

Purpose

The objective of the Melbourne University Sport (MU Sport) Club and Club Member Grievance Procedure is to provide a fair and transparent framework for the handling of club and/or club member grievances. A grievance may arise where a club and/or club member believes that the club's or an individual member's responsibilities, has been breached. 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.

Responding to Complaints

The club will take all complaints about on and off-field behaviour seriously. The club will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have reasonable opportunity to respond (give their side of the story);
- all parties to a complaint or grievance must act in good faith and seek to achieve an amicable resolution;
- where appropriate, parties to a dispute should attempt to resolve the dispute between themselves;
- irrelevant matters will not be taken into account;
- all appropriate measures will be taken to ensure a club or a club member does not suffer any victimisation or discrimination as a result of raising complaints or grievances in good faith;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated directly to MU Sport where the club believes it is not in a position to independently resolve the complaint.

Complaint Handling Process – Clubs

Step 1: When a complaint is received by the **club**, the person receiving the complaint (e.g. President, Secretary) will:

- request that the complaint is made in writing (see Attachment 1 as an example)
- provide MU Sport with a copy of the written complaint
- convene a meeting with the complainant and listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and
- maintain confidentiality but not necessarily anonymity.

Step 2: Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

- supporting the person complaining to talk to the person being complained about;
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);

- providing the respondent with a copy of the written complaint;
- receiving a written response to the complaint from the respondent where appropriate and if the respondent chooses;
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from MU Sport or from an external agency (e.g. State Department of Sport or anti-discrimination agency);

Step 3: After undertaking Step 1 and Step 2, the club will:

- respond to the complaint with a decision which may or may not include disciplinary measures;
- inform MU Sport of the club's decision and/or disciplinary measures; or
- refer the complaint to MU Sport where the club believes it is not in a position to independently resolve the complaint.

The complainant or respondent can lodge one appeal against decisions of, or disciplinary measures imposed by, the club to MU Sport. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

Step 4: In situations where a complaint is referred directly to MU Sport without being heard by the club (e.g. where the club believes it is not in a position to handle the matter, or where the complaint is made against the Club and/or its leadership team), the **club** will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on MU Sport's recommendations.

Complaint Handling Process – MU Sport

Step 5: Where a complaint is referred directly to MU Sport, or where the complainant or respondent seek to appeal a club's decision, **MU Sport** will:

- gather information as it relates to the complaint and attempt to mediate a resolution as per Steps 1 and/or 2;
- facilitate mediation if appropriate. The mediator will be independent and agreed to by all parties;
- where mediation is not successful, convene an independent Review Panel to hear the complaint/appeal;
- facilitate a hearing with the complainant and/or the respondent and the appeal panel in a timely manner;
- document the decision of the appeal panel and communicate to all parties involved.

MU Sport will seek 10 – 15 suitably qualified and/or experienced individuals to form a general Appeal Panel each year. Individuals may be past or present members of affiliated University sporting clubs, past or present members of University staff or individuals external to the University that are deemed to have a suitable skills-set to adjudicate on complaints. A panel of three (3) members will be convened to here each appeal or complaint made directly to MU Sport.

Disciplinary Measures

Step 6: The club will take disciplinary action against a member or supporter found to have breached the University's Club and Club Member Codes of Behaviour, or other University-related policy, or where an individual has made false and/or malicious allegations. Any disciplinary measure imposed under the policy must be:

- applied consistent with any contractual rules and requirements;
- fair and reasonable;
- based on the evidence and information presented and the seriousness of the breach;
- determined by the club's Constitution, By Laws and/or the rules of the game.

