

# WALLAN BASKETBALL COMPLAINTS AND GRIEVANCES POLICY



## 1. PURPOSE

Basketball, like any sport, brings people from all walks of life together, and they engage in basketball in different ways, including as players, coaches, referees and spectators. As Wallan Basketball Incorporate (WBI) continues to grow situations may arise where people involved at WBI may have a complaint or grievance that they wish to bring to the attention of WBI.

WBI has a zero-tolerance approach to unacceptable behaviour. We aim to ensure that our procedure for dealing with these issues has integrity and is free of unfair repercussions or victimisation for both the accused and person/s making the complaint (complainant).

WBI aims to provide a simple, confidential, transparent and trustworthy procedure for resolving complaints and grievances in a responsible and timely manner. Investigation into the nature of the complaint or grievance will be undertaken to ensure a fair and equitable assessment can be made and action can be implemented.

## 2. SCOPE

This policy applies to all basketball events, programs and competitions conducted by WBI.

This policy does not apply to:

- incidents that are observed by game officials or occur in the direct context of a basketball game as they will be dealt with as a tribunal matter; and/or
- issues of discrimination, harassment, child abuse or vilification, as the Basketball Victoria Member Protection Bylaws outlaw discrimination, vilification and harassment based on all grounds prohibited by Commonwealth and State Laws

and all complaints and grievances relating to the BV Member Protection Bylaws are handled in accordance with that Bylaw

(<https://www.basketballvictoria.com.au/cdn/sdy7tabapyos4844>).

## 3. DEFINITIONS

This policy defines the difference between a complaint and a grievance as follows:

- A complaint is a general expression of dissatisfaction with a situation, decision or behaviours of another person(s);
- A grievance is a more specific and serious feeling of wrongdoing that relates to issues within the Association that can be managed at the WBI level and not required to be managed under the Basketball Victoria Tribunal By-Laws.

WBI adheres to the guidelines and policies laid down by Basketball Victoria for behavioural expectations, and utilises the definitions within these documents. In particular, WBI recognises the following Basketball Victoria guidelines:

- Codes of Conduct for all participants;
- Member Obligation By-Laws;
- Member Protection By-Laws;



- iii) The Operations Officer will log all grievances in the WBI Grievances Register to record the date of receipt, name of the complainant and general nature of the grievance.
- iv) The Operations Officer shall initially assess a grievance on the basis of the written information within seven (7) days of receipt of the grievance. Following the initial assessment, the Operations Officer must adopt one of the following courses of action:
  - a) determine that the grievance is vexatious or trivial. In these circumstances, the complainant shall be notified in writing and the grievance closed;
  - b) determine that the grievance is more appropriately handled as a complaint and refer the matter to be dealt with by the relevant competition manager or WBI committee member between the parties; or
  - c) determine a grievance to be legitimate and in need of action. In these circumstances, the Operations Officer shall consult with the WBI President to appoint an independent member of the WBI executive committee as an investigator. The investigator shall be impartial to the event and shall generally be the Vice President of Juniors or Seniors, as appropriate.
- v) The following will apply to the investigation process:
  - a) The investigator shall investigate the matter within two (2) weeks of receipt.
  - b) The investigator shall:
    - (1) speak to all parties relevant to the matter, including the complainant, accused and any witnesses;
    - (2) take confidential notes about the grievance;
    - (3) try to ascertain the facts of the issue;
    - (4) ask what outcome/how the complainant wants the issue resolved;
    - (5) ask if the complainant needs support;
    - (6) determine whether any of the issues in the grievance are supported or in dispute; and
    - (7) review the findings gathered during the investigation and decide on a recommended resolution to the grievance.
  - c) The investigator shall prepare a report and forward that report, including all findings and recommendation(s) to the President for review.
  - d) Where the recommendations involve a serious sanction, the President may refer the investigation report to the WBI committee for consideration and final decision.
  - e) All parties will be advised in writing of the outcome of the investigation once recommendations are ratified by the President or WBI committee.
  - f) All internal processes for hearing a grievance should be completed within three (3) months of the initial grievance being lodged.
  - g) Once a decision is made in respect to the grievance, the decision is final and there is no appeal process.
  - h) The Operations Officer will record the outcome of all grievances on the WBI Grievances Register and close the matter.