

Step	Action	Actioned by	Clause
1	Submitting a Complaint <ul style="list-style-type: none"> Submit complaint by completing Complaint Form and emailing it to the relevant organisation as soon as reasonably possible. Complaints Manager sends Complainant an acknowledgement of receipt. 	<ul style="list-style-type: none"> Complainant Complaints Manager 	10.1
2	Initial Threshold Questions <ul style="list-style-type: none"> Upon receipt of the Complaint Form the Complaints Manager must initially determine the questions outlined at Clauses 11.1.1.1 through to 11.1.1.6. If a matter does fall within one or more of Clause 11.1.1.1 - 11.1.1.6 excluding 11.1.1.5 (Conflict). The process under this policy is discontinued. 	<ul style="list-style-type: none"> Complaints Manager 	11.1
3	Investigation <ul style="list-style-type: none"> Complaints Manager conducts investigation. <ul style="list-style-type: none"> Obtain Statements from Complainant, Respondent and any other relevant parties determine by the investigator. Formal Interviews Collection of additional evidence. 	<ul style="list-style-type: none"> Complaints Manager 	11.2
4	Initial Assessment – Disciplinary Action <ul style="list-style-type: none"> Complaints Manager must determine if they will: <ul style="list-style-type: none"> Conduct an Investigation in accordance with clause 11.2 Proceed with Disciplinary Action clause 12.1 Undertake Provisional Action clause 11.6 Refer the matter to a different level of netball clause 10.4.3 	<ul style="list-style-type: none"> Complaints Manager 	11.3
5	Initial Assessment – Complaint <ul style="list-style-type: none"> Complaints Manager must determine if complaint <ul style="list-style-type: none"> Was lodged using a fully completed Complaint Form Is a Complaint for the purpose of this Policy If Initial Assessment is satisfied Complaints Manager must determine the Complaint has been submitted to correct level considering factor in 10.3. 	<ul style="list-style-type: none"> Complaints Manager 	11.4
6	Notification to the Parties <ul style="list-style-type: none"> Complaints Manager must notify the Complainant of the applicable procedure to deal with the Complaint if it satisfies initial Threshold Questions. If it does not satisfy Initial Assessment, Complaints Manager must notify Complainant of the defect(s) in Complaint and if it can proceed under this policy after modifications of the Complaint. 	<ul style="list-style-type: none"> Complaints Manager 	11.5

7	<p>Notification to the Parties</p> <ul style="list-style-type: none"> Complaints Manager will communicate with Complainant and Respondent at appropriate time to keep them informed until a process has been chosen <p>Or</p> <ul style="list-style-type: none"> Potential breach of a Netball Integrity Policy is being assessed. <ul style="list-style-type: none"> Notify Respondent Complaint has been received and being assessed Is a Complaint for the purpose of this Policy <p>If Initial Assessment is satisfied Complaints Manager must determine the Complaint has been submitted to correct level considering factor in 10.3.</p>	<ul style="list-style-type: none"> Complaints Manager 	11.5.2
8	<p>Provisional Action</p> <ul style="list-style-type: none"> Refer to Policy 	<ul style="list-style-type: none"> Complaints Manager 	11.6
9	<p>Investigation</p> <ul style="list-style-type: none"> See Step 3 	<ul style="list-style-type: none"> Complaints Manager 	
10	<p>Determine Chosen Process</p> <ul style="list-style-type: none"> Complaints Manager/Organisation makes finding into Alleged Breach if the Standard of Proof is: <ul style="list-style-type: none"> Substantiated Unsubstantiated Unable to be substantiated Make a determination as to the process to be applied to attempt to resolve the Alleged Breach. <ul style="list-style-type: none"> ADR – Refer to Step 11 Warning Procedure – Refer to Step 12 Breach Offer – Refer to Step 13 Hearing Tribunal – Refer to Step 14 <p>NOTE – Complaints Manager has sole and absolute discretion to determine the process however may consult with other representatives of Netball Australia and/or the netball organisation (including Decision Maker) as required. Complaints Manager is responsible for communicating with Complainant, Respondent and netball organisation (where applicable) and ensuring the process is implemented.</p>	<ul style="list-style-type: none"> Complaints Manager/Organisation 	12.1
11	<p>Alternative Dispute Resolution (ADR)</p> <p>Step 1. If the Complaints manager determines the alleged breach should be resolved through Alternative Dispute Resolution (ADR) for: Complaints – seek consent of both the complainant and respondent in writing. Disciplinary Action – Seek consent of the respondent in writing.</p> <p>Step 2. If the necessary parties agree the complaints manager may: (a) Refer to internal or external mediation or conciliation. (b) Seek the consent of Netball Australia to refer the alleged breach to the National Sports Tribunal.</p>		12.2

