



BRISBANE TABLE TENNIS ASSOCIATION INC

Complaints Policy

This Complaints Policy outlines the steps that will be taken by Brisbane Table Tennis Association (BTTA) when dealing with complaints.

A complaint about any member/s or representative/s of BTTA may be made by any player, coach, official, sponsor, parent, spectator, representative of a club or another sporting organisation, or any other member or representative of BTTA regarding:

- A selection process (not decision) for BTTA teams (either players or personnel)
- Behaviour of members of BTTA whilst participating in any table tennis competition or event;
- Behaviour of members of BTTA within the confines of the Brisbane Table Tennis Centre;
- Behaviour of members of BTTA Council members whilst acting on behalf of BTTA;
- Decisions and behaviour of employees and volunteers of BTTA in the course of their duties.

1. LODGEMENT OF COMPLAINT

- a. The Complaint Manager will be the CEO. If the complaint is made against the CEO or where the CEO has a conflict of interest the Complaint Manager will be the President.
- b. All complaints must be
 - i. Be made in writing;
 - ii. Identify the BTTA member or representative against whom the complaint is made;
 - iii. Set out the details of the complaint;
 - iv. Identify the name and address of the Complainant;
 - v. Be signed by the Complainant; and
 - vi. Fall within the scope of BTTA policies;
- c. Where a complaint is made verbally, the complainant should be advised to follow up in making their complaint in writing. If the verbal complaint is of a minor nature, the CEO, Controller on duty or any Council member available should attempt to resolve the matter where possible.
- d. Where a written complaint is of a minor nature the Complaints Manager should attempt to resolve the issue directly with the complainant. If the complainant remains unsatisfied, the complaint should be treated in accordance with section 1(f). The

Centre Manager should make the BTTA Council aware of any issues pertaining to minor complaints which may require their consideration.

- e. If, in the opinion of the Complaints Manager, the complaint does not fall within the scope of the BTTA policies, the Complaints Manager shall inform the Complainant in writing.
- f. If the complaint is not of a minor nature and falls within the scope of BTTA policies the Complaints Manager shall:
 - i. within 10 business days, provide a Notice of Complaint including a summary of the allegations and notice of potential proceedings to the Respondent.
 - ii. The Respondent shall have 10 business days from the date of receiving the Notice of Complaint to respond in writing to the allegations made to the Complaints Manager. In extraordinary circumstances the Complaints Manager may extend this deadline.
 - iii. The Complaints Manager shall then prepare a report for the next BTTA Council meeting at which the Council will consider the nature of the complaint and the reply of the Respondent, and determine whether:
 1. The complaint is without merit or does not come under the jurisdiction of BTTA, in which case the Complaints Manager shall inform the Complainant and the respondent of this decision in writing, which will be copied to the BTTA Council, after which time the matter shall be considered closed; or
 2. The complaint is with merit and a decision can be made without further investigation; or
 3. Further investigation is required; or
 4. The complaint should go straight to a hearing; or
 5. The alleged offence is of such seriousness as to warrant suspension of the member from BTTA, or from their paid or volunteer role, pending the hearing and decision of the Judicial Panel.

2. INVESTIGATION

- a. If further investigation is required, the BTTA Council shall appoint a Judicial Panel of three, including an appointed chair, ensuring no conflict of interest, who will interview each of the parties and any witnesses who, in the opinion of the Judicial Panel may have relevant information concerning the complaint. The interviews may be conducted by teleconference but must at all times have two of the Judicial Panel present.
- b. The Judicial Panel may consist of Council members, the CEO or any other person the Council may consider appropriate.
- c. At the conclusion of the investigation the Judicial Panel shall determine whether the matter shall go to a formal hearing.

3. HEARING

- a. If the BTTA Council or the Judicial Panel determines the matter shall go to a formal hearing, the Complaints Manager shall inform the Complainant and Respondent in writing within 5 business days of the Council of Judicial Panel decision.
- b. The Judicial Panel shall hold the hearing as soon as possible but not more than 15 business days after the decision to proceed to a hearing.

