

## **Majura FC**

### **Grievance, Discipline and Complaint Handling Procedure**

#### **Purpose**

1. This procedure details the process to be followed where a complaint or other grievance has been lodged with Majura FC, or where a member of the Majura FC committee becomes aware of a possible breach of a code of conduct or other applicable policy.
2. This procedure supports the policies set out in the Club Constitution, the Majura FC Codes of Conduct for Players, Coaches, and Parents, Carers and Spectators, as well as the applicable Capital Football and FFA policies including the Member protection Policy.
3. This procedure applies all players registered with Majura FC, all coaches, managers and other volunteers, and parents or other spectators at Majura FC games.
4. Majura FC is committed to deterring and preventing conduct that is inconsistent with or breaches the club's Code of Conduct.
5. This procedure does not preclude the resolution of an issue by the persons involved without a formal lodgement of a grievance or complaint. The Club encourages all members to recognise that the Club is run by volunteers and that common sense and courtesy should be applied to prevent the need for an issue to be formally dealt with by the Club. It is not mandatory that a person seek to resolve their issue informally before lodging a formal complaint.

#### **Procedure**

6. Any person (including another coach or a competition official) who witnesses behaviour that may potentially be a breach of the club's Code of Conduct or any other applicable policy is encouraged to report the incident to a member of the Majura FC Committee. Such a report may be made verbally, electronically or in writing.
7. All complaints or grievances should be lodged in a timely manner, as soon as practicable after the conduct in question occurred.
8. The Majura FC Committee may also self-initiate an investigation should a member of the Committee become aware of a suspected breach of a code of conduct or other policy.
9. When a complaint or grievance is lodged with the Committee, the Vice President (Football) (or their delegate, who must be an Executive Member of the Committee or a paid employee of the Club) (the *investigating officer*) will conduct an initial assessment of the conduct.
10. The investigating officer has the right to interview witnesses to any alleged incident and to gather supporting information from parents, players, officials or anyone else deemed relevant to the investigation. The investigating officer will discuss the complaint or grievance with the person who is the subject of the complaint. All parties must cooperate fully with the investigation, and must comply with any reasonable request made by the investigating officer.
11. The investigating officer has the power to direct a party to the complaint to temporarily step down from their position, or refrain from attending training or games, during their investigation.
12. If the investigating officer reasonably believes that a breach of a Code of Conduct or other policy has occurred, the Committee will designate a disciplinary panel to examine the conduct.

13. The disciplinary panel shall be chaired by the investigating officer (except where the investigating officer is not an Executive Member, in which case another Executive Member will be appointed) and include at least two other Committee members. Any Committee member associated with a member under investigation will be excluded from the disciplinary panel.
14. The disciplinary panel is not obliged to convene a formal hearing or meet in person at this stage, and may consider the issue via email or phone.

### **Disciplinary Panel Process and Sanctions**

15. If following a full consideration of the circumstances and relevant facts, the disciplinary panel determines that a sanction is warranted, the outcome will be determined as follows:

#### *First offence*

16. A written warning will be provided to the subject of the complaint, advising them that their conduct was not acceptable and is likely to have constituted a breach of the Club's Code of Conduct or other policy, and that a subsequent breach of the Code of Conduct (whether the same or any other type of conduct) within 12 months will lead to a formal hearing by the disciplinary panel to determine if sanction should be applied. The warning will expressly state that further sanction may include suspension or deregistration.
17. The written warning may include any reasonable requirement the disciplinary panel considers appropriate in the circumstances, including that the person apologise to other parties involved in the incident.
18. Where possible the written warning should be delivered in person by a member of the disciplinary panel to allow the panel member to explain the reasons why the panel considered the conduct a breach of a Code of Conduct or other policy.
19. A written warning must not be issued where the conduct is considered by the disciplinary panel to constitute gross misconduct, including but not limited to: physical attacks on team mates or opponents, coaching or support staff; competition officials, or spectators; racial vilification of opponents, team mates or any person at the ground; or placing the Club in a position where a sanction may be potentially placed on the Club as a whole. Where the conduct is considered to be gross misconduct the disciplinary panel must proceed to convene a formal panel hearing as detailed below.

#### *Repeat offence or gross misconduct*

20. Where a person has previously received a written warning within 12 months of the date of the incident under investigation, or where the conduct is considered by the investigating officer or disciplinary panel to constitute gross misconduct, the disciplinary panel shall convene a formal hearing to investigate the conduct.
21. The hearing must be convened as soon as practicable after the conduct has been reported, and at least 48 hours notice will be given of the formal hearing to all parties.
22. In line with the Constitution, under no circumstances will an advocate or legal counsel be allowed to represent or accompany any person appearing before a disciplinary panel. However, a person under 18 shall be accompanied by a support person, who shall

- remain silent unless expressly called upon by a member of the disciplinary panel. The disciplinary panel may exclude all other persons from the hearing at its discretion.
23. The chair of the disciplinary panel may conduct the hearing in the manner that they consider appropriate in the circumstances. Parties presenting to the panel may do so in writing or verbally, or both.
  24. Following the hearing, the disciplinary panel will provide a report and recommendations for consideration by the Committee.
  25. The recommendations may include the imposition of any or all of the following penalties:
    - a. Official reprimand/warning – this will only be applied in exceptional circumstances where the person has already received a warning for their behaviour;
    - b. Suspension of the member from playing or attending any or all games and/or training;
    - c. Disqualification or expulsion from membership of the Club without refund of any fees paid by the member – this will only be applied where the member has previously been suspended under b, or where exceptional circumstances exist.
  26. The Committee's decision based on the report and/or recommendations of the disciplinary panel shall be by majority vote, and shall be final.
  27. A right of appeal from the Committee's decision exists as per the Constitution.

Adopted by the Majura FC Committee on 20 July 2015