



Complaints Handling Policy and Procedure – Malvern City Football Club

1. POLICY

Purpose

To ensure that issues or complaints raised by participants, members, volunteers, or other community stakeholders are handled in a timely, fair, and equitable manner.

Policy Statements

Complaints may vary in complexity and severity, with the potential to be addressed either informally or formally. Any complaint received should be addressed in a timely manner and should not be avoided as it may result in a minor complaint becoming significant. Our Club aims to provide a fair and consistent approach to handling all complaints through this policy.

It is recognised that our participants, members, and other people associated with the Club may have issues or grievances that need to be resolved to maintain good relationships and enjoyment of Club activities.

Our Club believes that:

- 1) All individuals have the right to have their complaints and grievances heard and receive careful consideration through established processes that are founded on fairness and respect; and conducted in a timely manner.
- 2) An individual making a complaint or airing a grievance will not be disadvantaged in any way as a direct result of making that complaint.
- 3) The best resolution is one that is reached cooperatively and informally where possible prior to a formal complaint being lodged in writing.
- 4) Where a formal complaint is received by the Committee it will be considered and documented in a confidential manner, together with steps towards a timely resolution.

Complaints will be kept confidential where possible and will not be disclosed to another individual without the complainant's consent, except if the law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

Individuals may also pursue their complaint externally under anti-discrimination, child protection or any other relevant legislation (e.g. to Football Victoria via the CorePlus portal).



If any individuals wish to remain anonymous, the Club may have difficulty assisting to resolve the complaint. Procedural fairness will mean that the Club is required to provide the individual/s that are being complained about with full details of the complaint, so they have a fair chance to respond.

Informal Complaints

Less serious complaints that may be handled informally may exhibit the following characteristics, including (but not limited to) behaviour or decisions that are:

- 1) One-off, not entrenched, or not repeat actions.
- 2) Low risk or level of harm/impact on the affected individual or other people.
- 3) Out of character for the individual about whom the complaint has been made.

Examples of less serious grievances that may be managed using informal processes include:

- 1) Yelling, mild coarse language, etc.
- 2) Perceived or actual favouritism regarding team selection and allocated playing time.
- 3) Restricted access or use of equipment and facilities.
- 4) Excessive emphasis on winning.
- 5) Mild and unforeseen one-off occurrences.

Formal Complaints

More serious complaints that may require a formal complaint handling process may exhibit (but are not limited too) the following characteristics:

- 1) Repeated, ongoing, or entrenched actions/behaviours.
- 2) More than one individual being impacted or instigating the actions/behaviours.
- 3) Instances of power imbalance and/or conflict of interest.
- 4) Unlawful or illegal behaviour.
- 5) Complainant requests formal process or that formal disciplinary measures are imposed.
- 6) Grievance has been unsuccessfully resolved at an informal level.



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Examples of more serious grievances that may be managed with using formal processes include (but are not limited to):

- 1) Bullying (E.g. Physical or Mental, Intimidation, Cyber Bullying, Exclusion, etc).
- 2) Volatile, provocative, or dangerous spectator behaviour.
- 3) Inappropriate coaching style (E.g. Coarse language with aggressive/threatening gestures).
- 4) Sexual harassment and/or assault.
- 5) Homophobia and discrimination.
- 6) Racial harassment, discrimination, and vilification.

2. PROCEDURES

Informal Complaint Handling Process

Informal complaints can be made directly to team managers, technical directors or via complaints@malverncityfc.com.

Relevant options for resolving informal complaints include (but are not limited to) the following:

- 1) Provide more information to person complaining
 - a) Provide individual copy of Member Protection Policy, Codes of Conduct, and any other relevant Policies & Procedures (E.g. Team Selection, etc).
 - b) Explain and discuss how these policies relate to the issue or grievance.
- 2) Club Official to meet with individual/s being complained about
 - a) Set an appropriate time to talk privately with concerned individual/s (E.g. Not in front of team, parents, etc).
 - b) Notify that concerns have been expressed about certain topics.
 - c) Provide individual/s copy of Member Protection Policy, Codes of Conduct, and any other relevant Policies & Procedures (E.g. Team Selection, etc).
 - d) Explain and discuss how these Policies & Procedures relate to the issue or grievance.
 - e) Receive their perspective on the issue and what might have led to this being concern, and any ideas they may have to resolve the issue.



f) Discuss any further support that might help them in their role (E.g. Training & Education).

g) Update the complainant with the outcome, monitor the situation, and record the relevant information.

