

## POLICY

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**NAME:** Complaint and Grievance Policy  
June 2019

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### COMMITMENT TO CHILD SAFETY

All children who attend CGGS Aquatic Inc. (Aquatic Club) have a right to feel and to be safe. The wellbeing and safety of all children at our centre is our first priority and we have zero tolerance to child abuse. The protection of children is the responsibility of everyone who is employed at, or is engaged by the Aquatic Club in child connected work. To ensure the safety and best interests of all children, we take into account the needs of those with an Aboriginal or Torres Strait Islander heritage, those from culturally and/or linguistically diverse backgrounds and those with a disability.

### PURPOSE

The purpose of this policy is to provide the process and procedures for receiving, responding to, and investigating complaints from the Aquatic Club members, parents, staff and other stakeholders.

This policy was written in accordance with the Safe Sport Complaint Procedures as set out in Swimming Australia's Safe Sport Framework.

The scope of this policy does not apply to matters of serious misconduct, such as sexual offences, criminal charges, serious incidents, or matters requiring Mandatory Reporting. All such issues will be referred to Swimming Australia Limited, the Police and / or other relevant external authorities.

### DEFINITIONS

**Complaint:** A general expression of dissatisfaction with the service, a situation or the behaviours of other person(s) within the Aquatic Club.

**Grievance:** A more specific and serious feeling of wrong doing that relates to harassment, discrimination or vilification by person(s) within the Aquatic Club.

**Complainant:** The person expressing dissatisfaction with programming, coaching or service at the Aquatic Club. Complaints may be made by any members of the public that has had an interaction with the Aquatic Club or its associated members.

**Respondent:** The person against whom the complaint is made

### POLICY RATIONALE

CGGS Aquatic encourages everyone involved in the club to voice concerns that they may have at any point regarding the services provided or the safety, health, welfare, behaviour or conduct of individuals associated with the Aquatic Club. It is recognised that people associated with the Aquatic Club will from time to time have grievances or complaints that need to be resolved in the interest of maintaining good relationships or improving the services provided by the Aquatic Club.

## GUIDING PRINCIPLES

- The Aquatic Club welcomes diverse views and opinions and acknowledges that the expression and exploration of alternate views are elements of a safe, open, healthy and dynamic environment.
- Complainants have the right to voice a complaint in regard to the program, coaching, behaviour or service provided by the Aquatic Club.
- The Aquatic Club acknowledges, investigates and responds to complaints within an appropriate and timely manner.
- Complaints are investigated in accordance with procedural fairness, respect and in good faith.
- Communication between CGGS and complainants is conducted courteously, professionally and with probity.
- Complainants will not be victimised or discriminated against.
- Complainants requiring an interpreter may provide one to assist their understanding.
- Complainants and respondents have the right to a support person or witness.
- Privacy and confidentiality is maintained by the Aquatic Club, and expected by complainants, at all times.
- The Aquatic Club promotes an environment free from harassment, bullying and unlawful discrimination; behaviours which are not tolerated under any circumstances.
- Complaint data, gleaned through quality, respectful and rigorous debate, is used to improve the service provided by the Aquatic Club.

## KEY RESPONSIBILITIES

- The Club President / Grievance Officer holds overall accountability for ensuring that the system for managing complaints within the Aquatic Club is effective.
- The Head Swim Coach / Grievance Officer is responsible for responding to initial complaints and managing ongoing complaints

## INFORMAL RESOLUTION PROCESS

The complainant raises the complaint directly with the respondent against who the complaint is made or with the Head Swim Coach / Grievance Officer.

