



NEWPORT CALISTHENICS CLUB INC.

PO Box 4247 Hoppers Crossing VIC 3029

ABN 31 611 750 385

NCC Grievances and Complaints Policy

DOCUMENT CONTROL

All enquiries and comments, relating to the distribution of this document shall be directed to:

NCC Committee

Email: admin@newportcc.com.au

If you identify a deficiency in the document, or have a suggestion for improving this document, or see a need for a new document, please contact the above team.

RECORD OF ISSUES

Issue No	Issue Date	Nature of Amendment
1	December 2023	Initial Version

APPROVAL

Approved by	NCC Committee
Approval Date	December 2023
Review Date	December 2025



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PURPOSE

This policy outlines the processes to ensure fair and reasonable consideration and review is given to grievances and complaints raised under this policy.

SCOPE AND OBJECTIVE

This Policy applies to all members of NCC as defined by the NCC Constitution.

This Procedure will be executed for grievances and complaints in relation to breaches of:

- the NCC Constitution
- the current NCC handbook

NCC will not be able to assist with matters relating to:

- personal opinions, feelings and thoughts
- coaching decisions relating to team selection
- frivolous, vexatious or complaints lacking in substance
- hearsay
- the subject of a previous grievance or complaint which has been closed

POLICY STATEMENT

NCC is committed to ensuring that decisions and actions made in relation to a member grievance or complaint are made in a fair and reasonable manner in consideration of the circumstances and consistent with relevant policies and procedures.

NCC believes that:

- Members have the right to have their concerns and grievances receive careful consideration through established processes that are timely and based on fairness and respect.
- The best resolution is one that is reached cooperatively and informally where possible prior to a formal complaint being lodged.
- A member making a complaint or airing a grievance will not be disadvantaged in any way as a direct result.
- Where a formal complaint is received by the NCC Committee it will be considered in a timely and confidential manner and documented together with the steps towards resolution.



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PROCEDURAL FAIRNESS

All formal grievances and complaints will be handled based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the member making the complaint (complainant) and the member the complaint is against (respondent) will be given full details of what is being said and have the opportunity to respond;
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any disciplinary action imposed will be fair and reasonable.

It is expected that all parties act in good faith, genuinely attempt to resolve the concern and maintain confidentiality.

More serious complaints may be escalated to Calisthenics Victoria should the need arise.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then NCC will immediately report the behaviour to the police and/or relevant government authority.

PROCEDURE FOR DEALING WITH A CONCERN OR GRIEVANCE

Step One – Raising concerns for initial review

- Where a member (complainant) has concerns in relation to a behaviour, decision or action made by another member or representative of NCC (respondent), it is recommended in the first instance they seek to resolve their concerns directly with the respondent.
- The complainant should raise their concerns within 10 days of the behaviour, decision or action occurring
- The complainant should request a discussion with the respondent to:
 - detail the concerns;
 - describe/explain how they believe the behaviour, decision or action to be unfair or unreasonable in accordance with the NCC Code of Conduct and/or policies; and
 - outline how they would like the concern resolved.
- The complainant and respondent should each create and maintain a record of discussion which should be stored securely by both parties and be kept confidential.
- Where the complainant is unable to raise their concern with the respondent or where it would not be appropriate to do so, the concern should be discussed with the Team Manager or relevant Member Protection Information Officer (MPIO) for advice on possible solutions and/or intervention.



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- Both the complainant and respondent may wish to engage with the relevant Team Manager or MPIO for assistance at any time during Step One.
- If the matter is not resolved through initial discussions the complainant may seek to submit a formal complaint for a review.
- It is intended that this initial step to resolve the complainant's concerns is conducted in an informal manner.
- The complainant and respondent (once aware of the concern) may seek guidance and support from ONE support person or representative each, who may attend these initial discussions between the complainant and the respondent, noting that the focus of these discussions is to seek a local resolution to the concerns and all people involved must maintain confidentiality.

Step Two – Formal Grievance Process

- Anticipated timeframe 7-10 days.
- Where the complainant believes that their concerns have not been resolved through initial discussions with the respondent, they may lodge a written formal Grievance within 7 days of having had the discussion with the respondent.
- The grievance must be submitted via the NCC grievance form specifying:
 - the behaviour, decision or action they are concerned about.
 - when it occurred;
 - the dates and steps they have taken to resolve the concerns informally;
 - why they consider the behaviour, decision or action to be unfair or unreasonable in accordance with the NCC Code of Conduct; and
 - the resolution they are seeking
- If the grievance is regarding the MPIO, please refer the grievance to a member of the Executive Committee.
- If the complainant submits a formal grievance outside of the 7 day timeframe, the complainant must also provide a written explanation as to why they consider the circumstances justify acceptance of the formal grievance. This may include but is not limited to, the seriousness of the matter, unavoidable delays in the formalising of the grievance due to a family or health emergency or the unavailability of any of the parties.
- The MPIO will consider the circumstances and determine if the application will be accepted. If the application is rejected the reasons for the rejection will be provided in writing to the complainant.

