

POLICY DOCUMENT #9:2006

COMPLAINT RESOLUTION

POLICY STATEMENT

The Committee recognises that from time to time stakeholders may have reason to complain about issues which are under the control of the Club. The Club will have in place processes to receive complaints, and will act in a responsible manner to resolve such complaints.

GUIDING PRINCIPLES

- The Committee will appoint a Complaints Officer to hold designated overall responsibility for managing the Club's Complaints Procedure on behalf of the Club.
- The Complaints Procedure will consist of a three tier framework:
 - Internal Informal Process
 - Internal Formal Process
 - External Process
- The Club will strive to resolve as many complaints as possible by the Internal Informal Process, but will not shirk from moving to by Internal Formal Process or External Process should the situation require.

1. Internal Informal Process

- The person making the complaint (the complainant) should make an initial approach to one of the following people as they consider appropriate:
 - The Coach or Manager of the Club team involved;
 - A member of the Management Committee;
 - The Complaints Officer.
- The person approached must clarify whether the complainant wishes them act as a mediator to resolve the matter, or simply wants to talk the matter through with them.
- If the complainant does want assistance to resolve the complaint, then the person approached should to take action to mediate in an impartial manner with respect to both parties.
- No written complaint is required at this stage.

2. Internal Formal Process

- If the matter is not resolved informally with the support and advice of the person initially approached, the complainant may make a formal complaint in writing to the Complaints Officer.
- The Complaints Officer should attempt to resolve the complaint between the parties concerned by mediation, unless this is clearly not appropriate in the circumstances.
- If mediation fails, or is not feasible, the Complaints Officer must ensure that a fair and impartial investigation is made into the allegations raised by the complaint.
- Following the investigation, the Complaints Officer will ensure appropriate action is taken to resolve the complaint, and if necessary, deal with any disciplinary matters that arise.
- The investigation should be conducted by a fairly constituted panel of Club members, or a suitably skilled and impartial individual from within or outside the Club.
- The principles of natural justice must be observed in dealing with all parties to the complaint.
- The typical steps in an investigation consistent with the principles of natural justice are:
 - The complainant is interviewed and the complaint documented in writing;

The allegations are conveyed to the person who is the subject of the complaint (the respondent);
The respondent is given the opportunity to respond formally in writing to the complaint;
If there is dispute over the facts, statements from witnesses, and other relevant evidence is gathered;
A finding is made as to whether the complaint has substance;
A report documenting the investigation process, the evidence, the finding and the recommended outcome/action is submitted the President for his/her consideration.

- Both parties are entitled to support through this process from an advisor or other support person of their own choosing.
- If the report is endorsed by the President, the Club then carries out the recommendations contained in it. These may include any disciplinary actions allowed under the Club's constitution and Disciplinary Action policy.
- Both the complainant and the respondent have the right to appeal against the finding(s) of the investigation or the recommended action(s) if they have genuine concerns about procedure, bias or fairness of the investigation.
- Appeals will be handled by a panel of Committee Members not including persons who conducted the original investigation.
- The appeal panel can either uphold or reverse the findings of the original investigation. The appeal panel may uphold the findings, but modify the recommended outcome/actions contained in the report.
- If the investigation, appeal and disciplinary process does not achieve a satisfactory outcome for the complainant, he/she may choose to approach the South East Metropolitan Cricket Council, with which the Club is affiliated, to assist with a resolution.

3. External Process

- If a complainant is dissatisfied with the outcome of the Internal Formal Process, or believes it is impossible to get an impartial investigation even with the assistance of higher cricketing authorities, he/she can utilise complaints procedures and structures external to the Club and the sport of cricket.
- Depending on the nature of the complaint, a variety of avenues may be available.
- Complaints which contain serious allegations involving behaviours which may breach criminal or civil laws (such as discrimination, harassment, child mistreatment or sexual abuse, negligence, corruption, defamation, occupational safety and health, equal opportunity and invasion of privacy to name a few) should be reported to the relevant authorities.
- If such situation should arise the Club will assist the complainant to identify the appropriate authority to deal with their complaint.
- The Club will co-operate fully with that authority and with any investigation that the authority may conduct.

DELEGATIONS AND RESPONSIBILITIES

All office bearers, Committee members, coaches, volunteers and members are responsible for ensuring the Club's endorsed policy is promoted and upheld.

RELATED CLUB POLICIES

All Club policies are potentially relevant to this Complaint Resolution policy.

RELEVANT EXTERNAL POLICIES, DOCUMENTS AND LEGISLATION

All legislation referred to in other Club policies is also relevant here, along with numerous other Acts covering criminal and civil law which may be the subject of allegations made in complaints against the Club or its officials and volunteers.