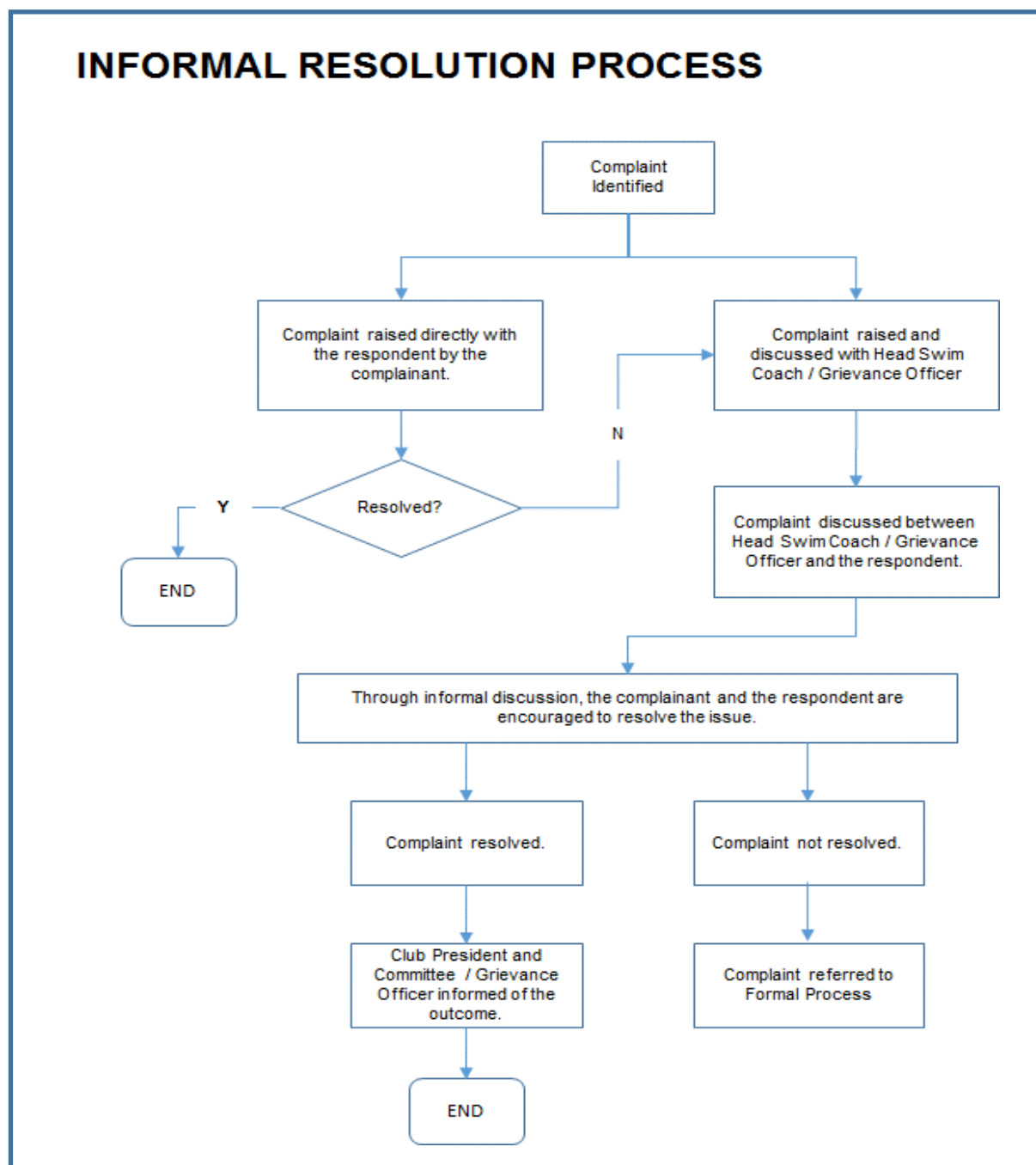
If the complaint is made directly to the respondent, and the matter can be resolved without the input from the Aquatic Club, then this case will be deemed to be closed. If the matter cannot be resolved, then either the complainant or respondent may refer the matter to the Head Swim Coach / Grievance Officer.

A resolution will always be encouraged through informal discussion between the complainant and respondent.

All meetings, discussions, telephone calls or emails will be recorded and documented by the Head Swim Coach / Grievance Officer.

The Club President / Grievance Officer and Aquatic Club Committee will be briefed about the complaint and the outcome of the process.

If the matter is not resolved informally, the complainant will be advised to submit a formal written complaint to the Club President / Grievance Officer.



### FORMAL RESOLUTION PROCESS

Before an investigation to a formal complaint is commenced, the complainant must have made reasonable attempts to resolve the complaint informally with the respondent in the first instance.

#### Step 1: Written Complaint

The complainant is to be requested to complete a Formal Complaint Form (refer to attachment below).

The complainant is to focus on and record the facts, i.e. what, where, when, how and any supporting evidence they may have, including witnesses, emails, photographs, texts etc.

