

COMPLAINTS MANAGEMENT

Part 2 – October 2025

From Issue to Resolution

Resolving Complaints with Confidence

PART 1 – 2024 – COMPLAINTS PROCESS

1. Report/Complaint or Alleged Breach
2. Threshold Questions
3. Investigation
4. Outcome
5. Finalisation

PART 2 - 2025

1. Refresher – Part 1 Complaints Process
2. Complaint Handling - Aims
3. Complaint Handling – Key Concepts
4. Investigation and interviewing
5. Convening tribunals
6. Finalising Matters

1. PART 1 REFRESH – COMPLAINTS POLICY & PROCESS OVERVIEW

NETBALL INTEGRITY POLICY FRAMEWORK

CONDUCT & DISCIPLINARY POLICY



**SAFEGUARDING
CHILDREN AND YOUNG
PEOPLE POLICY**



**MEMBER
PROTECTION
POLICY**

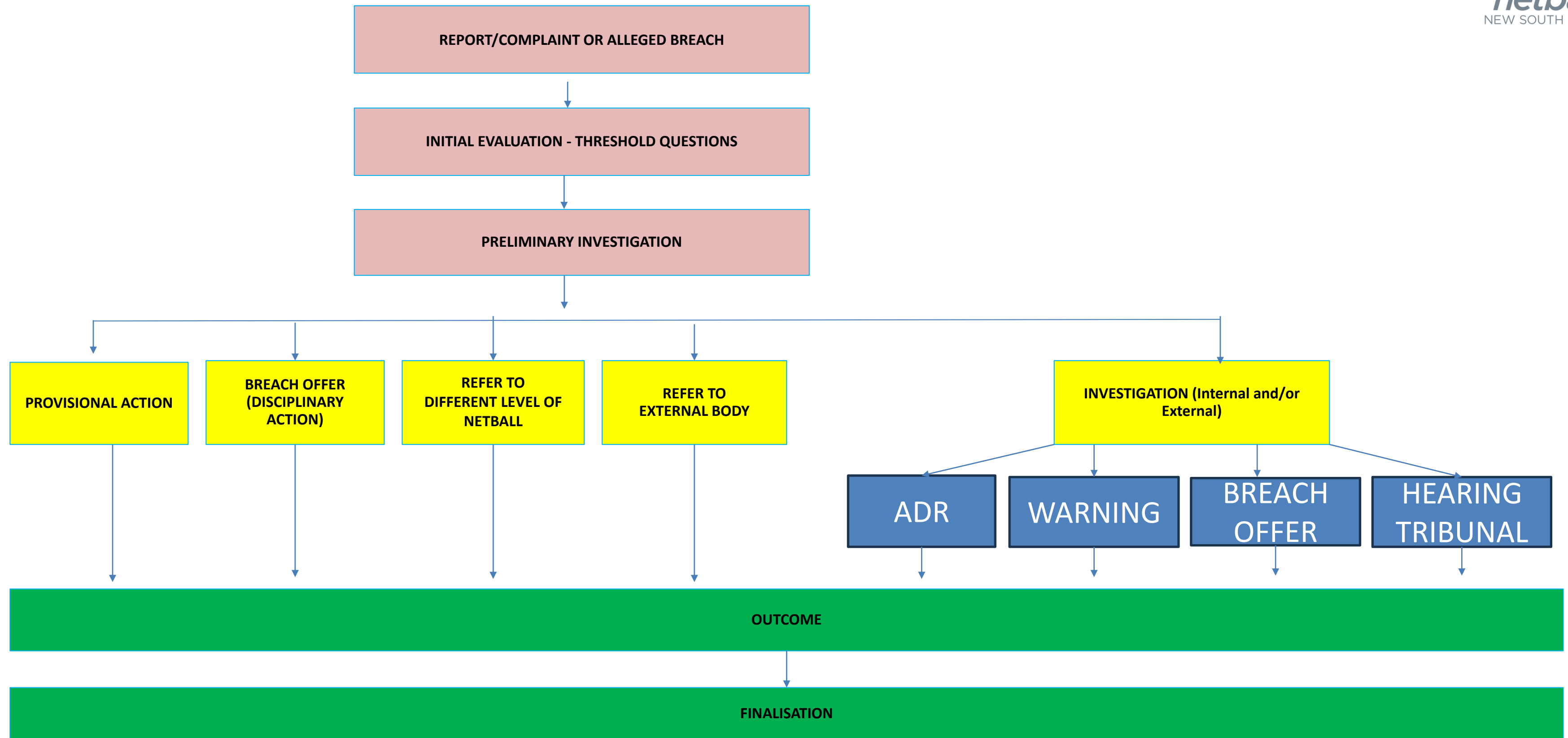


**COMPETITION
MANIPULATION &
WAGERING POLICY**



**SPORTS
MEDICINE POLICY**

COMPLAINTS PROCESS OVERVIEW



2. COMPLAINT HANDLING - AIMS



Deal with all complaints in a **fair, timely and transparent** manner, as appropriate