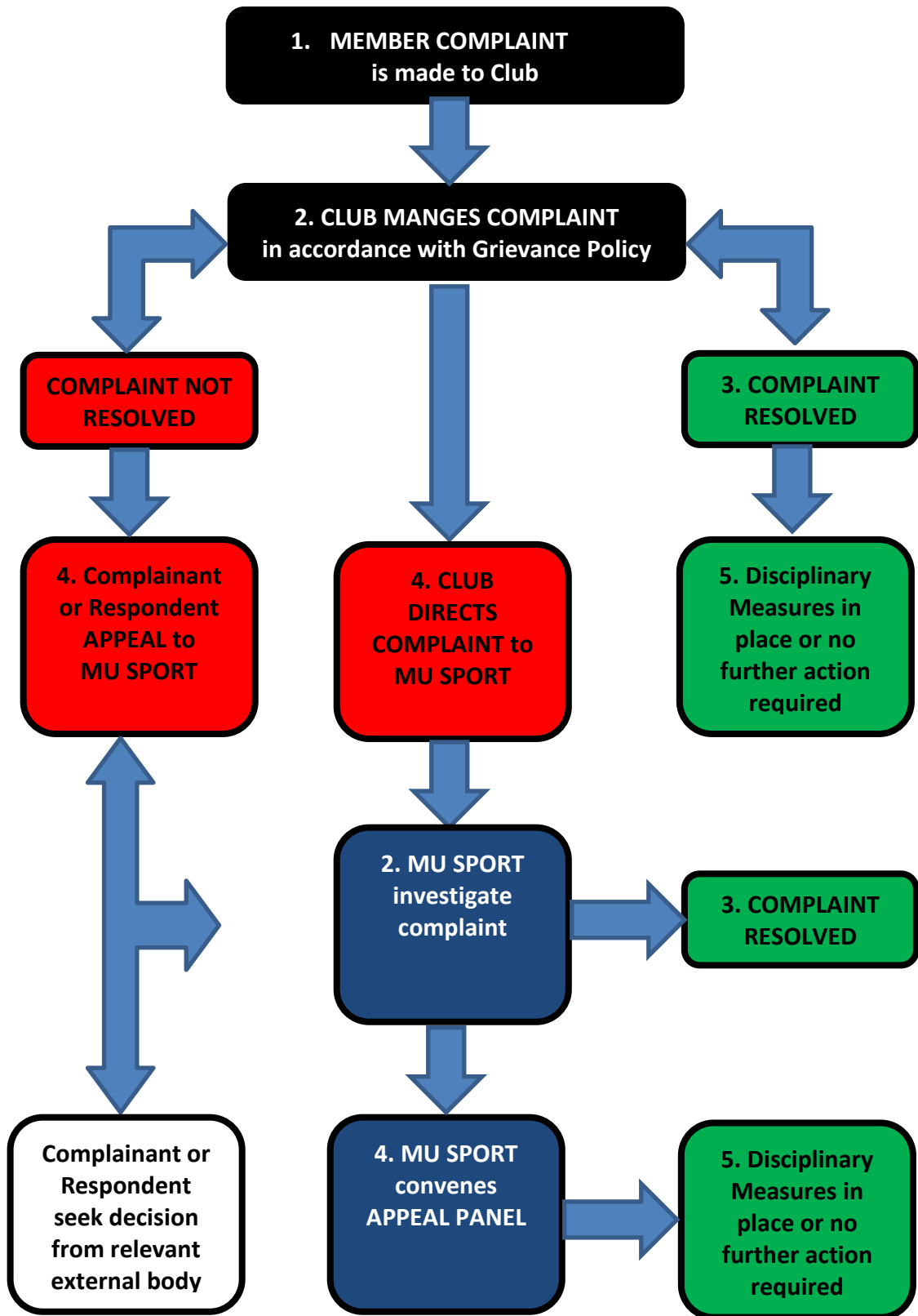
Possible measures that may be taken include:

- verbal and/or written apology;
- counselling to address behaviour;
- clarifying standards of expected behaviour;
- implementing a period of monitoring;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the club;
- suspension or termination of membership, participation or engagement in a role or activity;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

Where a complaint is referred directly to MU Sport, or an appeal is made to MU Sport, the Appeal Panel may also sanction disciplinary measures as outlined in Step 5.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency. Students of the University of Melbourne should also be aware of their rights as per the [Student Complaints and Grievances Policy](#).

Diagram 1: Grievance Procedure Flow Chart



Attachment 1: REPORTING FORMS

RECORD OF COMPLAINT

CLUB receiving complaint		Date:
Complainant's Name		
Complainant's contact details	Phone: Email:	
Complainant's role/status in Club	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Name of person complained about		
Person complained about role/status in Club	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged issue		

Description of alleged issue	
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other
Complainant's suggested resolution	
<i>CLUB USE Only:</i>	
Information provided to complainant	
Resolution and/or action taken	
Follow-up action	