



COMPLAINTS POLICY

Any complaint regarding any Member from any person or from any Member pursuant to clause 11 of the Constitution (Crews) shall be lodged in writing (“Notice of Complaint”) with either the Club Captain or the Club President for consideration by the Executive Committee and the following procedures shall apply:

1. The Executive Committee shall have the following discretions;
 - a) The Executive Committee may decline to investigate or deal with the complaint if in its judgement the nature of the complaint indicates that it should be dealt with by a court or a tribunal.
 - b) If the decision of such authority:
 - i) Effectively disposes of the complaint the Executive Committee can elect to take no further action, or on the basis of that decision, it may, without further investigation (and with or without calling upon the Complainant or the Member to provide further information or make submissions) take such action as it considers appropriate.
 - ii) Does not effectively dispose of the complaint, the Executive Committee may elect to undertake such further investigations as it considers appropriate and then follow the procedures set out in the following paragraphs.
 - c) If the Executive Committee considers it appropriate they shall, within 10 days of receipt of the complaint, give written notice (“Notice”) to the Complainant and the Member requesting that they endeavour to resolve the dispute through informal mediation in which case the Complainant and the Member shall have 5 days from the date of the issue of the Notice to either elect or decline to do so and the following shall then apply:
 - i) If either of the Complainant or the Member state that they are not interested in mediation the Executive Committee shall resort to the balance of the provisions of this Policy as it sees appropriate to address the complaint.
 - ii) If the Complainant and the Member agree to resolve the dispute by mediation, then the Executive Committee shall at its election appoint

either the President and/or the Vice President or and Independent Person to conduct the mediation.

- iii) If the dispute is not resolved through mediation within 30 days after the Notice of Complaint the Executive Committee shall resort to the balance of the provisions of this Policy as it sees appropriate to address the complaint.
 - d) If the Executive Committee considers the complaint to be frivolous, petty or inconsequential it can elect to decline to investigate the complaint.
 - e) If during the course of the investigation of the complaint it becomes apparent to the Executive committee that it is not appropriate for it to further investigate or consider the complaint, the Executive Committee may elect not to continue the investigation.
2. When the executive Committee elect to investigate and consider a complaint the following procedures shall apply;
- a) Any member of the Executive Committee who has a direct or indirect interest in the complaint shall neither hear or determine the complaint.
 - b) The Member shall be given a copy of the written complaint.
 - c) The Member shall be given the opportunity to provide a written detailed response to the complaint within not less than two (2) weeks after receiving a copy of the complaint, or such extended period as the Executive Committee may grant.
 - d) Further enquires may be made by or on behalf of the Executive Committee and the results of those enquires shall be advised to both the Complainant and the Member.
 - f) The Executive Committee shall allow both the Complainant and the Member to be heard by the Executive Committee (with or without representation).
 - g) The Executive Committee may recommend to the Committee that the complaint be:
 - i) Dismissed, or
 - ii) Upheld
 - h) Upon receipt of the Executive Committees recommendation, and notwithstanding the recommendation, the Committee may do one or more of the following;
 - a) Reprimand the Member
 - b) Suspend the Member for a specified time
 - c) Alter the Members classification
 - d) Alter the Members role or function within the Club
 - e) Expel the Member
 - i) Any member of the Committee who has a direct or indirect interest in the Complaint shall be excluded from the Committee for the purposes of making the final determination pursuant to clause 2 (g).
 - j) The decision of the Committee and any reasons for the decision which maybe given shall be conveyed to the Complainant and the Member in writing, and the discretion of the Committee maybe conveyed to all club members.

- k) The decision of the Committee shall be final and binding on the Complainant and the Member
- l) The Committee shall not be obliged to give reasons for their decision.
- m) Both the Executive Committee and the Committee shall respect the confidentiality of the proceedings.