	<p>1.If consent is not given refer it to internal or external mediation or conciliation 2.If consent is given Netball Australia is responsible for making the application to the National Sports Tribunal.</p> <p>Step 3. Where the Alternative Dispute Resolution process is facilitated by a relevant organisation or external Provider payment for the fee will be agreed before the process begins and will be: (a) Apportioned evenly between the parties unless otherwise agreed between the parties. (b) Undertaken in accordance with the rules prescribed by the relevant organisation (internal) or the provider (external)</p> <p>Step 4. If the breach is resolved through Alternative Dispute Resolution the complaints manager should proceed to Recording Decisions and Outcomes (16.2 and 16.3) Step 16&17 of this guide.</p> <p>Step 5. If: (a) The respondent or complainant do not consent to Alternative Dispute Resolution (b) The alleged breach is not an appropriate matter for Alternative Dispute Resolution (c) Alternative Dispute Resolution does not resolve the alleged breach. The complaints manager must choose another process under the policy.</p>		
<p>12</p>	<p>Appendix A - Warning Procedure</p> <p>Step 1. The complaints manager may only determine a warning procedure is the appropriate process if: (a) The alleged breach is of a minor nature and (b) If established the alleged breach would likely only result in a warning being issued to the respondent. The Complaints Manager in their discretion seeks further information from relevant persons.</p> <p>Step 2. The Complaints Manager notifies the Respondent of the conduct using the template letter set out in Schedule 3.</p> <p>Step 3. If the respondent does not respond to the invitation to comment: (a) The complaints manager may issue a warning and notify the respondent using the template letter attached Item 2 of Schedule 3.</p> <p>If the respondent does respond: (b) The complaints manager will take into account the comments provided and determine if using a warning is appropriate and if so will notify the respondent of that warning using the template letter attached Item 2 of Schedule 3.</p>		<p>12.3</p>

<p>13</p>	<p>Appendix B - Breach Offer</p> <p>Step 1. If the complaints manager determines a Breach Offer is the most appropriate process the complaints manager must refer the alleged breach to the decision maker.</p> <p>Step 2. The decision maker in their discretion can ask the complaints manager to seek further information to assist them to decide the appropriate sanction.</p> <p>Step 3. The Decision Maker must:</p> <ul style="list-style-type: none"> (a) Determine the applicable sanction which would likely be applied if the alleged breach was proven. (b) Determine a discounted (reduced) sanction to be offered to the respondent, if any. <p>Step 4. The Complaints Manager issues the Respondent with a Notice of Breach Offer using the attached template letter set out in schedule 4.</p> <p>Step 5. A respondent has 14 days from receipt of the breach notice to notify the complaints manager of their decision. In response to the Breach Notice a Respondent may:</p> <ul style="list-style-type: none"> (a) Admit the alleged breach and waive their right to a hearing and accept the proposed sanction. (b) Dispute the alleged breach and/or proposed sanction and the case will be referred to a Hearing Tribunal under this policy. (c) Not respond which will be deemed to admitting the breach, waiver their right to a hearing and accepting the proposed sanction. <p>Step 6. If:</p> <ul style="list-style-type: none"> (a) The respondent accepts the sanction the complaints manager takes the necessary steps to implement the sanction and should proceed to Recording Decisions and Outcomes (16.3) step 17 of this document. (b) If the respondent disputes the alleged breach and/or sanction the complaints manager can: <ul style="list-style-type: none"> 1. Refer it to an ADR body for a hearing tribunal. 2. Seek the consent of Netball Australia to refer the alleged breach to the National Sports Tribunal. (See section 12.4.7.1(b)) 		<p>12.4</p>
<p>14</p>	<p>Appendix C - Hearing Tribunal</p> <p>Step 1. If the complaints manager determines a Hearing Tribunal is the most appropriate process they may either:</p> <ul style="list-style-type: none"> (a) Refer the alleged breach to an Alternative Dispute Resolution body for a hearing tribunal. (b) Seek the consent of Netball Australia to refer the alleged breach to the National Sports Tribunal. (See section 12.5.1.1(b)) 		<p>12.5</p>

