

Grievance

1. Definitions

SLSC = Surf Life Saving Club

SLSSA = Surf Life Saving SA

SLSA = Surf Life Saving Australia

The Club = Somerton SLSC Inc

BoM = Somerton SLSC Board of Management

MPC = Member Protection Committee

CYP = Child or Young Person (any member aged under 18)

CEO = Chief Executive Officer

AGM = Age Group Manager

PPA = Person in Positions of Authority includes but is not limited to:

- Patrol Captain/Vice Captain;
- Club Captain/Vice Captain;
- any member holding an official position;
- AGM;
- Junior Co-ordinator;
- Chaperones;
- Coaches

DRC = Disputes Resolution Committee

2. Background

The Club is a member of SLSSA and SLSA and adopts the policies and processes of both.

As a volunteer organisation that aims to save lives and support the community, we have obligations to a number of groups and individuals including communities, members, governing bodies, Government (Federal, State and Local) and sponsors.

While most people act with good intentions, sometimes problems occur and it's important that we have a clear method for raising and resolving them.

This policy excludes breaches against The Club Constitution, which are handled, as described at 6. *Club Discipline* of the Consitution.

3. Scope

This policy applies to any actions which may have caused another person upset, regardless of whether it has been done that intentionally or with malice.

Any member who experiences an incident that makes them feel uncomfortable is obliged to report the incident to have it investigated.

4. Responsibilities

There are a numerous people who can help you if you have a complaint or problem however, it is important to make a complaint to the appropriate person for it to be investigated using the correct process.

If the issue relates to The Club and your activities at The Club or while on patrol report it to a:

- PPA; or

- member of The Club BoM.

If your problem relates to someone from another club, or SLSSA:

- The CEO of SLSSA.
- The Board of SLSSA.

If you require support, you can speak to The Club Chaplain, or SLSSA Chaplain however, they are not channels to make complaints or lodge a grievance.

If an incident occurs, it's important that those involved/witnesses/parents/caregivers do not do or say anything that puts those involved or The Club at risk. This includes sharing information on social media or verbally with others in the surf life saving community. You may be breaking the law if you do so – defamation laws also apply to statements made on social media.

5. Procedure

Incident occurring at The Club or involving members of The Club

- 5.1 Politely and calmly let the person know of the impact of their actions. If they have acted in breach of The Club's Code of Conduct (Appendix B of the [SLSA Policy – Member Protection](#)) or other policies, you should make them aware of this.

Often, once someone is made aware of the consequences of their actions, they will moderate their behaviour.

- 5.2 Make a note of the incident at the time, including date(s), time(s), location(s) and details of what was said/done.

If anyone else was present and observed the incident, have them do the same.

- 5.3 If appropriate, discuss the incident with a PPA.

If unacceptable behaviour is observed by or reported to any PPA.

- 5.4 If the behaviour is directly witnessed by the PPA, follow steps 5.1 and 5.2 above.

- 5.5 Raise the inappropriate behaviour with a member of the MPC with copies of any notes taken.

- 5.6 If the inappropriate behaviour is reported to a PPA or an MPC member, they investigate the incident to determine its accuracy and, if necessary, follow steps 5.1 and 5.2 above before reporting to the MPC with copies of any notes taken, if appropriate.

- 5.7 The MPC will determine the seriousness of the behaviour (Minor/Of sufficient concern to require a formal meeting/Of a serious or repeated nature).

- 5.8 If the person who made the initial report is a CYP, the MPC member must notify the parent/caregiver of the CYP member and respond, as outlined below.

Note: For breaches involving child abuse, sexual misconduct or serious criminal conduct, it is compulsory to report them to the police and inform State Centre and/or SLSA. If you are in any doubt about your reporting responsibilities, please contact someone from the MPC.

Minor

- 5.9 Member receives a warning and is advised their behaviour is potentially in breach of The Club Code of Conduct or other policies and the reported behaviour must cease immediately.

- 5.10 The PPA documents the incident and the outcome (the form at Appendix B of the [SLSA Policy – Reporting and Complaints Guideline](#) (pg 59/60) in the Member Protection Policy can be used for this purpose) before sending the record to the MPC for future reference.

Of sufficient concern to require a formal meeting

- 5.11 The MPC to arrange a meeting as soon as possible, preferably within 21 days of being notified of the inappropriate behaviour and provide attendees with a minimum 24 hours' notice to attend.
- 5.12 Meeting to include two members of the MPC (preferably one of each gender), the member complained of, and where appropriate the complainant.
- 5.13 If either the member making the complaint or the member complained of is a CYP, they must be accompanied at the meeting by their parent/guardian, unless written consent is received from the parent/guardian to proceed with the meeting with the CYP in their absence.
- 5.14 At the meeting, each party is provided with an opportunity to tell the MPC members their version of events.
- 5.15 The MPC determines the penalty (if appropriate) and communicates the penalty to all parties present at the meeting, and any other appropriate person.