All formal complaints are to be lodged with the Club President / Grievance Officer.

The Club President / Grievance Officer will delegate the role of investigator to the relevant team member depending on the nature of the complaint.

### **Step 2: Investigation of Complaint:**

The investigator:

- Meets with the complainant and outlines the principles that apply to the procedure to be followed.
- May choose to interview any witnesses identified by the complainant, check the accuracy of the evidence before making a written statement of the evidence given by the witnesses.
- Meets with the respondent, who will be provided with a copy of the complaint and given opportunity to present their right of reply.
- Offers the complainant the opportunity to meet with the Club President / Grievance Officer to discuss the complaint and provide additional information where relevant.
- Documents, in writing, all meetings and interviews conducted during the formal process. Any supporting evidence such as emails, photographs or other documentation are copied and attached to any written notes.
- Reviews relevant information and documents.
- Obtains any other relevant information or documentation that will assist in resolving the complaint.
- Seeks advice, where appropriate, from individuals or organisations that may be able to assist in resolving the grievance.

If a complaint against a member of the swim team is received, the Club President / Grievance Officer may undertake the investigation, or may choose to appoint an external independent arbiter.

### **Step 3: Outcome of the Investigation**

The investigator provides a written report to the Club President / Grievance Officer detailing all the evidence and a finding as to whether the complaint is substantiated or not.

The Club President / Grievance Officer will make a determination on the report, following which both parties will be provided with the Club President's / Grievance Officer's conclusion in writing.

If the determination substantiates the complaint, the Club President / Grievance Officer may decide outcomes that may include the following:

- Counselling;
- Support for the parties involved, as deemed appropriate;
- Staff professional learning and development;
- Warning – oral / written;
- Apology, if appropriate;
- Suspension; and
- Dismissal / Expulsion.

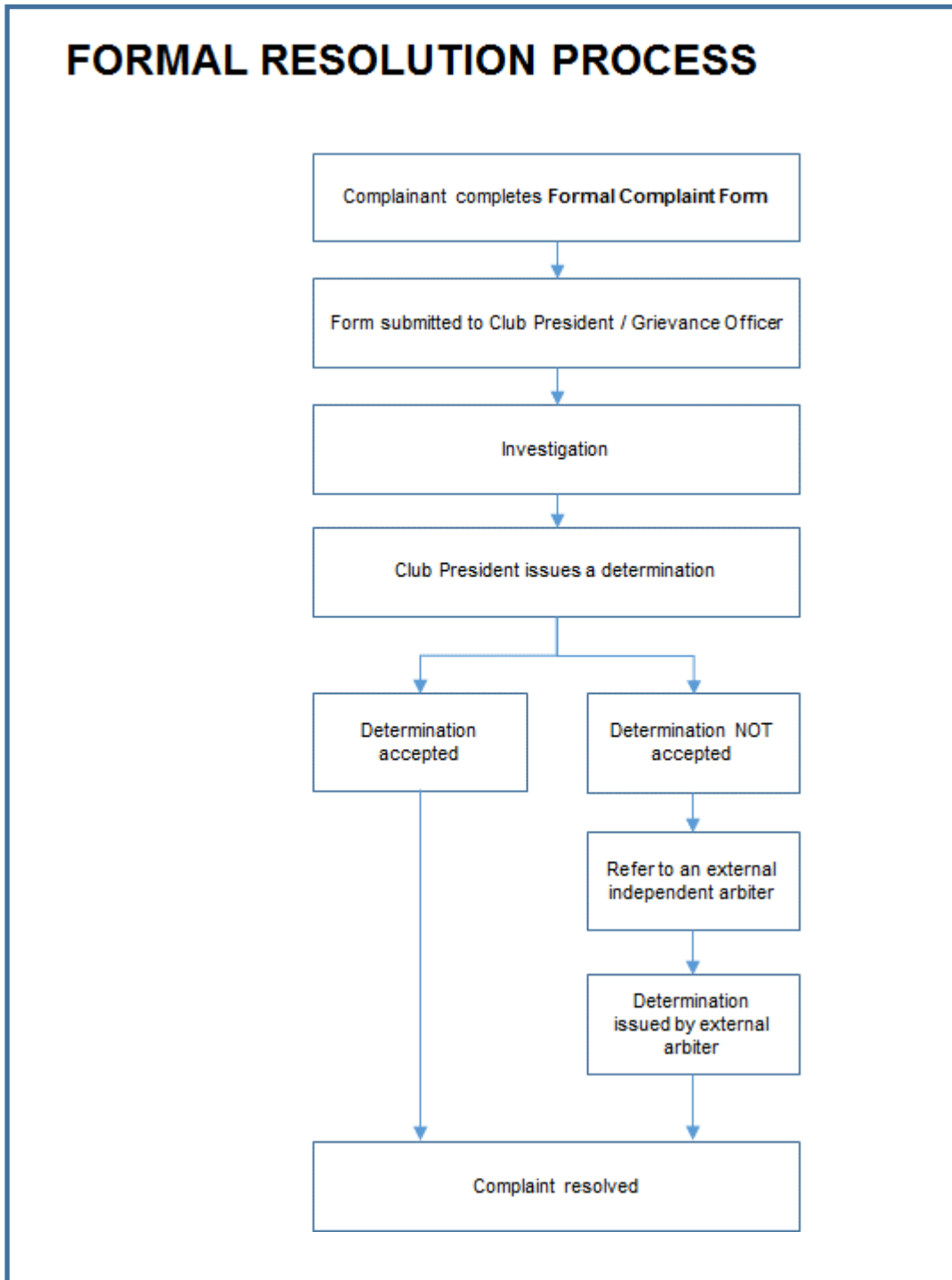
If the decision concludes that complaint is not substantiated, the complainant and the respondent will both be advised accordingly. Each party has the right to appeal and request an independent arbiter to review the decision.