15	Appendix D - Appeals		15
16	Notification of Outcome <ul style="list-style-type: none"> When a process is finalised the Complaints Manager must notify the Complainant and Respondent in writing unless otherwise provided for in this policy. Notify Netball Victoria via this form and Netball Australia. 		16.2
17	Recording Decision and Outcome <ul style="list-style-type: none"> Keep records of Alleged Breach Record forms for a minimum of 7 years. Records must be maintained in a secure and confidential place and may be electronic. 		16.3

Schedule 2 – Complaint Form

Internal Use Only		
Name of person receiving Complaint	Click or tap here to enter text.	Date Complaint Form Received: Click or tap to enter a date.
How was the Complaint received	Click or tap here to enter text.	
Complainant to Complete		
Name of Complainant	Click or tap here to enter text. <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18 <input type="checkbox"/> Don't know	
Complainant's contact details	Phone: Click or tap here to enter text. Email: Click or tap here to enter text.	
Complainant's role/position within the Sport	<input type="checkbox"/> Administrator (Volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input checked="" type="checkbox"/> Official	<input type="checkbox"/> Board/Committee member <input type="checkbox"/> Athlete/Player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other (please specify) Click or tap here to enter text.
Name of person complained about (Respondent)	Click or tap here to enter text. <input type="checkbox"/> Over 18 <input checked="" type="checkbox"/> Under 18 <input type="checkbox"/> Don't know	
Respondent's role/position	<input type="checkbox"/> Administrator (Volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Official	<input type="checkbox"/> Board/Committee member <input type="checkbox"/> Athlete/Player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other (please specify) Click or tap here to enter text.
Date/s of alleged breach/es by Respondent	Click or tap here to enter text.	
Location/s of alleged breach/es by Respondent	Click or tap here to enter text.	
Description of alleged breach by Respondent <i>Please provide as much information as possible, including details of who is involved, describe what happened and when, and how you found out about the breach – attach further pages if necessary</i>	Click or tap here to enter text.	

Witnesses (if any)	Did anyone else witness this alleged breach by the Respondent? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure If yes, please list the witnesses and their contact details (if known):
	1. Name: Click or tap here to enter text. Phone: Click or tap here to enter text. Email: Click or tap here to enter text.
	2. Name: Click or tap here to enter text. Phone: Click or tap here to enter text. Email: Click or tap here to enter text.
	3. Name: Click or tap here to enter text. Phone: Click or tap here to enter text. Email: Click or tap here to enter text.
Level of the Sport at which alleged breach occurred:	<input type="checkbox"/> NA level where they relate to behaviour, an incident or circumstances that occurred at or involve individuals in Elite Programs or operating at the NA level; <input type="checkbox"/> Netball Organisation level where they relate to behaviour, an incident or circumstances that occurred at or involve individuals operating at the Netball Organisation level; or <input type="checkbox"/> Affiliate level where it relates to behaviour, an incident or circumstances that occurred at or involve individuals operating at the Affiliate level (Association/League/Club level).
Eligible policy that Respondent has allegedly breached	Click or tap here to enter text.
Sanctions allegedly breached	Click or tap here to enter text.
Does Complainant consent to alternative dispute resolution?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Signed by Complainant	Signature: Click or tap here to enter text. Date: Click or tap to enter a date.

