




# Complaint Management Policy

## Background

West Australian Eight Ball Federation (WAEBF) recognises its legal responsibilities in regard to harassment and discrimination and moral obligations in ensuring appropriate behaviour and providing safe sporting environments. The WAEBF Complaint Management Policy will provide individuals with a course of action should they feel their rights are being denied.

## Principles

The Federation, in respect to the following matters, will:

- Fairness - recognise the need to be fair and equitable both to the complainant and the officer and/or part of the Department against whom the complaint is made
  - Resources - provide adequate resources with sufficient levels of delegated authority to ensure complaints received are addressed and concluded in a timely manner
  - Visibility - promote the Federation's Complaints Handling Policy and Guidelines to all external and internal customers
  - Access - ensure the complaint process is available to all customers and employees of the Federation
  - Responsiveness - deal with complaints quickly, treat complainants with courtesy and wherever possible resolve complaints at the first point of contact
  - Assistance - provide assistance for complainants in the formulation and lodgement of complaints if requested
  - Data Collection - collect and record data on complaints lodged and outcomes achieved, to assist in the identification of systemic and recurring problems and/or potential improvements to service delivery and customer relations
  - Reviews - regularly review the complaints handling process to ensure it is efficiently delivering effective outcomes.
- 



## **Rights of complainants**

Fairness – complainants have rights to:

- be heard
- know whether the Federations relevant service guidelines have been followed
- provide and request all relevant material to support the complaint
- be informed of the criteria and processes, including the avenues for further review, applied by the Federation in dealing with complaints
- be informed of the response of the officer
- be informed of the Federations decision and the reasons for that decision
- know that the complaint is being reviewed independently, if considered necessary
- Confidentiality, if requested.

Responsiveness – complainants shall be:

- Advised how long it will take to deal with the complaint
- Be kept informed of progress by telephone advice, correspondence or interview.

## **Complaints**


The Federation aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint about a person/s or organisation bounce by this policy if they reasonably believe that a person/s or a sporting organisation has breached its policy, in particular, in regard to fees and payments, coaching practices, venue and facilities.

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the Federation President considers that the complaint falls outside the parameters of this policy and would be better dealt another way.

## **Vexatious Complaints & Victimisation**

The Federation aims to ensure our complaints policy has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the President considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious the matter may be referred to the Disciplinary Committee for appropriate action which may include disciplinary action against the complainant.

The Federation will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.





## **Mediation**

The Federation aims to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint – the complainant and the person complained about (respondent) may also seek the assistance of a neutral third person or a mediator. Lawyers are not able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the President will, in consultation with the complainant, arrange for a mediator to mediate the complaint.

## **Tribunals**

A hearings tribunal may be formed to hear a formal complaint that has been referred by President or an alleged breach of the policy. A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal.

The decision of the appeal tribunal is the final and binding on the people involved to the appeal. Every person/s and organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed by an appeals tribunal under this policy.

## **What can I make a complaint about?**

Any member can make a complaint to the Federation about the delivery of the Federation's services. From time to time the Federation consults with the sector to determine a policy position or to gauge the views of the sector.

It is not the intent of this policy to allow a person or organisation to complain about the outcome of such consultations if the final result does not agree with that person or organisations position. A person may however lodge a complaint if a documented consultation process was not followed, or if the process was flawed.

## **Who do I submit my complaint to?**


All complaints must be in written form as required in the WAEBF's Constitution.

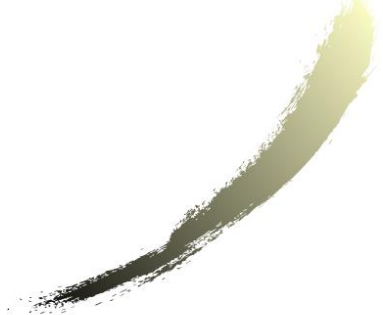
Complaints are to be submitted to the WAEBF email address: [wa8ballfed@gmail.com](mailto:wa8ballfed@gmail.com)

The WAEBF Member Protection Information Officer will then action the complaint as per the timeframes mentioned below.

## **Procedure for complaints management**

The person managing the complaint will be responsible for:

- Registering the complaint
- 

- 
- Registering the complaint in the Federation complaints register
  - Informing the complainant that their complaint has been received and providing them with information about the process and time frame.

### **Investigating the complaint**

The Federation will:

- Examine the complaint within 5 working days of the complaint being received
- Inform the complainant within 7 working days of the complaint being received of what is being done to investigate and resolve it, and the expected time frame for resolution.
- As far as possible, complaints or appeals will be investigated and resolved within 14 working days of being received. If this time frame cannot be met, the complainant will be informed of the reasons why and of the alternative time frame for resolution.

### **Resolving the complaint**

Making a decision or referring to the appropriate people for a decision within 14 working days of the complaint being received.

Informing the complainant of the outcome and any options for further action if required

#### ***What if I am unhappy with the resolution?***

If you are not happy with the outcomes of a complaint you may be able to lodge a complaint with the Ombudsman in your state. The Ombudsman office will determine if it has the power to investigate your complaint.


### **Record Keeping**

A register of complaints will be kept by the Federation. The register will be maintained by the Secretary and will record the following for each complaint:

- Details of the complainant and the nature of the complaint
- Date lodged
- Action taken
- Date of resolution and reason for decision
- Indication of complainant being notified of outcome
- Complainant response and any further action

Copies of all correspondence and other materials received by the Federation in connection with any complaints will be kept for 7 years.

