

SANDY BAY ROWING CLUB - COMPLAINTS PROCEDURE

The Sandy Bay Rowing Club (the club) adopts and operates within the principles of the Rowing Australia Member Protection Policy (RAMPP) complaints procedure which aims to provide a simple, confidential, timely and trustworthy procedure for resolving complaints based on the principles of procedural fairness. The Committee is responsible for managing complaint procedures if the complaint relates to behaviour or an incident that occurred at the club level. Where a complaint relates to behaviour or an incident that occurred at state level or people operating at state level, then the complaint should be reported to and handled by Rowing Tasmania.

Natural Justice (procedural fairness) requires that:

- Both the complainant and the respondent must know the full details of what is being said against them and have the opportunity to respond
- All relevant submissions must be considered
- No person may judge their own case
- The decision makers must be unbiased, fair, and just
- Any penalty imposed must be fair and reasonable

The club is committed to supporting people associated with our club to make and resolve any complaints they may have in a fair, timely and effective way. We will endeavour to deal with complaints on a confidential basis. We will not provide information about the complaint to another person or organisation without the complainant's consent except if the law requires us to disclose this information or it is necessary to properly deal with the complaint. To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response.

Any member is entitled to make a complaint if they believe that they have been treated unfairly or have been impacted by another person's breach of the SBRC code of behaviour. Where possible, an informal approach should be attempted to resolve the complaint.

INFORMAL APPROACHES

1. The complainant (you) should talk with the other person if this is reasonable, safe, and appropriate. It is important that you try to sort out the problem with the person or people involved in the first instance.
2. The complainant (you) may contact any club committee member if:
 - a. The first step is not possible or reasonable.
 - b. You are not sure how to handle the problem yourself.
 - c. You want to talk confidentially about the problem with someone and obtain more information about what you can do, or
 - d. The problem continues after you tried to approach the person or people involved, including unsuccessfully attempting to resolve the matter through discussions.
3. If approached by any member of the club, a committee member should:

- a. Explain how the complaints process procedure works, including providing a copy of this procedure.
 - b. Try to find out the facts of the problem.
 - c. With your permission, take detailed notes of the discussion.
 - d. Ask how you want the problem resolved and if you need support.
 - e. Provide possible options for you to resolve the problem.
 - f. *At this time, a Committee member MUST declare any conflict of interest they may have. If a conflict of interest is declared, the committee member should act as a support person to refer your complaint to an appropriate person. They should take no further part.*
 - g. Maintain confidentiality.
 - h. Discuss with you and the respondent, referring your complaint to an appropriate person e.g., a mediator, to help you resolve the problem.
 - i. If necessary, inform relevant government authorities' and or the police if required by law to do so.
4. After talking with the committee member, you may decide:
- a. That there is no problem.
 - b. The problem is minor, and you do not wish to pursue the matter further.
 - c. To try and work out your own resolution with or without a support person.
 - d. That you agree to seek a mediated resolution with the help of a third person.
 - e. Resolve the matter through a formal approach.

FORMAL COMPLAINTS

If your complaint is not resolved or informal approaches are not appropriate or possible, you may pursue a formal complaint by contacting the club President (or any other member of the management committee). The club Constitution confers the power to '*adjudicate on all matters brought before it*' to the Management committee.

Any committee member who has an actual or perceived bias or conflict of interest must not be involved in determining the resolution of the complaint.

The details of the behaviour or incident should be submitted in writing. If you are unable to make a written report, detailed notes should be taken during discussions at this time.

When a formal complaint is received, the committee will decide whether:

- They are appropriate to handle the complaint.
- The nature and seriousness of the complaint warrants formal resolution.
- To refer the complaint to mediation.
- To appoint an independent person or sub-committee to investigate the complaint.
- To refer the matter to the police or other appropriate authority.
- To implement any interim arrangements that will apply until the complaint process is completed.

In making the decisions outlined above, the committee members must:

- Confirm that they do not have had any personal involvement in the circumstances, which would mean that committee member must declare a conflict of interest and not be involved in determining a resolution of the complaint.
- Determine whether the facts of the complaint are in dispute.

- Determine whether due to the nature of the complaint, specific expertise or experience may be required to manage the complaint.
- Consider the urgency of the complaint, including the possibility that you will be subjected to further unacceptable behaviour while the complaint process is underway.
- Consider both the complainant and respondent's wishes regarding the way the complaint should be handled.
- Consider the relationship between the complainant and the respondent for e.g., an actual or perceived power imbalance.

Procedural fairness requires that any person handling or investigating the complaint:

- Obtains all the information about your complaint if this has not already been done.
- Provide the information they have received to the person or people that you are complaining about and ask them to provide their side of the story.
- Decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen.
- Does not have any conflict of interest arising from a connection with either the complainant or the respondent.

FINALISING COMPLAINTS

The Management Committee will determine what, if any, further action to take. This may include disciplinary action in accordance with the club Constitution (Clause 5 - Termination of Membership and Clause 8 - Powers of the Management Committee) and the RAMPP. The Committee may impose disciplinary measures on an individual for a breach of the RAMPP and/or the SBRC Code of Conduct. One or more of the following forms of discipline may be imposed:

- A direction that a person makes a verbal or written apology.
- A written warning.
- Withdrawal of any awards made by the club.
- A suspension of membership or participation in a role or activity.
- Termination of a person's membership.
- Any other form of discipline that the Committee considers fair and appropriate.

The Committee finalising the complaint will not include any person who has any actual or perceived conflict of interest or bias regarding the complaint / allegations.

APPEAL

Under the SBRC Constitution any member who is expelled or suspended may appeal against their suspension or expulsion. The appeal is to be made in writing within 21 days of receiving notice of suspension or expulsion. The member may then present their case to a General Meeting of the club and the decision of that General Meeting is final.

DOCUMENTATION AND RECORD KEEPING

Documentation of the complaint process, investigation and outcome must be stored in a confidential and secure place determined by the management committee.

GLOSSARY OF TERMS

Complainant - the person who is making a complaint.

Respondent - the person against whom a complaint has been made.

Resolution - the outcome, answer or solution to a complaint.

Conflict of interest - occurs when an individual's personal interests – family, friendships, financial, or social factors – could compromise his or her judgment, decisions, or actions.