

CITY OF MELBOURNE BOWLS CLUB

Complaint Resolution Policy



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Purpose

The purpose of this procedure is to clarify the appropriate means of raising complaints about the behaviour of City of Melbourne Bowls Club (CoMBC) members, CoMBC guests or visitors, or members of other clubs.

The Board takes all complaints seriously and respects the privacy of both the complainant and complainee. Therefore the Board ensures all members that the appropriate and proportionate response will occur. The complaints process is a process to determine if there has been a breach of the code of conduct and the necessary steps to take to address the matter. If necessary the matter will be referred to a mediator.

All members are expected to exude behaviour that reflects the code of conduct at all times.

The policy addresses the following:

1. Complaints about the behaviour of CoMBC members, who are subject to the CoMBC *Code of Conduct* (Includes behaviour observed either on the CoMBC premises or elsewhere)
2. Complaints about the behaviour of non-bowling guests or visitors (Includes behaviour observed while on the CoMBC premises)
3. Complaints about the behaviour of members of opposition bowls clubs during the course of a bowls match (Includes behaviour observed either on the CoMBC premises or elsewhere)

The policy is designed so that the person who raises a behaviour of concern may address the matter by:

- Self-resolution
- Making a complaint
- Appeals
- Mediator

To be read on conjunction with the:

- CoMBC Constitution 2018
- CoMBC Code of Conduct 2021

Definitions

- **'Initiator'** means the person who activates this procedure. This will normally be the person who wishes to raise a concern regarding a person's behaviour
- **'Complainant'** means the person who made the complaint
- **'Complainee'** means the person who is being complained about; subject of a complaint
- **'Responsible person'** means the person who is responsible for responding to the complaint under the procedure. The Responsible person will be determined by the CoMBC Board of Management

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- **'Board'** means CoMBC Board of Management
- **'Self-resolution'** means sorting out problems by talking to the other person
- **'Biased'** means unfairly prejudiced for or against someone or something
- **'Conditions of play'** the rules of play pertaining to the relevant competition at the time.

Procedures

Making a complaint regarding City of Melbourne Bowls Club members

All members of the City of Melbourne Bowls Club are subject to the Code of Conduct which is regulated by the Club Constitution.

Self-resolution

If this is not possible, or the initiator feels uncomfortable taking such an approach, the initiator then progresses to 'Making a complaint'.

Making a complaint

1. Complaint to be submitted in writing to the Board by emailing the Secretary. Complainant to include details of:
 - a. Name of complainee
 - b. Behaviour identified as not meeting the code of conduct
 - c. Supporting evidence ie days, times, documentation, witnesses etc.
 - d. Permission/no permission to share complainant's name with complainee
 - e. Contact details for further communication if required.
2. The Board will notify the complainant via email to acknowledge the complaint has been received and that it will be assessed as soon as practicable.
3. The Board will assess the information provided in the complaint and take the following actions:
 - a. appoint a responsible person
 - b. seek further information from the complainant if required
 - c. contact the complainee to raise the concerns included in the complaint and provide an opportunity to respond to the Board.
4. The Board will make a decision as to the appropriate response to the complaint, which may include:
 - a. insufficient evidence to progress further – close complaint
 - b. grounds for taking disciplinary action in accordance with S22-24 CoMBC Constitution 2018
 - c. provide written notice in accordance with Regulation one, Item 1 Notice to member, of the CoMBC Constitution 2018
 - d. Make a decision of disciplinary action in accordance with Regulation one of the CoMBC Constitution 2018.
5. The Board aims to reach a conclusion about the complaint within six weeks of receiving the complaint.

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23. Disciplinary subcommittee

- (1) *If the Board of Management is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Board of Management must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member*
- (2) *The members of the disciplinary subcommittee—*
 - (a) *may be Board of Management members, members of the Club or anyone else; but*
 - (b) *must not be biased against, or in favour of, the member concerned.*

Appeals

As per in Regulation one, Item three of the CoMBC Constitution 2021.

Mediator

As per Regulation two of the CoMBC Constitution 2021, which sets out procedures relating to grievance procedures under Section 25 of the CoMBC Constitution 2021.

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Making a complaint regarding non-bowling guests or visitors

Non-members who visit our club as guests are not subject to the Code of Conduct but are expected to behave in a respectful and safe manner.

Any complaint involving a person who is believed to be intoxicated must be dealt with in accordance with the Liquor Licensing Act.

Response

1. The initiator speaks to the most senior staff member on duty to alert them to the situation.
2. The senior staff member will respond to the situation by:
 - a. Speaking directly to the person identified and issuing a verbal warning, if the behaviour continues
 - b. If satisfied that the behaviour warrants the immediate removal of the person from the club, requesting the person leave the premises
 - c. If said person does not leave, calling the police.
3. The senior staff member will complete an incident report.

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Making a complaint regarding bowlers from other clubs during a game of bowls

Procedures for resolving disputes during a game of bowls are governed by the *Laws of the Game of Bowls* and local *Conditions of Play*. The following should be used as a guide only.

Self-resolution

1. In the first instance the initiator is encouraged to try to resolve any behavioural issues themselves.
2. The initiator speaks to a Skip of the CoMBC team, to address the behaviour.
3. The Skip speaks to the Umpire explaining the situation. The umpire of the day will assess whether there has been a breach of the Conditions of Play, and will adjudicate the matter in accordance with the relevant law or regulation.

Making a complaint

1. The initiator may submit a complaint to CoMBC.
2. Complaint to be submitted in writing to the Board by emailing the Secretary. Complainant to include details of:
 - a. Name of complainee
 - b. Behaviour identified as not meeting the code of conduct
 - c. Supporting evidence ie days, times, documentation, witnesses etc.
 - d. Permission/no permission to share complainant's name with complainee
 - e. Contact details for further communication if required.
3. The Board will notify the complainant via email to acknowledge the complaint has been received and that it will be assessed as soon as practicable.
4. The Board may decide to submit a complaint to the relevant club or to Bowls Victoria.
5. The Board will aim to provide a written response to the complainant within six weeks of receiving the complaint

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References

City of Melbourne Bowls Club Constitution (Adopted 2018)

City of Melbourne Bowls Club Code of Conduct (Adopted 2021)

Bowls Australia *Laws of the Sport of Bowls - Crystal Mark Third Edition Version 3.2*

Bowls Victoria 2020-21 VICTORIAN PENNANT CONDITIONS OF PLAY updated 10 December 2020

Record management

All complaints that have been submitted will be documented on the complaints register and all associated documents to be stored confidentially with the Secretary.

Review and document control

Version number	Published date	Summary of changes from last version	Authorised by
2.0	25/5/21	Amend format of document. Revised complaint criteria from Levels one, two and three; to self-resolution, making a complaint, appeals and mediator. Added and amended the definitions. Amended complaints process.	CoMBC Board

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