Schedule 3: Letter – Warning Procedure

Item 1: Letter - Warning Procedure

NETBALL INTEGRITY POLICY FRAMEWORK, COMPLAINTS & DISPUTES POLICY Warning: Invitation to Comment

[ITEMS IN YELLOW REQUIRE INPUT FROM THE COMPLAINTS MANAGER OR BE DELETED IF NOT REQUIRED]

[insert name]

[address line 1]

[address line 2]

By email: [insert email address]

Referral

- [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] has received information (Alleged Breach) under the Netball Integrity Policy Framework, Conduct & Disciplinary Policy (Policy) alleging that you have breached a Netball Integrity Policy, as outlined below. A copy of the relevant policy is available at [insert link].
- The Complaints Manager under the Policy has referred the Alleged Breach about you for resolution under the Warning Procedure.

Allegations

- The Alleged Breach was received by [NA/Netball Organisation/Affiliate (SELECT ONE OF)] on [insert date] OR (DELETE ONE OF) [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] was made aware of the Alleged Breach on [insert date].
- It is alleged in the Alleged Breach that you:
 - [insert alleged conduct]; and
 - [+++++].
- If the above allegations were to be established, your conduct would likely constitute a breach of the following policies:
 - [insert specific sections of policies allegedly breached]; and
 - [+++++].

Warning

- Without determining whether the allegations in the Alleged Breach are correct, or that the Alleged Breach is proven, [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)] proposes to issue a warning that the allegations, if they were proven, would constitute a breach of the policies outlined at paragraph 5.

Invitation to Comment

- You are invited to comment in writing on whether or not the warning should be issued.
- Please provide your comments within 14 days, ending 5:00pm AEST on [DAY] [MONTH] [YEAR].
- The Complaints Manager will take into account any comments provided by you and determine whether issuing a warning is appropriate based on your comments.
- If you have any questions or comments in relation to this letter, the Complaints Manager can be contacted by telephone on [+++++] or by email at [+++++].

Yours faithfully

[insert signatory]

Complaints Manager

[NA/Netball Organisation/Affiliate (SELECT ONE OF)]

Item 2: Notification - Warning Procedure

NETBALL INTEGRITY POLICY FRAMEWORK, COMPLAINTS & DISPUTES POLICY
Notification of Outcome

[ITEMS IN YELLOW REQUIRE INPUT FROM THE COMPLAINTS MANAGER OR BE DELETED IF NOT REQUIRED]

[insert name]

[address line 1]

[address line 2]

By email: [insert email address]

Allegations

1. You were previously notified by notice dated [insert date] of an Alleged Breach of a Netball Integrity Policy, as outlined below.
2. It was alleged that you:
 - a) [insert alleged conduct]; and
 - b) [+++++].
3. If the above allegations were to be established, your conduct would likely constitute a breach of the following policies:
 - a) [insert specific sections of policies allegedly breached]; and
 - b) [+++++].

Warning

4. Without determining whether the allegations in the Alleged Breach were correct, or that the Alleged Breach is proven, [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)] proposed to issue a warning that the allegations, if they were proven, would constitute a breach of the policies outlined at paragraph 3.
5. You were invited to comment on the proposed warning and whether or not that warning should be issued.

