

Grievance Procedure

(2 January 2023)

Purpose

The purpose of this procedure is to:

- Provide an outline of the grievance process at Roselea Football Club so that parents and members of the club are informed of how they can raise grievances or concerns about issues arising at the club.
- Ensure that all grievances regarding Roselea Football Club are managed in a timely, effective, fair and respectful manner

Scope

This procedure relates to grievances brought by team or club officials, players, parents or other members of our club against other team or club officials, players, parents or other club members and applies to all matters relating to our club.

Where action is applicable under the policy or procedures of a higher football authority (eg NWSF, FNSW or Football Australia) and where such authorities have different mechanisms in place to resolve such complaints, “the complainant” may determine, or be directed by the Board to refer their matter to the higher authority.

Procedure

Formation of the Grievance Panel

- a) The Board shall appoint a “Grievance and Disciplinary Panel” (The Panel) of up to ten (10) club members. This Panel shall act for both this Grievance Procedure and the Club Disciplinary Policy. (See also Club Disciplinary Policy, 21 March 2022)
- b) The Board shall have absolute discretion to determine fit and proper people to be members of The Panel.
- c) The Panel should comprise both male and female members
- d) Board Members shall not be members of The Panel.

Establishing a Grievance Committee

Where a Grievance Committee is required to hear and determine a grievance the following process shall apply to that committee.

- a) The Club’s MPIO shall establish a Grievance Committee of at least 3 people to hear any matter referred by the MPIO under this procedure.
- b) The MPIO may appoint any eligible people to a Grievance Committee providing they have no direct interest in any matters to be considered by that committee
- c) The composition of any Grievance Committee
 - i) Must include at least three (3) members from the Club’s current Grievance and Disciplinary Panel;
 - ii) May have additional members, from outside the Grievance and Disciplinary Panel, appointed by the Board, where it is considered necessary to provide specialised

knowledge or experience relevant to the matter referred. Such members shall only advise the Committee and shall not have a vote.

Grievance Procedure

1. This Grievance Procedure shall apply to disputes between:
 - (i) any Member and another Member or Members; or
 - (ii) a Member and any official of the Club or
 - (iii) a Member and the Club (as an entity and represented by The Board)
2. To be acted on as a formal grievance, an issue must be reported to the Member Protection Information Officer (MPIO) in writing (including electronic transmission)
The MPIO must inform:
 - a) the other parties
 - b) i)the Club PresidentOR
 - ii) one of the Club Directors, other than the President, IF the President is one of the parties named in the grievance
 - c) the Club's Administrative Officer

Grievance Resolution

1. In the first instance, the parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute. Such a meeting to occur within fourteen (14) days of all of the parties being informed of the official grievance by the MPIO.
2. The Club's MPIO shall act as, or appoint, a neutral facilitator for such a meeting.
3. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within a further 10 days, attend a formal meeting in the presence of a mediator.
4. The mediator must be:
 - (i) a person chosen by agreement between the parties; or
 - (ii) in the absence of agreement:
 - a) in the case of a dispute between a Member and another Member, a person appointed by the MPIO; or a person who is a mediator appointed or employed by the Community Justice Centres NSW (or such other similar body). Alternatively, mediators may be sourced from North West Sydney Football or Football NSW
 - b) in the case of a dispute between a Member and the Club as a whole, a person who is a mediator appointed or employed by the Community Justice Centres NSW (or such other similar body). Alternatively, mediators may be sourced from North West Sydney Football or Football NSW
5. A Member can be a mediator but, the mediator cannot be a Member who is a party to the dispute.
6. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
7. The mediator, in conducting the mediation, must:

- (i) give the parties to the mediation process every opportunity to be heard;
 - (ii) allow due consideration by all parties of any written statement submitted by any party;
 - and
 - (iii) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
8. The mediator must not determine the dispute.

Resolution After Facilitation or Mediation

9. If the mediation process does not result in the dispute being resolved, the Club's MPIO shall establish a Grievance Committee of at least 3 people to hear and determine any matter referred by the MPIO.

Resolution Under a Grievance Committee Finding

Findings of a Grievance Committee Hearing

The purpose of the Grievance Committee Hearing is to deliver a solution to the reported grievance.

The primary intent should NOT be to determine any wrongdoing on the part of any parties to the grievance, but rather to resolve the grievance situation referred to them.

If the Grievance Committee cannot achieve a resolution agreed by all parties the committee may recommend a specified course of action that will resolve the issue in dispute.

If the Grievance Committee believes that any parties to the grievance may be guilty of any inappropriate behaviour or actions contrary to club rules, regulations or codes of conduct, such matters should be confidentially reported to the MPIO for appropriate action or referral for any alleged cases of wrongdoing under club rules or regulations.

The Grievance Committee shall report to the MPIO

- a) that the grievance has been resolved with agreement of all parties, including the details of that resolution

OR

- b) that the grievance has not been resolved with agreement of all parties but specified actions are recommended to resolve the issues in dispute. Such recommendations will be delivered by the MPIO to the Board for action

OR

- c) that the Grievance Committee believes that any parties to the grievance may be guilty of any inappropriate behaviour or actions contrary to club rules, regulations or codes of conduct. Such matters should be confidentially reported to the MPIO for appropriate action or referral for any alleged cases of wrongdoing under club rules or regulations.

Further Action after a Grievance Committee Finding

If the above processes do not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.