



## ***Mandurah Basketball Association- Complaints Policy/Procedure***

<b>POLICY DOCUMENT:</b>	Complaints Policy and Procedure
<b>POLICY VERSION:</b>	1
<b>DATE APPROVED:</b>	13/5/2019
<b>REVIEW DATE:</b>	14/5/2020
<b>NEXT REVIEW DATE:</b>	16/6/2022
<b>APPLIES TO the following Portfolios:</b>	All
<b>Other Relevant/Supporting Documents</b>	

**This policy/procedure applies to all Board members, Office Staff and Volunteers of Mandurah Basketball Association.**

### **Purpose**

To ensure that complaints raised by members of the Mandurah Basketball Association (MBA) (including members of the Board, Office, and Committees), Volunteers, Stakeholders or Community members are dealt with, in a prompt and equitable manner

A **complaint** is a general expression of dissatisfaction with a situation or the behaviours of a person (s) within the Association

### **Policy**

It is recognised that people associated with Mandurah Basketball Association will from time to time have complaints that need to be resolved in the interest of maintaining good relationships within the Association. MBA believes that:

- People have the right to have their concerns receive careful consideration through established processes that are timely and based on fairness and respect
- The best resolution is one that is reached cooperatively and informally where possible prior to a formal complaint being lodged in writing
- A person making a complaint will not be disadvantaged in anyway as a direct result of the complaint
- Where a formal complaint is received by the Complaints Handler it will be considered in a timely and confidential manner and documented together with the steps towards resolution

Mandurah Basketball Associations' Constitution and By-Law's together with Basketball Western Australia Member Protection Policy & Tribunal Rules provide appropriate guidance on how incidents that arise during games are to be dealt with.

**Incident:** An incident may occur before, during or after a fixtured activity, within the confines of the Stadium or its surrounds, or elsewhere if directly related to the fixtured activity

**Reports:** Can only be made by an MBA Official, through the lodgement of an Official Report Form. See attachment for the avoidance of doubt, MBA Officials include:

- Rostered Games Controllers
- Rostered Referee Supervisors
- Rostered Referees
- Rostered MBA Game Staff
- MBA Office Staff
- MBA Board Members

A report can be lodged in relation to any person, team, or club, as may be required.

Following receipt of a report, a Tribunal will be scheduled to hear the matter. In some instances, an Administration Tribunal may be appropriate to address the matter – at the discretion of the MBA Board.

### **Seeking Resolution**

All parties shall always seek to resolve any issue in good faith. This complaints process will be adopted based on the principles of open discussion, confidentiality, fairness and respect, and timeliness.

### **Member Feedback:**

A member has four options available to provide feedback, to complain about areas of concern, or to report incidents.

- 1) Discuss your concerns at the time, on game day, with the Games Controller/Referee Supervisor (whichever is most appropriate). The Games Controller/ Referee Supervisor will advise if any further action will be taken, in their complete discretion, or advise you to proceed with Options 2 or 3
- 2) Speak with your Club, to seek a Formal Complaint to be lodged on Club letterhead/email
- 3) Provide feedback\* or lodge an Official Complaint directly to the Association
- 4) Contact a member protection information officer for advice and guidance surrounding your concerns.

\*Member Feedback directly to the Association is welcomed, subject to being placed in writing and sent to the email address [office@mandurahmagic.com.au](mailto:office@mandurahmagic.com.au). MBA will review your feedback and refer items as appropriate. However please note:

- Member Feedback should be utilised to bring matters to the attention of MBA, **not to seek a formal response**
- MBA will review Member Feedback, but MBA policy is that MBA will not directly respond to Member Feedback received. As such, Members must be aware that an email reply may not be received
- A formal complaint should be lodged should a member desire a formal response

Please be assured that all Member Feedback that is received is given due consideration by MBA with actions taken where required

## Formal Complaints:

A formal complaint can be lodged by any Domestic Club President or Association Member, in writing to [office@mandurahmagic.com.au](mailto:office@mandurahmagic.com.au)

A formal complaint will be considered in the following manner

- Has the Complaint been addressed correctly by the Complainant? (eg referenced breaches of Code of Conduct, By-Laws or Constitution)
- Has the Complaint specifically detailed the incident and their concerns (facts must be presented rather than opinions)
- Reviewed by the OA/Board?
- Forwarded to the relevant Director, and/or any other MBA Board Members
- If another party is involved, they will be fully informed of the full details of the complaint and asked to respond to the complaint.
- MBA may also contact other witnesses, the Games Controller, Referee Supervisor or any other relevant personnel for clarity or confirmation of the complaint.

### Note:

Your complaint will not relate directly to the outcome of a game and this procedure shall not be used to determine a specific game outcome. For this purpose, the proper conduct of a protest will be undertaken as outlined in the FIBA rules.

A formal complaint will be dealt with promptly, seriously, sensitively, and confidentially. This response will include:

- Acknowledge receipt of the complaint
- Advise complainant as to which Director, Staff or other MBA appointed personnel have given due consideration to the complaint
- Provide a direct response to any specific matters outlined in the Complaint
- Advise if the matter is to be Referred to a Tribunal or Judiciary Panel
- Details of the MPIO officer you may wish to speak to for guidance with your complaint

If the complainant does not agree with this resolution or outcome, or there is dissatisfaction with the handling of the complaint, they can appeal this response in writing to [office@mandurahmagic.com.au](mailto:office@mandurahmagic.com.au)

- If the complaint remains unresolved, either party can refer the matter to Basketball Western Australia or other body dependent on the nature of the complaint.
- Any party may seek the assistance of an agent throughout this process.

The Policy of MBA is to provide the following response for any complaints (or items of) that are unsubstantiated or of a general nature:

*“MBA acknowledges the receipt of your general concerns in relation to (referee standards/player behaviour/other) and has advised our Competition Staff and Referee Co-ordinator of your concerns. Be assured that MBA is committed to ongoing development of our junior referees and invest in training and development annually. Please keep in mind that these referees are kids, our staff are here to ensure the game of basketball can be played – we are all on the same team”*

#### **Trivial/ Persistent Matters:**

The lodgement of persistent or trivial Formal Complaints or Reports is deemed to be against the Code of Conduct for Players, Coaches, Officials, Parents, Administrators and Volunteers, and in some cases can be considered to bring the Association or the Competition into disrepute.

Where such actions are identified, it will be presented to the MBA Board for consideration and to determine whether the matter will be referred to a Tribunal or Judiciary Panel for consideration.

#### **Financial Governance**

The Finance team will prepare and review policies, procedures and processes pertaining to financial matters within MBA. Documents to be endorsed by the Board.

#### **Reference Guide:**

BWA MPP