If further investigation is required, the MPC will communicate the outcome to all parties at the conclusion of the investigation.

Of a serious or repeated nature

- 5.16 The MPC must immediately inform the Club President.
Any grievance relating to child abuse, sexual misconduct or serious criminal conduct must be reported to SAPOL within 24 hours and State Centre/SLSA informed.
- 5.17 The President to notify the BoM, as soon as practicable.
- 5.18 The MPC to arrange a Meeting as soon as possible and preferably within 21 days of being notified of the inappropriate behaviour and provide attendees with a minimum 24 hours' notice to attend.

The Meeting

The Meeting will be conducted in a private environment to ensure confidentiality is maintained, and participants can discuss matters freely.

- 5.19 The Meeting will include two members of the MPC (preferably one of each gender), the member complained of, and where appropriate the complainant.
- 5.20 If either the member making the complaint or the member complained of is a CYP, they must be accompanied at the meeting by their parent/guardian, unless written consent is received from the parent/guardian to proceed with the meeting with the CYP in their absence.

The two MPC members cannot be the CYP's AGM, coach, parent or other similarly involved person.

Note: If it is impossible or impractical to appoint such a member from the MPC, the MPC must approach the Club President to appoint an appropriate person/people with a senior role at The Club.

- 5.21 If the member complained of is over 18, the MPC will inform the member they are entitled to have up to 2 support people at the meeting.

Note: The role of the support person is to provide support for the attendee and they are not to participate in the meeting. If a support person refuses to abide by this, the MPC may elect to reschedule the meeting, or ask the support person to leave the meeting.

- 5.22 The meeting may include the Club Chaplain, if the two members of the MPC deem it appropriate.
- Note: This determination may be made in circumstances where it appears factors external to The Club, such as substance abuse, domestic violence are relevant, or in any other circumstance where the members of the MPC consider The Club Chaplain may assist.
- 5.23 One of the two MPC members (or person/people appointed by the Club President) will make a written record of all discussions and outcomes of the Meeting.
- 5.24 The allegations against the member complained of is presented by a member of the MPC at the Meeting.
- 5.25 The member complained of will be given the opportunity to respond to the allegations and provide their version of the events along with any mitigating circumstances.
- 5.26 At the conclusion of the Meeting, the two members of the MPC (or person/people appointed by the Club President) must determine whether:
- (i) the complaint is substantiated;
 - (ii) there were sufficient mitigating circumstances to excuse the inappropriate behaviour;
 - (iii) disciplinary action is required; or
 - (iv) further investigation is required, given information provided at the meeting.

If disciplinary action is recommended

- 5.27 The MPC will make a written submission to the BoM within 7 days
- 5.28 The BoM refers the matter to a DRC, consisting of the Vice President (Chair) plus two appointed members, usually MPC members not directly involved in the area that the dispute.

DRC

- 5.29 The DRC will determine the final disciplinary action:

Encouragement to seek counselling or support from a third party

A written warning

- 5.29.1 Provided to the member complained of by the MPC members conducting the Meeting within 7 days.

If the member complained of is a CYP, a copy must be sent to their parent/guardian.

- 5.29.2 The warning must make it clear that the behaviour investigated is not acceptable, will not be tolerated by The Club, and that further breaches may result in more severe penalties.

A ban from all activities at The Club

- 5.29.3 The suspension period is to be determined with reference to the severity and frequency of the behaviours.

A ban from competition in any surf lifesaving event or affiliated activity

- 5.29.4 The suspension period is to be determined with reference to the severity and frequency of the behaviour.

Expulsion from The Club

- 5.29.5 This penalty is applicable to more serious and/or repeated offences.

Finalisation of Matter

- 5.30 The DRC create an Executive Summary of the document and the Chair submits this to the BoM at the next or a Special Meeting of the Board.
- 5.31 The member concerned shall be given at least three (3) days notice of the date and time of the meeting, in writing, to allow them if they desire, to appeal to the Board either personally or through another Member.
- 5.32 The BoM may request the DRC make further recommendations about the penalty to be implemented.
- 5.33 The BoM may revoke or endorse the suspension, or expel for any period or indefinitely, the member concerned. The decision shall be final and will delegate an individual to communicate the penalty to the member, and their parent or guardian if they are a CYP, in writing.
- 5.34 Every person involved in disciplinary action to be provided with a copy of The Club's Code of Conduct (Appendix B of the [SLSA Policy – Member Protection](#)) or appropriate policy.
- 5.35 If necessary, the President to inform SLSSA about the disciplinary action.

Incident occurring at a SLSSA event or involving members of other SLSSA clubs

- 5.36 Follow the process on the SLSSA website ([SLSA Policy – Reporting and Complaints Guideline](#) – in the Member Protection Policy).