

Procedures Grievance/Disciplinary Policy (#8)

(Implemented in conjunction with Skate SA's MPP By-Law 1, part D)

HOW TO MAKE A COMPLAINT?

Except for a complaint about *Child Abuse, Discrimination, Victimisation & Harassment* (See Complaint Referral Guide), any person or organisation may make a complaint about a member or member club, if they consider that person or organisation has, or may have, committed an offence and/or breached any part of *this By-Law*

- A *Complaint* should be made in writing however it may be accepted verbally.
- A *Complaint* must be made to any one of the following people: ([see Complaint Referral Guide](#))

Complaints	Dispute Resolution
For disagreements, decisions, interpretations of rules	Club/Branch Committee
For Less serious inappropriate behaviour	Child Safety Officer / Member Protection Information Officer of SkateSA / Mandated Notifiers
For Criminal History Assessments	SkateSA Executive members
For Any other State level grievance	SkateSA Grievance Panel (via SkateSA Office)

Note that a list of the *Member Protection Officers* must be made available to any person requesting such list and shall be displayed at the premises of Skate SA and Member Organisations

<http://www.skatesa.org.au/about/member-protection-officers/>

FORMATION OF SKATESA GRIEVANCE/TRIBUNAL PANEL

Upon receipt of a *Formal Complaint* or the information, SkateSA Office shall as soon as possible contact all the State Executive Members & determine the composition of the Grievance/Tribunal Panel.

The Panel will include **3 State Executive Members**, all of whom do not have any relationship with the complainant or the alleged offender, be reasonably considered to be other than impartial.

This information is to be endorsed by the State Executive & entered into the minutes.

- At any stage of the process The Grievance/Tribunal Panel may decide to utilise the services of an outside agency such as the State Sport Dispute Centre (see Complaint Referral Guide) or Skate Australia.

PROCESS

1. All Complaints regarding any SkateSA Affiliated Club/League, State Branch or any members/executives of these committees must be sent directly to the State Office.
2. All other complaints regarding State representatives must be sent directly to the respective Branch VP who will determine if the complaint should be handled by the Branch or the State Office, as per the complaint referral guide.

3. If the complaint is handled by the Branch, then the appropriate form (Informal Complaint or Branch Complaint) must be completed and filed by the Branch Secretary, unless it escalates to a formal complaint & then this record is forwarded to the State Office
4. The State Development Officer (SDO) will follow up all formal complaints sent to the State Office and view any informal records, ask the complainant whether s/he requires an MPIO, appoint a Mediator or appropriate person to collect information, if necessary.
5. The SDO will then, if necessary contact the State Executive who determines the Grievance/Tribunal Panel.
6. SkateSA to send to the alleged offender:
 - a notice setting out the alleged offence including details of when/where it is alleged to have occurred; and
 - a notice setting out the date, time and place for the hearing of the alleged offence which shall be as soon as reasonably practicable after receipt of the *Complaint* or information,
 - a copy of the *Complaint* or the information received if in writing,
7. Send to the complainant(s) and the Grievance/Tribunal Panel:
 - a copy of the Notice of Alleged Offence.
8. The Grievance/Tribunal Panel shall hear and determine the alleged offence in whatever manner it considers appropriate in the circumstances, provided that it does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the alleged offender has committed an offence under *this By-Law*.
9. If the Grievance/Tribunal Panel considers that the alleged offender has committed an offence under *this By-Law*, it may impose any one or more of the penalties set out below.
 - Suspension from SkateSA or the relevant Member Organisation
 - Banned from any event/activity held by or sanctioned by SkateSA or relevant Member Organisation
 - No contact or in any way associate with the complainant or other person about whom the alleged offence relates
10. The Grievance/Tribunal Panel shall give its decision as soon as practicable after the hearing and will deliver to the following a statement of its written reasons:
 - SkateSA President & SkateSA Office
 - The complainant;
 - The alleged offender
 - Any other party represented in the hearing.
11. There is no right of appeal of the decision by The Grievance/Tribunal Panel

At all times keep the matter confidential and only discuss it with those people whom the complainant has authorised them to speak to about the *Complaint*; and inform the relevant governmental authority, if required by law.



Skate SA Complaint Flow Chart

