



SHELLHARBOUR CITY BASKETBALL ASSOCIATION

Complaints Handling Procedure

1. Purpose

This Procedure translates the Governance Framework into a practical sequence for receiving, assessing, investigating, determining and appealing complaints.

2. Before a Formal Complaint – Is This an Operational Decision?

Before a matter enters the disciplinary process, consider whether it is an operational decision made by a coach, referee or Association official. Examples include benching, reduced playing time, team standards, application of the Representative Player Handbook, Codes of Conduct, team discipline, training expectations and team selection.

If the decision was made honestly, was reasonable on the information available at the time and was consistent with SCBA policy, it is treated as a valid operational decision and does not automatically require Disciplinary Committee (DC) investigation simply because a player or parent disagrees. These complaints are referred to as Teir One complaint. They will not progress beyond this.

3. Step by Step Guidelines to lodge a complaint

Step 1 – Lodge the Complaint

- Complaint must be submitted in writing to the SCBA MPIO (Member Protection Information Officer) via email - mpo@shellharbourbulls.com.au
- Complaint must be submitted within 7 days (Unless in exceptional circumstances)
- Complaint should identify the policy or by-law alleged to have been breached.
- Supporting evidence should be included where available.
- Any prescribed complaint lodgment fee must accompany the complaint.

Step 2 – Initial Assessment

The complaint is initially assessed to determine:

- whether it falls within SCBA jurisdiction;
- whether there is evidence of a potential policy breach;
- whether the matter may be resolved informally; and
- whether referral to the DC is warranted.

Possible outcomes at this stage are dismissal, informal resolution, mediation, referral back to the relevant coach or committee, or referral for formal investigation.

Step 3 – Referral to the DC

Where formal investigation is warranted, the matter is referred to the DC. Once referred, responsibility for the investigation rests solely with the DC. The Board does not direct, influence or participate in the first-instance determination.

Step 4 – Define the Allegations and Jurisdiction

The DC identifies the allegations to be determined and whether the matter falls within SCBA authority. Where appropriate, the DC may consult Basketball NSW.

Step 5 – Gather Evidence

- obtain relevant documents and communications;
- request witness statements where appropriate;
- request additional information; and
- identify any information necessary to fairly determine the allegations.

Step 6 – Procedural Fairness

Affected parties must be given a fair opportunity to respond to the allegations and relevant evidence before findings are made. The DC must determine the matter independently and, on the material, properly before it.

Step 7 – Findings and Outcome

The DC determines findings of fact, whether each allegation is substantiated, and any appropriate sanction in accordance with SCBA policies. A written outcome is then issued on behalf of the Association.

Step 8 – Board Reporting

The Board may receive a report for governance purposes. It does not review or alter the DC's first-instance decision unless a valid appeal is lodged.

Step 9– Appeal

Either the complainant or respondent may lodge an appeal within 7 days (Except in exceptional circumstances) of the written outcome. A valid appeal must rely on one or more of the following grounds:

- significant new evidence;
- a procedural error that materially affected the outcome; or
- a sanction inconsistent with SCBA policies or by-laws.

An appeal is not an opportunity simply to re-argue the original complaint.

Step 10 – Board Appeal Determination

The Board acts as the final internal appeal body. It reviews the investigation report, the evidence relied upon, the grounds of appeal and any admissible new evidence. The Board may uphold the decision, vary the sanction, or return the matter to the DC for further investigation where significant procedural deficiencies or new evidence justify doing so.

4. Referral to External Agencies

Any complaint made to the Disciplinary Committee can at any time be referred to an external agency, such as the New South Wales Police if determined appropriate.

Any complaint made that **raises an immediate risk of serious harm to a child** will be reported NSW Police immediately for investigation.

5. Witness Statements on Appeal

Original witness statements are not provided to the Board without prior consultation with, and permission from, the witness. The Board may rely on evidence summarised in the DC report or request additional material where permission to disclose an original statement is not provided.

6. Conflicts of Interest

Any actual, potential or perceived conflict must be declared immediately. A conflicted person takes no part in the relevant investigation or appeal. If there are insufficient unconflicted Board members for an appeal, an independent Appeal Panel may be appointed.