaint handling administration

Authority

The Complaints Policy was approved by the BLAC Committee 08 October 2020.

Effective Date

The Complaints Policy is effective from 12 October 2020.

Amendments

Any amendments to this policy will be recorded in the Document Control Sheet stating the date of adaptation and the effective date upon which any amendment is to take effect.

Alignment with Little Athletics Victoria

LAVic Privacy Policy. LAVic are governed by the Privacy Act 1988, as such Ballarat Little Athletics is bound by the Privacy Act.

Publication

All sections of the Complaints Policy are to be published on the BLAC website.

All amendments to this policy are to be reflected on the BLAC website in a timely manner.

Introduction

This document provides guidelines for resolution and treatment of complaints made by our Athletes and Members.

BLAC believe that if a member wishes to file a complaint or express dissatisfaction, it should be easy for them to do so. It is BLAC's policy to receive complaints and consider them as an opportunity to learn, adapt, improve and provide a better Little Athletics experience.

In addition, a quick resolution of complaints, in a way that respects and values the person's feedback, can be one of the most important factors in recovering the person's confidence about BLAC. It can also help prevent further escalation of the complaint. A responsive, efficient, effective, and fair complaint management system can assist BLAC to achieve this.

This Complaints Policy is to ensure that all complaints are handled properly and that all complaints or comments are taken seriously. BLAC expects all Committee Members at all levels to be committed to fair, effective and efficient complaint handling.

Complaint Management System

What is a Complaint?

A complaint is any expression of dissatisfaction about the operation of BLAC or a complaint of a member in relation to another member.

Complaints about BLAC as an association, a member v BLAC as an association, or a member v BLAC Committee are to be addressed by the process that is defined in the Association Model Rules 26 in which *'All parties much attempt to resolve the dispute. The parties must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party'*.

A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed as per Association Model Rules 25 Application (2).

Not every complaint will require an investigation even if it is in writing.

Under the Association Model Rules it is required that in a member v member situation, a mediator will be appointed by the Committee if the parties are unable to resolve the dispute between themselves. The mediator will have certain qualifications including no personal interest in the dispute.

If the dispute is between a member and the Committee of BLAC or BLAC as an association mediation will be arranged through the Dispute Settlement Centre of Victoria.

Should athletes themselves have a complaint, they should do so through the Child Safety Officer in the first instance. That individual can then escalate the matter if need be. Often athlete complaints can be resolved instantly depending on the issue e.g. behaviour of another athlete, behaviour of an official etc.

Oral Complaints:

- A Committee Member who receives a verbal complaint should try to resolve the issue immediately if possible. If it cannot be resolved immediately, they should offer to refer it to the BLAC Committee for resolution. The Secretary will be the named person who deals with the complaint through the process. When a Committee Member receives an oral complaint, they must listen sincerely to the concerns raised by the complainant. Any contact with the complainant must be polite, courteous and sympathetic. At all times, the Committee Member must remain calm and respectful.
- After discussing the problem, each Committee Member handling the complaint should suggest an action plan to resolve the complaint. If this action plan is acceptable, the Committee Member should clarify the agreement with the complainant and agree on a way in which the results of the complaint will be communicated to the complainant (i.e. by another meeting or letter).
- If the proposed action plan is not acceptable to the complainant, the Committee Member should ask the complainant to make his/her complaint in writing and provide a copy of the procedure and complaint form to be completed.
- In both situations, details of the complaint should be recorded on the complaint form.

Written Complaints:

- When a complaint is received in writing, it must be forwarded to the BLAC Secretary, who must enter it in the Complaint Register and send an acknowledgement receipt within 14 days in accordance with BLAC's Model Rules and in order to establish a relationship of confidence with the person who filed the complaint.
- If necessary, further clarification should be obtained from the complainant. If the complaint is not made by the Little Athlete or Member but on his/her behalf, their consent, preferably in writing must be obtained in advance.
- After receiving the complaint letter, a copy of the complaint procedure must be given to the complainant. Clearly explain to the complainant the complaint process, the time it can take and realistic expectation.
- Immediately on receipt of the complaint, the BLAC Committee should launch an investigation and within 28 days should provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
- The Secretary must record all relevant information about the complaint and keep it as simple and accurate as possible.
- If the complaint/issue is too complex for the investigation to be completed within 28 days, the complainant should be informed of any delays.
- If a meeting is organised, the complainant may if he/she wishes, be accompanied by a friend/relative.
- At the meeting, a detailed explanation of the results of the investigation should be given and an apology should also be made if deemed appropriate. This type of meeting gives BLAC the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.

Role of the Secretary in Receipt of a Complaint

When receiving a complaint, the Secretary will evaluate the information to determine whether it falls within the scope of this policy. If so, they will collect and review all available information and attempt to resolve the issue informally through discussions with the complainant. The Secretary may choose to involve the President and/or Vice President before taking any disciplinary action. The Secretary must ensure that all committee members involved in resolving the complaint are aware of their responsibility to maintain the confidentiality of the matter and to respect the privacy rights of all parties involved.