Step Three – Formal Review of Grievance

- Anticipated timeframe 21-30 days.
- The MPIO will review the grievance in its entirety and consider:
 - the nature of the concerns that have been raised;



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- o relevant experience, personal relationship or conflict of interest;
- o the resolution the complainant is seeking.
- The MPIO may decide not to pursue any further action where:
 - o the grievance is determined to be frivolous, vexatious or lacking in substance;
 - o the complainant has not provided sufficient evidence supporting the grievance;
 - o the complainant is expressing a personal opinion, feeling or one based on hearsay; or
 - o the issue of concern is related to team selection.
- Where the MPIO determines there are grounds for further consideration, the MPIO will determine the appropriate method for resolving the grievance, which may be by requesting and reviewing written submissions (which may include the record of discussion) from both parties; or by interviewing both parties.
 - **Written Submissions**
 - o Records of discussions and/or any other written submissions requested by the MPIO will be provided to both parties and they will be provided with the opportunity to respond to the information provided.
 - o The MPIO will consider all the information provided in the written submission, including the responses and may determine to meet with the parties separately to seek further information or clarification of the materials provided.
 - **Interview**
 - o Where an interview is considered necessary the MPIO will, in consultation with both parties, schedule a date for this to occur. If unforeseen circumstances arise that reasonably prevent attendance by one of the parties, the impacted party must notify the MPIO to request a new date.
 - o At the Interview both parties will have the opportunity to present their submission and a response to the other parties submission.
 - o The MPIO may seek further information or details or may clarify the information provided. The MPIO may seek to resolve the grievance by agreement during the interview.
 - o If agreement on a resolution is unable to be made during the interview both parties will have the opportunity to present a closing submission.
 - o The parties are unable to present new materials during the interview and must conduct themselves in a respectful and professional manner at all times.
- Following the review of the written submissions and/or the interview, the MPIO will review all available information including relevant NCC policies and procedures. Consideration will be given to the behaviour, decision or action outlined in the grievance and if the MPIO considers it to be in breach of the NCC Constitution or the current NCC handbook.



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- The MPIO will provide a report including a recommendation to the President including the information considered and the reasons for the recommendation. It is anticipated that the review report should be completed within 14 business days following receipt of all information from the complainant and respondent.
- The MPIO must provide sufficient time through the review process for the parties to review information raised by the other parties and the opportunity to respond to these.
- Where the facts are in dispute, the MPIO will look for corroborating evidence and make recommendations based on the balance of probabilities and in consideration of the relevant policies and procedures (for example, the NCC Code of Conduct).
- The function of the MPIO is not to make a final determination of a matter. The MPIO will formulate a recommendation as to the most appropriate resolution of a grievance. The MPIO will provide their report and recommendation to the President (or their delegate) who will make the final decision.
- The President will consider all relevant policies, procedures and other relevant material when making their findings and recommendations in a report. The President will include reasons for their findings and may recommend for example that a policy needs to be implemented, updated or reviewed or another avenue for improvement within the club be implemented.
- At any time the MPIO and/or President can seek guidance from Calisthenics Victoria.

Step Four – Consideration of the recommendation

- Anticipated timeframe 14 days.
- The President will consider the report and recommendation provided by the MPIO and all supporting materials.
- The President may accept, vary or reject the MPIOs recommendations.
- The President must give written reasons to the parties within 14 days of receipt of the MPIOs report of their decision.
- In providing the decision, the President will outline the decision and considerations in making this and will include a copy of the MPIOs report in full unless there are valid confidentiality reasons for not doing so. The reasons for the confidentiality requirements will be provided to the parties in writing. In such cases, a redacted report or executive summary may be provided.



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Appeals

A complaint may be referred to Calisthenics Victoria if the complainant is unsatisfied with the outcome or they feel their complaint or grievance is not resolved. Should Calisthenics Victoria conduct an investigation, NCC will:

- cooperate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on Calisthenics Victoria's recommendations.

At any stage of the process, a member can seek advice from or lodge a complaint with an anti discrimination commission or other external agency.

Disciplinary Action

NCC will take disciplinary action against anyone found to have breached this policy or made false and malicious allegations. Any disciplinary measure imposed under this policy must:

- Be consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution and the rules of our sport.

Possible disciplinary measures that may be taken include:

- verbal and/or written apology;
- verbal and/or written warning which is recorded on the members record;
- withdrawal of any awards, placings, records, achievements, activities or events held or sanctioned by our club;
- suspension or termination of membership, participation or engagement in a role or activity for a period of time; or
- any other form of discipline that our club considers reasonable and appropriate.

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by our club to Calisthenics Victoria. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

Reporting and Notification

Quarterly reporting will be provided to the NCC Committee regarding the grievances lodged under this Policy, including adherence to timeframes, and outcomes. Confidentiality and anonymity, where necessary) will be maintained.



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Non-Members

Where a grievance or concern is raised by a person not meeting the definition of a member as per the NCC constitution, the concern or grievances should be forwarded directly to the secretary of NCC, via admin@newportcc.com.au. The email will need to contain all the necessary information outlined in Step One of this policy.

Further Information

NCC Policies and Procedures

[Sports Integrity Commission](#)

[Calisthenics Victoria](#)