



CBA Complaints Management Policy and Procedure

1. Purpose

Collingwood Basketball Association Inc (“CBA”, “the club”) aims to provide a safe and supportive place for our players and members, and foster everyone’s enjoyment and passion for basketball. However, from time to time, incidents happen that impede our enjoyment of the game.

Our club adheres to the guidelines and policies laid down by Basketball Victoria for behavioural expectations. These can be found in the Basketball Victoria Codes of Conduct and By-Laws (see basketballvictoria.com.au). The Codes of Conduct list the expected behaviour in basketball by administrators, coaches, officials, players, parents and spectators. In addition, the Member Protection By-laws outlaw discrimination, vilification and harassment based on race, religion, ethnicity, gender, sexual orientation and a range of other matters.

There is a Tribunal process (outlined in the Tribunal By-Laws) to deal with misbehaviour that is reported by game officials (usually during basketball games). The Member Protection process also provides an avenue to action complaints arising from breaches of the Member Protection bylaws.

Some concerns may relate to incidents are not observed by game officials or do not occur in the direct context of a basketball game. Other concerns may relate to the actions of CBA staff, volunteers, players or others associated with the CBA or other associations affiliated with Basketball Victoria. For issues that arise within the CBA, members of CBA can have recourse to this Policy as an alternative to, or in addition to, the Member Protection Bylaws.

This policy compliments the BV Tribunal By-laws and Member Protection Bylaws by providing a mechanism for incidents to be investigated and acted upon where they are not observed by game officials or do not occur in the direct context of a basketball game.

It also gives members of CBA a way of informing the club of issues of concern about the management or operation of the club that may fall short of being a breach of any applicable Code of Conduct or Bylaw.

2. Objectives

The CBA aims to maximise members' enjoyment of basketball and provide a safe and supportive place for everyone by:

- Ensuring that complaints by members, volunteers or community members are managed in a prompt, fair and transparent manner.
- Encouraging members to understand and behave according to Basketball Victoria's codes of conduct and bylaws
- Providing advice and resources to CBA staff and members on managing conflict
- Monitoring the number and types of complaints it receives and reporting to the CBA Committee on this on a regular basis
- Ensuring that a member of the Committee fulfils the role of a 'Complaints Handler' as outlined in this Policy.

We believe that:

- People have the right to have their complaint carefully considered through processes that are based on timeliness, fairness and respect.
- The best resolution is one that is reached cooperatively and informally where possible.
- Complaints will be taken seriously and treated confidentially by all parties involved.
- A person making a complaint should not be victimised or disadvantaged in any way.
- Complaints should be confidentially documented, monitored and used to inform and improve processes at CBA.
- It is usually not possible to resolve anonymous complaints.

3. Procedures for Handling Complaints

The following types of complaints may arise:

- 3.1 Poor conduct observed by a game official
- 3.2 Incidents not observed by game officials relating to members of another club or a game official
- 3.3 Incidents relating to the actions of players, coaches, staff (whether paid or voluntary) or parents of CBA; or concerns with the operation of the CBA in general
- 3.4 Concerns with team selection or placement

3.1 Poor conduct observed by a game official

Poor conduct may be reported by a game official by completing a Report Form within 48 hours and forwarding this to the CBA Registered Officer who sends it to the VJBL or EDJBA for a hearing. This is for matters that amount to a breach of BV Tribunal By-Laws.

More information on these processes is outlined on Basketball Victoria's website at: <http://basketballvictoria.com.au/policies/>

Once any game based incident is acted on by game officials and the officials consider the matter dealt with, CBA would only take further action under this policy in exceptional circumstances and its actions would be guided by this Policy and the Child Safety Policy.

3.2 Incidents not observed by game officials relating to members of another club or a game official

If a coach, parent or player observes an incident or has a complaint against a member of another club or game official during a basketball game, they are not permitted to approach the referee directly. Any concerns should be addressed with the venue supervisor (if available), team manager or coach. Only the venue supervisor and coach have the authority to speak with the referee, and the issue may be resolved by the referee at that time, or a Report may be made by the referee.

If the matter is not able to be resolved, a complaint can be lodged in writing with the Complaints Handler at the CBA. The matter will then normally be referred to CBA staff for a resolution.

In most cases, the matter will be resolved at a club level by CBA staff, who may contact the other club and through discussions, determine a resolution. This could include:

- An apology to be issued by either club
- The club speaking with its members about the Code of Conduct
- A facilitated discussion between members of the clubs to seek a resolution

For serious matters, or matters that cannot be resolved at a club level, a written report of the incident will be made by CBA staff to the VJBL or EDJBA for investigation.

If the complaint is about a referee, it will be handled by CBA staff, who will liaise with the Collingwood branch of the Victorian Basketball Technical Officials Commission (TOC). If the matter cannot be resolved it will be referred to the TOC Tribunal.

3.3 Incidents relating to players, coaches or parents of CBA

If a member of CBA feels they have been aggrieved by another player or person (such as a coach, player, parent, staff member or Committee member) at CBA, there are three options:

3.3.1 Direct contact with other party

A person who feels unhappy with the behaviour of another person (coach or parent) at CBA should attempt to resolve the matter directly with the other person, in a calm way.