Informal complaint files:

Details of informal complaints should be noted as soon as possible and may include information such as when, where, how the alleged issue giving rise to the complaint occurred, who was involved and the names of potential witnesses. These notes may be required if a formal complaint is filed. Complaints that are resolved amicably to the complainant's satisfaction will not be followed up. However, all records relating to the resolution of informal complaints must be kept within the complaints register. Any disciplinary

action resulting from an informal complaint will be maintained in accordance with the Association's Model Rules.

Unresolved Complaints:

If the problem cannot be resolved amicably or if the complainant requests further investigation into the misconduct, he/she must submit a formal complaint form.

The end date for a complaint is when it is resolved, when it has gone to mediation and an outcome is reached, and in the case of a disciplinary matter the end date is when the disciplinary committee has handed down their findings or the appeal is held.

Grievance Procedure

Ballarat Little Athletics wishes to provide a friendly, fun and comfortable athletics environment. To this end BLAC want you to bring any grievances you have to the attention of the committee.

If you feel that there is inappropriate conduct or activity on the part of Ballarat Little Athletics Centre, it athletes, team managers or other persons, we request that you bring this concern to the immediate attention of a committee member. Please try to approach the committee member at a time and place that will allow the committee member to properly listen to your concerns. If you have discussed this matter with a committee member previously and you do not believe that you have received a sufficient response, BLAC request that you present your concerns in writing. Please use the complaints form available from the BLAC website (ballaratlittleathletics.com.au). Please indicate what the problem is, persons involved, and any suggested solution you may have to the problem.

It is the purpose of the grievance procedure to help maintain a positive environment at BLAC with respect and responsibility towards each other. The grievance procedure is also intended to avoid unnecessary use of a disciplinary committee. BLAC cannot promise that your specific grievance or complaint will result in the action you request or that you will be satisfied with the outcome of the grievance procedure.

Disciplinary Action as a Result of a Complaint

Grounds for taking disciplinary action:

Section 19 of the Association Model Rules

- BLAC may take disciplinary action against a member in accordance with the Association's Model Rules if it is determined that the member:
 - has failed to comply with Model Rules
 - refuses to support the purposes of the Association
 - has engaged in conduct prejudicial to the Association

Disciplinary subcommittee:

Section 20 of the Association Model Rules

1. If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.

The disciplinary committee must be organised before the person is summonsed to appear before them.

2. The members of the disciplinary subcommittee:
 - may be Committee members, members of the Association or anyone else; but
 - must not be biased against, or in favour of, the member concerned.

If a member has made a complaint about another member that has become a disciplinary committee matter, there will be no involvement by the complainant. The disciplinary meeting is between the member who is being disciplined and the disciplinary committee, no other member.

Notice to member:

Section 21 of the Association Model Rules

The Secretary or President may contact the member verbally to advise the Secretary is sending written notice of the disciplinary hearing.

1. Before disciplinary action is taken against a member, the Secretary must give written notice to the member:
 - a) stating the grounds for the proposed disciplinary action; and
 - b) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
 - c) advising the member that he or she may do one or both of the following—
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and

- d) setting out the member's appeal rights under rule 23 of the Model Rules
2. The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

Decision of subcommittee:

Section 22 of the Association Model Rules

1. At the disciplinary meeting, the disciplinary subcommittee must:
 - a) give the member an opportunity to be heard
 - b) consider any written statement submitted by the member.
2. The disciplinary subcommittee may:
 - a) take no further action against the member; or
 - b) subject to sub-rule (3) of the Associations Model Rules:
 - (i) reprimand the member; or
 - (ii) suspend the membership rights of the member for a specified period; or
 - (iii) expel the member from the Association.
3. The disciplinary subcommittee may not fine the member.
4. The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

Appeal rights:

Section 23 of the Association Model Rules

1. A person whose membership rights have been suspended or who has been expelled from the Association under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
2. The notice must be in writing and given:
 - a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - b) to the Secretary not later than 48 hours after the vote.
3. If a person has given notice under sub-rule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
4. Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must:
 - a) specify the date, time and place of the meeting; and
 - b) state:
 - (i) the name of the person against whom the disciplinary action has been taken; and
 - (ii) the grounds for taking that action; and
 - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

Conduct of disciplinary appeal meeting:

Section 24 of the Association Model Rules

1. At a disciplinary appeal meeting:
 - a) no business other than the question of the appeal may be conducted; and
 - b) the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
2. After complying with sub-rule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
3. A member may not vote by proxy at the meeting.
4. The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

Responsibilities

The BLAC Committee endeavours to act reasonably at all times and in good faith when receiving or managing complaints or feedback from members made to or about Ballarat Little Athletics Centre

BLAC Committee

- Ensure this policy reflects current recommendations receiving or managing complaints, grievances or disciplinary matters.
- Ensure a copy of this Policy is accessible to all Members. Further, the Policy will be available online at: <http://www.ballaratlittleathletics.com.au/policies.html>