

GRIEVANCE HANDLING POLICY

Background

A grievance or a complaint includes any type of problem or concern about your involvement in the environment as far as association with the South West Sydney Academy of Sport is concerned. For example, you could have a grievance or complaint about:

- Development and training availability
- Treatment by an official, coach, administrator, parent or other athlete
- Discrimination
- Harassment
- Safety in the playing, education or training environment
- How an issue has been handled.

Any person may make a report of a grievance or complaint to the South West Sydney Academy of Sport where any issue directly concerns the operation of the Academy or the activities of Academy personnel. The grievance or complaint may be in writing or verbal.

Key Principles

Confidentiality

Only the people directly involved in the grievance or complaint can have access to the information relevant to that complaint. Your details will be kept completely confidential should it be possible however the principle of natural justice may require disclosure of your details to the party you are making an allegation against. Disclosure of your details is at the discretion of the person handling the complaint.

Impartiality

All sides get the chance to tell their side of the story. No assumptions will be made or any action taken until all relevant information has been collected and considered.

Free of repercussion or victimization

Management take all necessary steps to ensure the parties involved in a grievance or complaint are not victimized in lodging or assisting with information concerning a grievance or complaint. Disciplinary action should be expected where victimization or repercussion is sought against people involved in a grievance or complaint handling issue.

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Vexatious or Malicious Complaints

Discipline should be expected if it is discovered that a party used this process against a person where the facts given were found to be deliberately untrue.

Self-Resolution

Opportunity may be given for the complaint or grievance to be resolved between parties without intervention from the South West Sydney Academy of Sport representatives on an official basis.

Sensitivity

All grievances and complaints will be dealt with appropriately which means with seriousness and sensitivity.

Timely

It is the objective of the South West Sydney Academy of Sport to deal with any grievance or complaint as quickly as possible.

Process - what to do if you have a complaint/grievance

Step 1

Work out the best way to handle the situation. If you are not sure how to handle the problem yourself, options include speaking to your coach, squad manager, parents or the South West Sydney Academy of Sport office staff for advice and guidance.

Step 2

If you feel comfortable with your relationship with the other person involved, try to sort the situation out directly between yourself and that person. Sometimes things happen unintentionally and the matter could be sorted out with an explanation and an apology. This should be done as close to the incident of concern to avoid confusion.

Step 3

If you are unable to handle the matter yourself, approach the Academy Chief Executive Officer who will be the appointed grievance/complaint handler. If the grievance or complaint is about the Chief Executive Officer, you should contact the Academy Chairperson (see website for details.)

The South West Sydney Academy of Sport Chief Executive Officer will, wherever practical, within 3 working days:

- Speak with you to obtain full details concerning your grievance or complaint and discover your wishes for a resolution.
- Decide whether at the least, the issue is serious enough that, if proven, it would be a breach of discipline or other related policy (Such as member protection)
- Explain the process required to continue towards a resolution of the issue.

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- Refer you if necessary to people who could provide advice or support.
- Decide the most appropriate person to handle the complaint or grievance. (If the Chief Executive Officer has a conflict of Interest, the matter will be referred to another appropriate grievance/complaint handler.)

Step 4

The grievance/complaint handler will gather information from the party or parties allegedly involved in the issue. This involves:

- Speaking to all witnesses they believe have information relevant to the complaint.
- Decide whether at the least, the issue is serious enough that, if proven, it would be a breach of discipline or other related policy (Such as member protection)
- Explain the process required to continue towards a resolution of the issue.
- Refer you if necessary to people who could provide advice or support.
- Decide the most appropriate person to handle the complaint or grievance.

(If the Chief Executive Officer has a conflict of Interest, the matter will be referred to another appropriate grievance/complaint handler.)

It is not a breach of confidentiality to speak to any witnesses or parties involved. Only the required number of people will be spoken to about the issue and they will not be told any more information than they need to know.

Where contradiction in accounts of the issue is encountered, the grievance/complaint handler may seek more information from all parties.

Step 5

A decision will then be made on how to resolve the issue and inform all parties.

Where the grievance involves an allegation of a ‘less serious’ nature (e.g. Breach of Code of behaviour, or anything non-criminal) and the main facts are not in dispute, the situation will be mediated. This means assistance will be given to you and the person or persons about whom you have complained, to come to a joint decision on how to resolve the issue.

A confidential record of the issue will be kept, and the matter will go no further within the South West Sydney Academy of Sport however the details may be reported to the State or National Sporting Body.

Where the grievance involves an allegation of a ‘less serious’ nature (e.g. Breach of Code of behaviour, or anything non-criminal) and the main facts are in dispute, the grievance/complaint handler will:

- Indicate to all parties why the issue has been unable to be resolved and inform all parties of the consequences had the facts been established.
- Reinforce the importance of refraining from any repercussions against individuals which may result from the grievance/complaint procedure.

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Where the grievance/complaint involves an allegation of a 'more serious' nature (e.g. Discrimination, harassment.) and the main facts are not in dispute, the grievance handler will recommend appropriate remedial action through the Board or its representative complaints committee. Where the facts are in dispute and grievance handler is unable to determine the course of events, the matter will be referred to the Board or its representative complaints committee.

Where the grievance/complaint involves an allegation of a criminal matter, the grievance handler will advise the Board immediately and refer the matter to the appropriate authorities.

All parties involved in the matter will be advised at all stages of the progress of the complaint/grievance.

All parties have the right to appeal through the Board to the complaints Committee.

In either of the above cases, the details may be reported to the State or National Sporting Body.

Kinds of remedial action available:

- Encourage mediation between parties
- Encourage appropriate apology to be issued in consideration of circumstances.
- Counsel the person who was behaved in an inappropriate manner in the circumstances.
- Dismissal from the organization.
- Referral to an external organization.

Grievance handlers will consider:

- Seriousness of the breach and the Policy statements referring to the type of issue.
- The state of mind or the intention of the individual/s responsible.
- Types of action previously taken in relation to similar incidents.
- If any circumstances exist which should convince the grievance/complaint handler to deal with the issue differently.

the South West Sydney Academy of Sport aims to have a resolution to any complaint or grievance within a 14-day period from the moment the complaint is received.

Record Keeping

The grievance handler will keep written notes of:

- Interviews with all parties to a grievance/complaint.
- Action taken to resolve the grievance or to refer the matter on.

Notes will be kept securely by the grievance/complaint handler and retained by the South West Sydney Academy of Sport for a statutory period.

Support

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The person making a complaint/grievance and the person/people against whom a complaint/grievance has been made are entitled to support throughout the process. A support person may be a friend, relative or other designated person. The role of the support person is to provide moral and emotional support for the person involved. This person does not say anything during the process and is bound by confidentiality which will be explained at commencement of the process.

Legal Advice

An essential component of any athlete or coach or manager or official's participation in the Academy's activities is that they execute an Agreement with the Academy that specifies terms and conditions of their participation.

One such condition identified in the Agreement is that any athlete/athlete parent or guardian, any official or volunteer associated with the Academy's activities, agrees to abide by this Grievance Handling Policy and will not seek legal recourse in the resolution of any grievance until the processes identified in this Policy are completed.

External Agencies

the South West Sydney Academy of Sport recommends that if any party involved in a complaint or grievance handling issue involving the South West Sydney Academy of Sport personnel who is unsatisfied with the process involving the issue should contact one of the following organisations for advice:

Anti-Discrimination Board of NSW

PO Box W213
Parramatta Westfield NSW 2150
Tel: 1800 670 812
Email: complaintsadb@justice.nsw.gov.au

National Sports Tribunal

Tel: 0466 230 544
Email: enquiries@nationalsportstribunal.gov.au

Court of Arbitration for Sport (Oceania)

National Dispute Centre
Level 28, Deutsche Bank Place
Corner Hunter & Phillip Streets
SYDNEY NSW 2000
Tel: 9230 5348

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