

GRIEVANCE POLICY

Version: 1	Reviewed on: 31/10/2022
Responsible Person: Charlene Smith	Approved by Board on: 31/10/2022
Position: President	

APPLICABILITY

This policy applies to all Board, Sub Committees, Affiliated Members and their Members. All volunteers, spectators and other participants of Success Netball Association Activities.

CHANGES TO THIS POLICY

This Policy may be cancelled, amended, or supplemented by the Association as and when it sees fit. Any variation will be emailed to Clubs and Entity Teams by the Association and uploaded to our website. The Association will review this policy on a regular basis to ensure that it remains effective in supporting the objectives and strategic direction of the Association, and to ensure ongoing best practice.

INTENT OF POLICY

The purpose of this document is to outline the Grievance Policy and related procedures that are to be used by the Success Netball Association and its Members to deal with grievance actions.

This Policy provides a process for dealing with grievances and/or disputes between Members of Success Netball Association or between Members and Success Netball Association that are outside the scope of:

1. Success Netball Association Dispute Resolution procedures as per Success Netball Association Constitution.
2. Netball Australia's Member Protection Policy; or
3. Any association policy that deals with on-court offences and competition-related disciplinary action.
4. Examples of grievances and disputes that might be dealt with by this Policy include, but are not limited to, issues between Members:
 - regarding selection of teams and/or coaches and other officials which didn't follow procedures as set out in association policies;
 - regarding court time, if court time is managed by a policy and the procedures in that policy were not followed;
 - regarding the conduct of members of the Board or Committees of Success Netball Association or one of its Affiliated Members;
 - concerning how Success Netball Association or its Affiliated Members run their General Meetings;
5. Regarding the application of the rules of the netball competitions and activities conducted by the Success Netball Association or its Affiliated Members.

6. Handling of a grievance or dispute with an Affiliated Member:
7. This Policy shall not apply where an Affiliated Member has an equivalent policy in place that can be used to manage a grievance or dispute.
8. A Member may 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.
9. Where a grievance may be raised through either this Policy or the Dispute Resolution Procedure in Success Netball Association's Constitution, the grievance should be raised through this Policy.

THE POLICY

1. Handling of a grievance or dispute with a Affiliated Member
 - 1.1. The Committee of an Affiliated Member is responsible for the handling of internal disputes between its Members.
 - 1.2. This is in accordance with the Associations Incorporation Act 2015 (WA) and the Affiliated Member's constitution.
2. What to do if you have a grievance or dispute

- 2.1. Informal approaches

Step 1: talk with the other person (if safe, reasonable, and appropriate)

You can approach the other person to discuss the issues and try to resolve the problem directly. If the dispute is about a decision, you may want to request more information about the relevant policies and procedures.

Informal discussion with the person who you have a grievance with can be lower pressure than other options, and allows for discussion of the issues and perspectives. This can often result in a resolution as it allows each person to be better understood and heard. It is particularly valuable as an option when the complaint is in an early stage.

Step 2: contact a Member Protection Information Officer (or equivalent)

You can talk to a Member Protection Information Officer ('MPIO') or equivalent officer at the Member Entity if:

- Step 1 is not appropriate;
- You are not sure how to handle the problem by yourself;
- You want to talk confidentially with someone and find out what options are available to address your concern; or
- The concern continues after you have tried Step 1.

The MPIO can:

- Ask you how you would like your concern to be resolved and if you need support
- Seek to provide different options for you to address your concern;
- Act as a support person, if you wish;
- Refer you to another person (e.g. refer to mediation) to help you address your concern, if appropriate;
- Inform the relevant government authorities and/or police, if required by law to do so;
- Where possible and appropriate, maintain confidentiality.

The MPIO can't:

- Decide what the best option is for you;
- Tell you what actions you should take;
- Take sides in the dispute;
- Provide advice, legal or otherwise;
- Handle or investigate the complaint for you;
- Advocate for you.

Confirm with Success Netball Association to see if they have an MPIO, or contact a Netball WA MPIO.

Step 3: decide how to address your concern

After talking with the MPIO (or equivalent), you may decide:

- That there is no problem;
- That the problem is minor and you do not wish to take the matter forward;
- To try and resolve the problem yourself, or with a support person;
- To resolve the problem with the help of someone impartial, such as a mediator; or
- To resolve the matter through a formal process (e.g. the Association's Complaints Handling Procedure).

2.2. What to do if a matter can't be resolved informally.

- 2.2.1. If a grievance or dispute cannot be resolved informally through discussion, then formal processes may be used.

2.3. Formal processes include:

- 2.3.1. Mediation;
- 2.3.2. Competitions Committee hearing and decision (or the Competitions Committee can establish a Grievance Panel to determine the grievance or dispute);
- 2.3.3. Escalation to the Association's Complaint Handling Procedure.
- 2.3.4. Escalation within the sport (e.g. from Club to Association, from Association to Netball WA); or
- 2.3.5. Referral to an external agency (if applicable).

2.4. Mediation

- 2.4.1. Mediation is a process that uses a neutral person to help parties in a dispute reach an agreement or settlement. Mediators help the parties to talk to each other in a respectful and safe environment.
- 2.4.2. Mediation is typically used as a forum to identify issues, suggest options, and explore alternative solutions to the dispute. It is important during mediation to cooperate, listen to the views of others, and consider options for resolution.
- 2.4.3. Mediation can be less stressful and prevent excessive costs from being incurred when compared with taking a dispute to a legal setting.
- 2.4.4. If a matter under this policy proceeds to mediation, it is the responsibility of the party requesting the mediation to source an appropriate mediator or mediation service.
- 2.4.5. The sourced mediator must be accepted by agreement between the parties to the grievance.
- 2.4.6. If an agreement cannot be made, then the mediator may be appointed by Netball WA.
- 2.4.7. A mediator appointed by Netball WA may be a Member or a former Member but may not have a personal interest in the dispute or be biased in favour of any party involved.
- 2.4.8. The mediator cannot determine the dispute.

2.5. Costs

Each party to a proceeding under this Policy shall bear their own costs.

2.6. Relationship with Criminal Matters

- 2.6.1. If, during a grievance or disputes process, it becomes known that a criminal charge has been brought (as opposed to just the subject of police investigation) arising out of the actions that are the subject of the grievance or disputes process, then the grievance or disputes process may be deferred until the completion of the criminal charge.
- 2.6.2. In making a determination under **Rule 2.6.1**, those involved shall have regard to the need of ensuring the ongoing safety of players, umpires, coaches and other persons involved.

RELATED DOCUMENTS

[Netball Australia Member Protection Policy](#)

[Complaints Handling Procedure](#)