



AUSTRALIAN ICE RACING Inc Grievance Procedure By-Law

1 DEFINITIONS

- | | |
|---------------------|--|
| "Member" | means a person who is a member of a Club affiliated to a State Member of AIR Inc |
| "State Member" | means the member of the AIR Inc |
| "Grievance Handler" | means a person appointed to handle the Grievance complaint |
| "MPP" | Membership Protection Policy |
- 1.1. Except so far as the contrary intention appears in this By-Law, an expression has in this By-Law the same meaning as in the Constitution; and
- 1.2. Headings are for convenience only and do not affect the interpretation of this By-Law.

2 BACKGROUND

This procedure explains what to do if you have any grievance with Australian Ice Racing Inc (AIR Inc). A grievance means any type of problem, concern or complaint about your involvement or the environment you are involved in.

3 RELATED POLICIES AND PROCEDURES'

Another policy that may be read in conjunction with this By Law is the AIR Inc Membership Protection Policy

4 KEY PRINCIPLES

Confidential

Only the people directly involved in the grievance or sorting it out, can have access to the information.

All sides get to tell their side of the story

No-one makes any assumption or takes any action until all relevant information has been collected and considered. All sides have access to support if they want or need it.

Free of unfair repercussions or victimization

Management and officers take all necessary steps to make sure people involved in a grievance are not victimised for coming forward with a grievance or sorting it out. If anyone victimises anyone for making a grievance, they may be disciplined. However, if you use this grievance procedure to make up a grievance against someone that is not true, you too can be disciplined.

Sorted out at a local level

We aim to sort out all grievances at a local level, if possible, with a minimum of fuss. In most cases grievances can be sorted out by agreement between the people involved with no need for further action to be taken.

Timely

We aim to deal with all grievances as quickly as possible. There are time limits for different stages. We aim to sort out grievance within four weeks if at all possible

5 WHAT TO DO IF YOU HAVE A GRIEVANCE

Step 1

As a first step you (the complainant) should try to sort out the problem with the person or people involved if you feel able to do so.

Step 2

- the first step is not possible/reasonable; or
- you are not sure how to handle the problem by yourself; or
- you just want to talk confidentially about the problem with someone and get some more information about what you can do; or
- the problem continues after you tried to approach the person or people involved; then

Make a Formal Complaint to the President of AIR Inc

The President on receiving the complaint will decide whether:

- they are the most appropriate person to receive and handle the Complaint;
- the nature and seriousness of the Complaint warrants a formal resolution procedure. Some Complaints may be of a minor and/or purely personal nature with no connection to the activities of AIR Inc. In these cases, the President of AIR Inc may determine that the Complaint does not warrant a formal resolution procedure;
- to appoint a person to investigate the complaint;
- to refer the complaint to an informal or formal mediation session;
- to refer the complaint to a hearings tribunal in accordance with the AIR Inc's Constitution and By-Laws;
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim administrative or other arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlined above, the President of the AIR Inc. will take into account:

- whether they have had any personal involvement in the circumstances giving rise to the complaint and, if so, whether their ability to impartially manage the complaint is compromised or may appear to be compromised;
- whether, due to the nature of the complaint, specific expertise or experience may be required to manage the complaint;
- the complainant's wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- whether, due to the nature of the complaint, the relationship between the complainant and the respondent and any other relevant factors, the Complaint should be referred (or should not be referred) to informal or formal mediation or to a hearings tribunal in accordance with the AIR Inc's Constitution and By-Laws. Relevant factors may include an actual or perceived power imbalance between you and the respondent, the nature of any ongoing working relationship between the complainant and the respondent, and the personal attributes of the complainant and the respondent (for example, if one party does not speak English fluently, some of the possible complaints resolution mechanisms may not be appropriate);

- the nature and sensitivity of any information or other material that must be provided by the complainant, the respondent, and any of the other people involved in the complaint;
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the likelihood and the consequences (if the complaint is ultimately proven) that the complainant will be subject to further unacceptable behaviour while the complaint process set out in these Procedures is being conducted.

Step 3

If the President of AIR Inc. is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- get full information from the complainant about the complaint and how the complainant wants it resolved (if this information has not already been obtained through earlier steps);
- put the information received from the complainant to the respondent and ask them to provide their side of the story;
- decide whether they have enough information to determine whether the matter alleged in the Complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include disciplinary action, appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session or a hearings tribunal in accordance with the AIR Inc's Constitution and By-Laws and/or referring the complaint to the police or other appropriate authority.

RECORD KEEPING

The President of AIR will keep written notes of:

- their interviews with all parties to a grievance; and
- what action they took to resolve the grievance using the record keeping forms

Once the matter has been finalised, the President will send all records to the AIR General Secretary who will keep all records of grievances in a locked filing cabinet in her or his office.

APPEALS

If you do not think the grievance procedure was followed, or if you do not think the outcome of the grievance is fair, you can appeal.

An Appeals Tribunal may be formed to hear a formal complaint that has been referred to it by the President or the MPIO

For legal advice

At any time during a grievance you are involved in you can get legal advice from a legal representative. However, you may not bring a legal representative to the meeting, as this escalates the grievance, and makes it more difficult to resolve.

Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by the individual.