The complaints register and files will be confidential and access is restricted to the President and Secretary.





## West Australian Eight Ball Federation Informal Complaint Management Process

Any member of the Board can accept a complaint. The WAEBF Member Protection Information Officer will then follow the protocol with handling complaints.

Characteristics of less serious complaints include behaviour or decisions that are:

- out of character for the person about whom the complaint has been made
- one-off
- not entrenched
- low risk of harm/impact on other people

Relevant options for resolving less serious complaints include the following:


1. provide more information to person complaining
2. suggest person complaining talks directly with person complained about
3. You meet with person complained about
4. informal discussion with all those involved

### ***Option 1: Provide more information to person complaining***

The person on the Federation Board who received the complaint will provide the person complaining with a copy of the Member Protection Policy, Complaints Handling Procedure, relatable Procedural Policies and any other relevant guidelines/policies.

The Board member will then explain to the complainant how these policies relate to the issue/ concern

### ***Option 2: Person complaining talks with person being complained about***


- Consider suggesting to the person complaining that they:
  - Be sensitive about when and where the talk takes place (e.g. don't do it in front of the team or other parents)
  - Avoid being emotional and don't personalise concerns. Provide clear examples (e.g. when, where, who)
  - Focus on the solution rather than problem (e.g. how to move forward rather than seeking to lay blame)
  - Take responsibility to help move forward (e.g. offering to be a team manager)
- 



### ***Option 3: You meet with person complained about***

- Find a time to talk privately with the person being complained about
- Let them know that concerns have been expressed but try not to make the discussion personal Acknowledge their contribution to the club and discuss policies or guidelines that help clarify the club's position on the issue
- Ask for their perspective on the issue and what might have led to this being a concern
- Ask for their ideas on how to sort out the issue
- Check what further support might help them in their role (e.g. training)
- Get back to the person complaining with the outcome and monitor the situation.

### ***Option 4: informal discussion with all those involved***

- Find a time and place when you can get the parties together.
  - Reassure both parties that the focus is on talking openly to try and move forward rather than laying blame.
  - Make sure both parties have equal „air time“ so they feel heard (e.g the person complaining is concerned about the coach shouting at the players and the coach feels stressed because he has too many responsibilities).
  - Refer to the club's policies and guidelines to clarify and provide direction (e.g. Codes of Behaviour, job descriptions, roles and responsibilities).
  - Identify common ground and build on this for workable solutions (e.g. that the coach needs more support to undertake his/her role).
  - Allow both parties to suggest solutions (e.g. more parents involve themselves with the team as a team manager or scorer).
  - Follow up with both parties to check that the problem is resolved.
- 



## West Australian Eight Ball Federation Formal Complaint Management Process

Characteristics of serious complaints include:

- Unlawful behaviour Repeated pattern or entrenched behaviour
- More than one person impacted upon
- More than one person perpetuating the behaviour
- Person complaining unable to address issue /Power imbalance
- Conflict of interest
- Person complaining wants formal disciplinary measure
- Has been unsuccessfully resolved at informal level.

Options for formal complaint management process:

1. Mediation
2. Management Committee hearing & decision
3. Referral to external agency

### ***Option 1: Mediation***

Steps to follow:


Explain to the person complaining and the person being complained about that mediation is a process that may help them understand and explore their issues and find resolution with the help of an independent third party

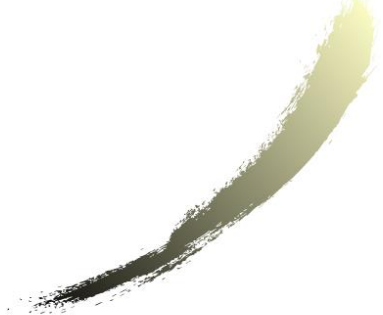
Get agreement from both parties that they are willing to meet with a mediator to try and sort out their problems

The Federation Board will appoint a person to be the mediator.

The Federation Board will monitor the situation and reviews policies and procedures to prevent the problem from reoccurring.

### ***Option 2: Federation Board Hearing & Decision***

- Respond, preferably in writing, to any complaint and explain the process the Board will take in dealing with the complaint.
  - Inform the person being complained about of the allegation and the process the Board will take in dealing with the complaint.
  - Appoint committee members to hear the complaint who are unbiased and don't have a conflict of interest
  - Ensure both parties get to tell their side of the story before any decision is made by the Board. This may involve both parties attending a committee hearing and providing information to a nominated representative of the committee prior to the Board hearing.
- 

- 
- Decisions must be based on the facts and could include dismissal of the complaint, disciplinary action, referral to an external body for further advice, investigation and/or arbitration.
  - Keep both parties informed throughout the process and communicate any decisions as soon as possible, including any right of appeal by either party
  - Review policies, codes of behaviour and guidelines and communicate these to club members and personnel to prevent further issues arising.

### ***Option 3: Referral to External Agency***

The Federation Board will refer to an External Agency if:

- Legal/governance or further advice needs to be sought
  - The person complaining chooses this option (which can happen at any time during the complaint process)
  - After gathering more information, the complaint appears to be very serious
  - When the complaint involves harm to a child
  - Where the issue may be criminal or unlawful When an external investigation is required
- 