Escalate complaints as appropriate to ensure that appropriate Persons in Positions of Authority are involved

Consider the **wishes of the Complainant(s)**

Maintain **appropriate confidentiality** regarding complaints

Reporting to relevant authorities any serious issues involving Children and Young People

Uphold principles of **natural justice** or **procedural fairness**

Support the principle of “**innocent until proven guilty**”

Support the **welfare and wellbeing of ALL**



3. COMPLAINT HANDLING - KEY CONCEPTS

- a) Confidentiality
- b) Standard of Proof
- c) Natural Justice or Procedural Fairness
- d) Wishes of Complainant
- e) Support



3a) CONFIDENTIALITY – Clause 9.10 CDP

All Alleged Breaches (and all information disclosed in relation to them), will be kept confidential by the Complainant, Reporter, Respondent, the Relevant Organisation and any witnesses or other Relevant Persons involved in the matter and will not be disclosed to any third parties, except as provided for in this clause.

1. Whose
information?

2. What
information?

3. Allowable
disclosures

Clause 9.10.2

4. Examples

3b) STANDARD OF PROOF – Clause 9.9 CDP

1. What is the Standard of Proof?

2. Who makes the determination?

- **Complaints Manager** - the person appointed from time to time by the relevant organisation to manage alleged breaches, who must not be the same person as the Decision Maker
- **Decision Maker** - the person or tribunal appointed by the relevant organisation to make decisions in relation to the resolution of the alleged breaches, who must not be the same person as the Complaints Manager

3c) PROCEDURAL FAIRNESS – Clause 9.9 CDP

- Procedural (*process*) fairness (versus *outcome*)
- Decisions are made by a disinterested and unbiased adjudicator
- Parties are provided adequate notice and details of the case against them and a *reasonable* opportunity to respond (not ‘perfect’)

1. Dispute
between adults
- Respondent
suspended
immediately

2. Club President -
father of Respondent
accused of bullying -
decides not to address
complaint made about
his child

3. Respondent given
24 hours to respond to
complaint before
tribunal to hear matter.
Provided with nature
of allegations

3d) WISHES OF COMPLAINANT

1. Why does it matter?

2. When to consider?

3. How to consider?

4. COMMUNICATION WITH PARTIES



"It's not what you say, John,
it's how you say it."



COMMUNICATION WITH PARTIES – Cl. 11.5.2 CDP

The Complaints Manager will communicate with the Complainant and the Respondent at appropriate times to keep them informed..., and may at any appropriate stage:

11.5.2.1 notify the Respondent that a Complaint has been received and is being assessed; and/or

11.5.2.2 Notify the Respondent that a potential breach of a Netball Integrity Policy is being assessed.

Each party will be notified of the Complaints Manager and relevant contact details

1. What is the first step to take when a complaint is received?

2. When is the right time to notify a Respondent of a complaint?

3. What are the other logical points to be in contact with the parties?

COMMUNICATION POINTS WITH PARTIES



1. Receipt of Complaint:

- a) Complainant - Acknowledge Receipt
- b) Complainant – Seek to understand:
 - Allegations
 - Evidence and witnesses
 - What they are seeking from a Complaint and the preferred process (with no guarantees)
 - Finalisation of complaint details – ensure reflects their claims before sending to Respondent

2. Notification of Complaint to Respondent - Allegations, policy links, rights (eg, support person), process overview, timeframes, contact details, invitation to ask questions, etc

3. Both parties as process unfolds:

- a) Details of process as arrangements are confirmed – investigation, tribunal, ADR, etc
- b) Delays, changes and/or additional information
- c) Outcomes and rights to appeal (if applicable)
- d) Finalisation letter to confirm matter closure.