- c. The Judicial Panel shall govern the hearing as it sees fit, provided that:
 - i. The Respondent shall be given 7 business days written notice of the date and time of the hearing;
 - ii. The hearing shall be conducted either in person or by telephone conference;
 - iii. The Respondent and the Complainant may participate in the hearing;
 - iv. The hearing shall proceed in the absence of either the Respondent or the Complainant if no good reason for their absence is provided;
 - v. The Respondent shall receive a list of all materials to be considered by the Judicial Panel at the hearing and may request copies of any such materials;
 - vi. The quorum for any decisions shall be all 3 Judicial Panel members;
 - vii. Decisions shall be made by a majority vote, where all members of the Panel including the chair carry one vote only;
 - viii. The Respondent may be accompanied by a representative, any costs of which shall be borne by the Respondent unless the member subject to the complaint is under 18 in which case the parent or legal guardian of the member must be present at no cost to the Respondent;
 - ix. Both the Complainant and Respondent shall have the right to present evidence and argument;
 - x. The hearing shall be held in private; and
 - xi. The panel may request that witnesses to the incident be present or submit written evidence.
- d. The Judicial Panel shall render its decision with reasons at the conclusion of the hearing. The Judicial Panel shall then prepare a written report outlining the details of the investigation and hearing, the sanction and the reasons for such a sanction. A copy of this report shall be provided to the BTTA Council within 10 business days of the end of the hearing at which time the CEO shall then implement the actions and provide a written copy of the Judicial Panel report and decision to all parties to the hearing.
- e. Once appointed, the Judicial Panel shall have the authority to extend timelines associated with all aspects of the hearing.
- f. Where the Respondent acknowledges and accepts the facts of the complaint, he or she may waive the hearing, in which case the Judicial Panel shall recommend an appropriate disciplinary sanction to the BTTA Council for confirmation at the next Council meeting. The Judicial Panel may hold a hearing for the purposes of determining an appropriate sanction.

4. SANCTIONS

- a. The following disciplinary sanctions, singly or in combination, may be recommended by the Judicial Panel to the BTTA Council:
 - i. A written reprimand to be placed in the members file;
 - ii. A verbal and/or written apology to be provided by the member to those affected by his or her actions;
 - iii. Education, training, counselling or mediation;
 - iv. Suspension from BTTA for a specified period of time;
 - v. Termination of membership of BTTA;
 - vi. Payment of part or all costs of the hearing, investigation or both; and/or
 - vii. Any other sanctions deemed appropriate in the circumstances.

- b. In recommending or applying sanctions, the Judicial Panel or the BTTA Council may have regard to the following aggravating or mitigating circumstances;
 - i. The nature and severity of the offence;
 - ii. Whether the incident is the first offence or has occurred repeatedly;
 - iii. The member's knowledge of responsibility;
 - iv. The member's extent of remorse;
 - v. The member's extent of cooperation with the procedures set out in this policy;
 - vi. The age, maturity or experience of the member;
 - vii. The member's prospects for rehabilitation;
 - viii. The extent to which others were harmed by the member's actions; and/or
 - ix. The member's position in the organisation.
- c. The BTTA Council shall make a final determination of sanctions to be imposed.

5. PUBLICITY

- a. All persons concerned with the handling and determination of a complaint are obligated to act with the strictest confidentiality and not comment publicly on or disseminate to any person information concerning:
 - i. The facts and details of any complaint;
 - ii. All evidence obtained on behalf of BTTA or provided by any person in connection with the complaint;
 - iii. The facts, details and outcome of any hearing into the complaint.
- b. A public statement may only be made in the following circumstances:
 - i. With the Complainant and Respondent's consent, BTTA may release a public statement in such form as is agreed by the parties.
 - ii. BTTA may release a public statement if the fact of, or details of, the complaint has become publicly known.

6. APPEALS

- a. Upon notification of the decision of the Judicial Panel or BTTA Council from an initial hearing, the Respondent may appeal to the BTTA Council within ten (10) business days of receiving written advice of the outcome of the complaint.
- b. The BTTA Council shall meet and decide on the evidence received if the decision and / or penalties are just. Their decision shall be final with no further grounds for appeal (except in the case of termination of membership).
- c. Where Termination of Membership is used as a sanction, the member shall be entitled to appeal as per the BTTA Rules.