The team manager or coach can be involved to help resolve the issue by providing advice or speaking with the other person.

If a CBA member feels unhappy with the behaviour of a player who is not their own child, they must not approach the child directly. Concerns should be raised with the team manager in the first instance if practicable. If discussion is unable to resolve the matter of concern it should be raised with the CBA so that the alternatives of inter-club communication or making a complaint under the Member Protection Bylaws can be discussed with the Complainant and the best course chosen.

3.3.2 Referral to Complaints Handler

If the matter is not able to be resolved by the person, a report can be made to the CBA's Complaints Handler using the form on the CBA website ([Collingwood Basketball Association Online Complaint Report](#)) or by emailing complaints@collingwoodbasketball.com.au

Upon receiving the form or email, the Complaints Handler will contact the complainant and determine how to resolve the complaint. This could include any of the following actions by the Complaints Handler:

- Supporting and advising the complainant to speak directly to the other person
- Referring the matter to the coach, the Head of Coaching, the Head of Basketball Programs and/or CBA staff for advice and resolution
- Contact with the other party to seek further information, an explanation and/or apology
- Attending a meeting with the complainant and other person to help facilitate a resolution
- An investigation of the matter, which would involve contacting the other person for a response to the complaint, speaking with potential witnesses, determination of whether the behaviour occurred and a recommendation to the CBA Committee regarding further action and consequences, if any.

Any concerns with a CBA staff member or Committee member, or the general operation of the CBA, can also be raised by contacting the President of the Committee at president@collingwoodbasketball.com.au

3.3.3 Refer the dispute to mediation (clause 17.4(b) of the Member Protection Bylaws) or hearing (clause 20 of the Member Protection Bylaws.)

The Member Protection Bylaws provide guidelines and procedures for the protection of the health, safety and well being of all Basketball Victoria members and those who participate in the activities of Basketball Victoria, Affiliated Associations and Clubs. The bylaws also set out the procedures to be followed in dealing with Harassment,

Discrimination and Abuse and other forms of inappropriate behaviour in an effective, appropriate and timely manner. The Bylaw provides a procedure for informal and formal resolution of complaints and a procedure for the appeal of such complaints. As CBA and all its members are subject to the Bylaws, the Bylaws are another means of resolving complaints that fall under subjects covered by those Bylaws. If the initial response is not satisfactory the Complaints Handler can assist and support the Complainant in a mediation or in having the matter determined through a formal hearing.

3.4 Concerns with team selection or placement

If a member is not happy with team selection at representative or domestic level, a report can be made to the CBA's Complaints Handler using the form on the CBA website ([Collingwood Basketball Association Online Complaint Report](#)) or by emailing complaints@collingwoodbasketball.com.au

The matter will then be referred for a response to a CBA staff member or a representative of a Selection Sub-Committee.

4. Outcomes of Complaints

Depending on the type and seriousness of a complaint, there are a number of potential outcomes. These can include, but are not limited to or mandated as:

- Complaint resolved informally with no further action required
- An informal or formal apology by one or both parties
- A written agreement regarding future contact and conduct between the parties
- Training and additional support for one or both parties (e.g. assistance with coaching, communication skills)
- A referral to another body with overlapping jurisdiction (Basketball Victoria, DHHS-Child Protection, Victoria Police) - and through these avenues suspensions, fine or even, in cases where criminal action is proven, criminal conviction.

In exceptional cases, there may be resultant changes to the future team structure, team management, coaches and/or sanctions imposed such as formal warnings, suspension or cancellation of membership. These decisions will be separately made by the Committee, in consultation with CBA staff where appropriate, according to the Rules of Association of the CBA.

Any person who is not satisfied with the outcome of a complaint can take the complaint to Basketball Victoria under the relevant Basketball Victoria By-Law.

5. Complaints relating to Child Safety

CBA condemns all forms of child abuse, exploitation of children and discrimination against children. We are committed to creating and maintaining an environment that promotes safety for people involved in our programs, including all children. The CBA Child Safety Policy outlines the policy and procedures to promote and protect children.

If your complaint involves suspicions of abuse of a child or other Child Safety concerns you may wish to contact the CBA Child Safety Officer. The Child Safety Policy provides more comprehensive guidance in relation to child safety matters and when referral to other agencies or organisations may be required.

If a child is believed to be at risk of certain forms of harm, the person or organisation with information that gives rise to that reasonable belief may have a duty to report the matter, irrespective of how that person would like the complaint handled. Criminal penalties can apply if appropriate reports are not made. Please consult the Child Safety Policy for further information.

In case where the child is believed to be in immediate danger of physical or sexual abuse a report should be made to Victoria Police without delay.

6. Other Serious Complaints

If the issue is serious (e.g. sexual harassment or physical assault) you can also directly contact:

- The Victorian Equal Opportunity and Human Rights Commission if you want advice or to refer a complaint about discrimination and harassment
- The Victoria Police to report allegations of assault or to request police assistance.

Related documents

- Basketball Victoria - [Member protection bylaws](#)
- Basketball Victoria - *Tribunal By-Laws*
- CBA - *Rules of Association*
- CBA - *Child Protection Policy*
- CBA - *Child Protection Code of Conduct*
- CBA - *Child Protection Flowchart*