5. INVESTIGATION AND INTERVIEWING



INVESTIGATION – CI 11.2 CDP

- Internal
- External
- Statements, interviews, collection of evidence
- Investigator has absolute discretion as to how it is conducted and may or may not make findings
- Procedural fairness applies

1. Internal investigations
– when?

2. External investigations
– when?

3. Investigation
Guide TBC

INTERVIEWING IN AN INVESTIGATION

1. Preparation:

a) Purpose of each interview:

- **Complainant** – scope complaint (clarity), determine relevant witnesses, reaffirm what they are seeking
- **Respondent** – receive their version of events, test complainant's version, determine relevant witnesses
- **Witnesses** – open questions about the events in dispute; closed questions to test specific facts alleged by complainant/respondent

b) Physical environment and notes

2. Interviews:

- a) Intro – you, purpose of interview, confidentiality, recording consent, taking their time, support person, questions before begin
- b) Pre-prepared notes if not recording – but use technology where possible
- c) Record answers as much as possible true to exact phrases or language
- d) Open vs closed questions

3. Review – Tidy up and ensure record of interview is accurate

6. CONVENING TRIBUNALS



Convening Tribunals – CDP Cl. 12.5 & **TRIBUNAL GUIDE**

1. Is it an appropriate resolution avenue?
2. Procedural Fairness – unbiased adjudicators, adequate notice and a right to respond
3. Chair and Panel Members – legal expertise, subject matter of dispute, availability
4. Chair presides over the process steps (in consultation with Complaints Manager), hearing, keeps records and communicates outcome to CM
5. Forum - Online or in-person?
6. Attendees – complainant, respondent, witnesses, CM and any other person the Chair believes will assist the hearing
7. Support persons – as long as not legally qualified, unless approved by CM (Cl. 9.13 CDP)

Convening Tribunals – CDP Cl. 12.5 & **TRIBUNAL GUIDE**

8. Failure to cooperate – taken into consideration

9. Child-Focused approach – essential – see guide

10. Procedure – at discretion of Chair but likely to be:

a) Chair - **Opening comments & process of hearing. Confirm respondent's position**

b) Complainant(s) – evidence

c) Respondent(s) – response and evidence in dispute

d) Witnesses – evidence

e) Closing comments for parties

f) Tribunal retires for decision

g) Chair summarises decision (if reached) and outlines appeal rights

6. FINALISING MATTERS

Communicate
outcome to
parties

- Warning
- Breach Notice
- Investigation or ADR outcome
- Tribunal hearing outcome
- Outline appeal rights

Appeal
Window

- 14 day window (15.6)
- Eligibility to appeal(15.3)
- Grounds (15.4)
- Appeals Tribunal
- Procedural Fairness

Sanction (if
any) applied

- Note in NNSW Database
- Diarise dates
- Notify organisations to help enforce
- Keep records of education completion (if applicable)

Confirm
closure of
matter

- Once appeal window closed
- Confirm sanction completion to respondent (if applicable)
- Ensure records kept in secure location for 7 years



Sanctions

https://www.sportintegrity.gov.au/sites/default/files/SIA113-0123_GUIDANCE-FOR-SANCTIONING-BOOKLET_ACCESSIBLE.pdf

Range of Sanctions and Related Measures include one or a combination of any of the following:

■ Category 1 Breaches

The following range of measures may be appropriate:

- Awareness of NIF Policies.
- Mandatory awareness and education requirements.
- Formal Warning and /or Reprimand.
- Requiring an apology.

■ Category 2 Breaches

The following range of sanctions could be considered (in conjunction with Category 1 measures):

- Formal conciliation or mediation.
- Counselling.
- Restricted duties or access.
- Supervision and mandatory oversight.
- Mandatory education and programs.
- Temporary suspension from relevant event /entity /club.

■ Category 3 Breaches

The following range of sanctions could be considered:

- Formal and mandatory awareness and education requirements.
- Formal Reprimand.
- Requiring an apology.
- Formal conciliation or mediation.
- Counselling.
- Role change /restricted duties or access.
- Supervision and mandatory oversight.
- Mandatory education and programs.
- Temporary suspension from relevant event /entity /club.
- Withdrawal of accreditation from the relevant sporting event.
- Permanent suspension /exclusion from the event /entity /club.
- Return of awards.



HERE IF YOU NEED...



Integrity Team

Lucy Sayers

lsayers@netballnsw.com

(02) 9951 5073

Sara Gaudry (Wed & Thurs)

sgaudry@netballnsw.com

(02) 9951 5017

Policies

<https://nsw.netball.com.au/policies>

Resources

<https://nsw.netball.com.au/beyond-the-court-fundamentals>

Sport Integrity Australia

<https://elearning.sportintegrity.gov.au/login/index.php>



netball
NEW SOUTH WALES

Thank You