If an appeal is lodged, the Club President / Grievance Officer will outsource to an independent arbiter to examine all of the evidence and advise accordingly. The independent arbiter's review will be final with the Aquatic Club.

In the event of possible litigation, the Club President / Grievance Officer will refer to the Aquatic Clubs insurer, solicitor and Aquatic Club Committee for support.

#### Step 4: Review

The Aquatic Club reviews all data from the complaint and the complaint process and procedures to identify opportunities to improve its service.



## ANONYMOUS COMPLAINTS

The Aquatic Club is committed to considering all complaints. However, it should be recognised that staff may not be able to fully consider a complaint if they cannot effectively liaise with a complainant.

Anonymous complaints raise natural justice issues for respondents, who have a right to know particulars of allegations made against them.

In consultation with relevant Aquatic Club staff, the Club President / Grievance Officer will determine the extent to which an anonymous complaint will be investigated.

## VEXATIOUS COMPLAINTS

Inaccurate, misleading, malicious or false accusations have negative consequences for the person(s) concerned, interpersonal relationships and the morale of the Aquatic Club. Where it is found that a complaint has been made in bad faith to cause distress to one or more persons, or as a practical joke, disciplinary measures will be taken.

## COMPLAINTS AGAINST THE CLUB PRESIDENT / GRIEVANCE OFFICER OR AQUATIC CLUB COMMITTEE

The Club President / Grievance Officer is responsible for receiving and managing written complaints against the Aquatic Club Committee members.

The Aquatic Club Committee members are responsible for receiving and managing written complaints against the Club President / Grievance Officer.

## RECORD KEEPING AND SHARING

All complaint files and records are stored in a secure and confidential place. All cases related to child abuse or serious criminal misconduct are maintained for a minimum of 7 years, while all other remaining cases are maintained for a minimum of 3 years.

CGGS Aquatic Club shares records with Swimming Australia Limited upon request.

## VERSION CONTROL

Version No.	Date Approved	Author	Comments
1.0			Initial version

**FORMAL COMPLAINT FORM**

<b>Complainant's Contact Details</b>		<b>Date Lodged</b>	
<b>Full Name</b>		<b>Phone</b>	
<b>Address</b>		<b>Email</b>	

<b>Nature of Complaint</b>

<b>Complaint Details:</b> <ul style="list-style-type: none"><li>• Describe the incident and/or your concerns</li><li>• Include key dates and times, such as when the incident occurred</li><li>• Details of telephone conversations or emails (attach copies)</li><li>• Any other relevant information</li></ul>

<b>Preferred Outcome</b>

