

## **Attachment C1: COMPLAINTS PROCEDURE**

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### **1. Overview**

This procedure has been developed to ensure that complaints about inappropriate behaviour described in this policy are addressed sensitively, consistently, fairly and confidentially.

A complaint may be reported about an individual or group behaviour informally or formally. It may be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy.

A complaint should be reported to AFL Victoria Human Resources Manager, Contact Officer or the relevant Manager – Community Football Development of the Affiliated Member, as the case may be. For the avoidance of doubt, a complaint relating to a club or a league operating under an Affiliated Member must be reported to that Affiliated Member, not AFL Victoria.

### **2. Internal Procedure**

#### **(a) Self Resolution**

Self resolution may be appropriate where the alleged harasser or bully is oblivious to the impact of their behaviour towards the complainant. If the complainant feels it is appropriate they can attempt to resolve the issue directly with the alleged harasser, without the assistance of AFLV Management, by speaking directly to the person/s involved and asking them to stop the offensive behaviour immediately.

#### **(b) Resolve the Complaint Informally**

Informal assistance may be appropriate where the complainant is not sure how to handle the problem and wants to talk confidentially about the problem or the problem continues after the complainant has tried to approach the person/s involved. If this is the case, individual/s should talk with AFL Victoria Human Resources Manager, Contact Officer or Manager - Community Football Development for the Affiliated Member.

Informal procedures that may be adopted could include the following:

- provide possible options/methods for the complainant to resolve the problem and/or make a referral to an appropriate person to help the complainant resolve the problem eg: a mediator..
- explain how AFL Victoria complaints procedure works;
- act as a support person;
- privately speak with the alleged offender on behalf of the complainant
- inform the relevant government authorities and/or police if required by law to do so

### **(c) Resolve the Complaint Formally**

Formal procedures may be appropriate where informal procedures have been ineffective, the complaint involves serious and/or criminal allegations or the complainant wishes to make a formal complaint from the outset. Formal complaints can be lodged with AFL Victoria Manager - Community Football Development for the Affiliated Member.

Both parties involved in a formal complaint have a number of rights and responsibilities which are detailed below:

Complainant's Rights	Respondent's Rights
<ul style="list-style-type: none"><li>• Have the complaint investigated and if necessary conciliated</li><li>• Have support/representation if requested</li><li>• Express views and opinions without intimidation from others</li><li>• Discontinue a complaint</li><li>• Have the situations remedied</li><li>• Privacy</li></ul>	<ul style="list-style-type: none"><li>• Have natural justice</li><li>• Not be discriminated against</li><li>• Not be dismissed unfairly, harshly or unreasonably</li><li>• Privacy</li><li>• Have support/representation if requested</li><li>• Not be defamed</li><li>• Not be the subject of unfounded or malicious complaints</li></ul>

A formal procedure will be followed as appropriate for each individual complaint which may include one or more of the following steps:

- document full information from the complainant about the complaint and how they want it resolved;
- put the information received from the complainant to the person/people that the complaint is about and ask them to provide their side of the story;
- decide whether enough information has been obtained to determine whether the matter alleged in the complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session and/or referring the complaint to the police or other appropriate authority.

**NB: Where a complaint relates to an allegation of child abuse the matter will immediately be referred to the police or relevant state government authority.**

More detailed information on conducting internal investigations can be found at [www.ausport.gov.au/ethics/policy.asp](http://www.ausport.gov.au/ethics/policy.asp)

### **(d) Appeal Process**

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome, or if the complainant believes it would be impossible to get an impartial resolution within AFL Victoria or Affiliated Member, an external agency such as The Equal Opportunity Commission may be contacted to assist with a resolution.

### **3. External Procedure**

There may be a range of external options available depending on the nature of the complaint. In the case of harassment or discrimination advice can be sought from the State or Territory Equal Opportunity Commission without being obliged to make a formal complaint. In the case of more serious breaches such as child abuse, the police or relevant state government department responsible for issues of child welfare should be notified.

If an individual wishes to lay a complaint to an external body then guidance and support is available from AFL Victoria Manager – Community Football Development for the Affiliated Member.