3) Informal discussion with all those involved

a) Set an appropriate time to talk privately with concerned individual/s (E.g. Not in front of team, parents, etc).

b) Reassure both parties that the focus is on talking openly to try and resolve the issue and move forward rather than laying blame.

c) Provide individual/s copy of Member Protection Policy, Codes of Conduct, and any other relevant Policies & Procedures (E.g. Team Selection, etc).

d) Explain and discuss how these Policies & Procedures relate to the issue or grievance.

e) Receive both perspectives on the issue and what might have led to this being concern, and any ideas they may have to resolve the issue.

f) Identify common ground between parties and build on this for workable solutions to the grievance.

g) Follow up with all parties to ensure that the grievance has been resolved.

Seeking Resolution

In the instance that grievances cannot be resolved informally, a formal complaints process may be implemented based on the principles of open dialogue, fairness, timeliness, confidentiality, and respect.

Formal Complaint Handling Process

Any individual choosing to make their grievance or complaint formal, must do so in writing to the Committee or via email (complaints@malverncityfc.com) as early as possible. It will then be referred to the President (unless the complaint directly concerns the President) for discussion and recording. Contact will be made with the complainant within 7 days of the receipt of the complaint. If another party is involved, they will be fully informed of the full details of the grievance and proceedings will commence in line with the options listed below.

Relevant options for resolving formal complaints include (but are not limited to) the following:



1) Mediation

- a) Explain to both parties that mediation is a process that may help them understand and explore their issues and find resolution with the help of an independent third party.
- b) Obtain agreement from both parties that they are willing to meet with a mediator to try and resolve the complaint or grievance.
- c) Contact a mediation agency to discuss the issue and arrange mediation where possible/appropriate. Alternatively, appoint an independent club official or external stakeholder to mediator position.
- d) Ensure the Committee monitors the situation and reviews policies and procedures to prevent the problem from reoccurring.
- e) The complainant and respondent will be informed of a decision in writing.
- f) Follow up with all parties to ensure that the grievance has been resolved.

2) Committee Hearing & Decision

- a) Respond in writing to any formal complaint and explain the process undertaken by the committee when dealing with the complaint.
- b) Inform the person being complained about, both verbally and in writing, of the complaint or allegation and the process undertaken by the committee when dealing with the complaint.
- c) Appoint unbiased committee members with no conflict of interest to hear the complaint.
- d) Ensure both parties get to tell their side of the story before any decision is made by the committee. This may involve both parties attending a committee hearing or providing information to a committee representative prior to the committee hearing.
- e) Decisions must be based on the facts and could include dismissal of the complaint, disciplinary action, referral to a state sporting organisation (or an external body) for further advice, investigation and/or arbitration.
- f) Keep both parties informed throughout the process and communicate any decisions as soon as possible, including any right of appeal by either party



- g) Ensure the Committee monitors the situation and reviews policies and procedures to prevent the problem from reoccurring.
- h) The complainant and respondent will be informed of a decision in writing.
- i) Follow up with all parties to ensure that the grievance has been resolved.

3) Escalation within sport (to regional, state, or national level)

- a) If appropriate, refer the complaint to your state association and clarify the club's role.
- b) Keep the parties involved informed about the complaint process.
- c) Protect the person complaining and the person being complained about from victimisation.
- d) Manage any gossip or demands by people who know about the complaint.
- e) Implement any recommendations and review club policy and procedures.

4) Referral to External Agency

- a) If appropriate, refer the complaint to the relevant external agency.
- b) This option may be engaged when the actions or behaviours are unlawful, illegal, or criminal, or involve harm to a child and require the intervention of police, etc.
- c) This may also be an option when the club requires further legal or professional advice.

Appeals Process

If the complainant or the individual complained about is unhappy with the process or outcome of the investigation, or any recommended mediation does not result in a mutually acceptable solution, then either party is entitled to appeal.

In the appeal process, the complaint will be reheard by a different investigator/decision maker, and the decision will be reviewed. Each party has the right to one internal appeal on the given complaint, after which point the club decision will be final.

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