Outcome

6. [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] has taken your response into consideration in making its decision on whether or not to warn you in relation to your conduct.
7. [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] has decided that a warning is not appropriate in relation to your conduct. OR (DELETE ONE OF) [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] formally warns you that the allegations made in the Alleged Breach, if they were proven, would constitute a breach of the policies outlined at paragraph 3.
8. [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] reserves its rights in relation to any separate or future allegations or complaints that you have breached a Netball Integrity Policy.
9. If you have any questions or comments in relation to this letter, the Complaints Manager can be contacted by telephone on [+++++] or by email at [+++++].

Yours faithfully

[insert signatory]

Complaints Manager

[NA/Netball Organisation/Affiliate (SELECT ONE OF)]

Schedule 4: Letter – Breach Offer

NETBALL INTEGRITY POLICY FRAMEWORK, COMPLAINTS & DISPUTES POLICY BREACH OFFER

[ITEMS IN YELLOW REQUIRE INPUT FROM THE COMPLAINTS MANAGER OR BE DELETED IF NOT REQUIRED]

[insert name]

[address line 1]

[address line 2]

By email: [insert email address]

Referral

- [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] has received information (**Alleged Breach**) under its Netball Integrity Policy Framework, Conduct & Disciplinary Policy (**Policy**) alleging that you have breached a Netball Integrity Policy, as outlined below. A copy of the Policy is available at [insert link].
- The Complaints Manager under the Policy has referred the Alleged Breach about you for resolution under the Breach Offer Process.

Allegations

- The Alleged Breach was lodged by [insert name] and received by the [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)] on [insert date]. OR (DELETE ONE OF) [NA/The Netball Organisation/The Affiliate (SELECT ONE OF)] was made aware of the Alleged Breach on [insert date].
- It is alleged in the Alleged Breach that you:
 - [insert alleged conduct]; and
 - [+++++].
- As a result of the above allegations, it is alleged that you have consequently breached the following Netball Integrity Policy:
 - [insert specific sections of eligible policies allegedly breached]; and
 - [+++++].

Sanction

- If a breach of the type outlined in the Alleged Breach was fully proven, [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)] would ordinarily impose the following sanction:
 - [insert applicable sanction]; and
 - [+++++].
- In accordance with the Policy, to resolve the Alleged Breach using the Breach Offer Process, if you accept the alleged breach occurred without a hearing, [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)] will offer you a sanction as follows:
 - [insert applicable sanction]; and
 - [+++++].

Decision

- You are entitled to decide either to accept your alleged breach occurred, and the proposed sanction that will be imposed by [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)] set out at paragraph 7, or alternatively dispute the alleged breach and/or proposed sanction.
- If you dispute the alleged breach and/or proposed sanction, the Alleged Breach will be referred to a Hearing Tribunal for determination under the Policy.

Notification

- Please advise [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)] Complaints Manager of your decision to either accept the alleged breach and proposed sanction or dispute the breach and/or sanction

and proceed to a Hearing Tribunal, by signing and returning the below 'Acknowledgement' to the Complaints Manager at [insert contact address].

- 11. You must advise the Complaints Manager of your decision within 7 days of the date of this letter, failing which you will be deemed to have accepted the breach occurred and the proposed sanction will automatically commence.
- 12. Unless you dispute the alleged breach and/or proposed sanction, the proposed sanction will commence on the earlier of the date you notify the Complaints Manager of your acceptance, or the end of the date 14 days from the date of this letter.
- 13. If you have any questions in relation to this Breach Offer, the Complaints Manager can be contacted by telephone on [++++++] or by email at [++++++]

Yours faithfully

[insert signatory]

Decision Maker

[NA/Netball Organisation/Affiliate (SELECT ONE OF)]

ACKNOWLEDGEMENT

I,....., confirm to [NA/the Netball Organisation/the Affiliate (SELECT ONE OF)], that in response to this Breach Offer, I (tick one):

Accept my breach of the Netball Integrity Policy occurred and the proposed sanction offered.

OR

Dispute my breach of the Netball Integrity Policy occurred and/or the proposed sanction offered and wish the matter to be heard by a Hearing Tribunal.

Signed:

Dated: