



COMPLAINTS PROCEDURE

This procedure is for both internal and external complaints procedures. The internal procedure includes both informal and formal complaint processes.

Internal

Informal Process

1. The complainant makes an initial approach to their choice of one of the following people, who then provides information about whether the behaviour will be accepted as an official complaint and about options for resolution.

They are:

- An officer designated to take responsibility for resolving complaints (Complaints Officer)
- A Coach or Manager
- A colleague (could be a friend, another parent etc)
- An official of the club (as appropriate)

2. The person approached must clarify whether the complainant wants them to act as a mediator or simply wishes to talk the matter through with them. If the complainant does want them to help resolve the complaint, then they will do this at an informal level. In an official role, they must do so in an impartial manner with respect to both parties.

3. There is no written complaint at this stage, however the person approached should note details of the issue and retain for records. Records pertaining to the informal process should be kept until the commencement of the next season.

Formal Process

If the matter is not resolved with the support and advice of the person initially approached, the complainant can make a formal complaint in writing explaining the allegation to the Caloundra Football Club Committee.

A delegate of the Committee, as Complaints Officer, should attempt to resolve the complaint between the parties concerned by mediation, unless this has already been attempted without success or is clearly not appropriate in the circumstances (for example, the complainant is too distressed to face an alleged harasser).

If mediation fails, or is not feasible, the Complaints Officer must then ensure that a fair and impartial investigation is made of the allegations, and that appropriate action is taken to resolve the complaint and, where necessary, to deal with the matter

The investigation is then conducted by a fairly constituted panel or a suitably skilled and impartial individual from within or outside the club. (This is likely to be the Complaints Officer). Natural justice is to be observed for the person who is the subject of the allegations.

The typical steps for an investigation consistent with the principles of natural justice are:

1. The complainant is interviewed and the complaint is documented in writing;
2. The allegations are conveyed to the alleged in full;
3. The alleged is given the opportunity to respond;
4. If there is a dispute over the facts, statements from witnesses and other relevant evidence is gathered;
5. A finding is made as to whether the complaint has substance; and
6. A report documenting the investigation process, the evidence, the finding and the recommended outcome/s is submitted to the decision-maker. The decision-maker for Caloundra Football Club shall be the President.

Both parties are entitled to support through this process from their chosen support person/adviser.

If the report is endorsed by the decision-maker, the organisation then carries out the recommendations of the report. These may include such actions as an apology, counselling, a fine, dismissal or withdrawal of official duties.

Both the complainant and the respondent have the right to appeal against the findings of the investigator/panel or against the resulting recommended action if they have any concerns about procedure, bias or fairness. Appeals are handled by an appeal panel made up of members other than those who conducted the original investigation.

The appeal body can:

1. Uphold the decision of the investigator/panel,
2. Reverse the decision of the investigator/panel, and/or
3. Modify any of the investigator/panel's recommendations for disciplinary action or remedial measures.

If the internal investigation, appeal and disciplinary procedures do not achieve a satisfactory outcome for the complainant, or if the complainant believes it would be impossible to get an impartial investigation within the organisation/sport, he/she may choose to approach the Sunshine Coast Football to assist with a resolution. It is in the interests of Sunshine Coast Football to take responsibility for dealing with disputes within their Association.

External

A complainant may be dissatisfied with the outcome of complaint procedures within Caloundra Football Club as a whole, or may not wish to use procedures internal to the club at all because of a lack of confidence in the club. In certain cases, the complainant can utilise complaint procedures external to Caloundra Football Club.

For instance, harassment of various kinds is unlawful under state and federal anti-discrimination laws in Australia, and complaints under these laws are dealt with by state and federal antidiscrimination bodies.

A person experiencing harassment can seek initial advice from one of these bodies without being obliged to make a complaint. If that body advises that the conduct being experienced appears to be a type of harassment that comes within its jurisdiction, the harassed person then makes the decision as to whether or not to lodge a formal complaint to the body.

Once a complaint is received, an investigation will be undertaken. If there appears to be a case that unlawful harassment has occurred, there will usually be an attempt to conciliate the complaint confidentially first. If this fails, or is inappropriate, the matter may proceed to a formal public hearing, where a finding will be made as to whether harassment occurred. Various remedies may then be prescribed by the tribunal. These can include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred by the complainant.

It should be noted that an anti-discrimination body can decline to investigate a complaint, or dismiss a complaint at any point in the investigation, conciliation or public hearing stages.

Qualifications/Training

A person, acting on behalf of Caloundra Football Club as an official Complaints Officer must demonstrate qualifications and/or experience to carry out the role, or shall be offered appropriate training to fulfil the role and responsibilities.