

<b>Policy No:</b> GQM-PR-002	<b>Issue Date:</b> November 2016	<b>Version:</b> 3
<b>Policy Title:</b> Member Protection – Complaints Handling Process		

## 1 Purpose

The purpose of this document is to detail the process to be followed by affiliated Life Saving Clubs (Club) and Life Saving Victoria (LSV) in response to any member complaint relating to alleged bullying, harassment, discrimination, or other alleged inappropriate behaviours demonstrated by another member/s or Club committee.

In all circumstances complaints should be referred to the Club or relevant executive groups/ council in the first instance (with the exception of alleged or disclosed instances of child abuse and neglect), where it is expected the complaint will be heard and managed according to an established Club complaint policy, LSV By Laws (or according to this Policy) and other related policies listed below).

Upon redirection to LSV, the Club/executive group must provide a report of the actions which were taken to resolve the matter.

## 2 Policy Base

The Process should be read in conjunction with the LSV Complaints Policy and the LSV Complaint Process Chart.

## 3 Applying this Document (Process)

### 3.1 Resolving issues

It is essential that members try to resolve differences with each other in the first instance. If unsuccessful, the Club's MPO should be the first contact.

### 3.2 Escalation of Major Breaches of discipline or policy

Refer to LSV By Law 5 and/or Section 4.6 of this document.

### 3.3 The Club MPO

In the first instance, a member complaint should be addressed to the Club MPO and resolved via the Club's member complaint process (refer to 3.0 – Club Constitution and/or Complaint Handling Process Chart).

### 3.4 Making a Request for Support

If the complaint is unable to be resolved, the complaint or enquiry should be made by the Club MPO, via an official LSV MPC referral form.

The form is available on the LSV website <http://lsv.com.au/clubs-members/support/member-welfare> or by request via [memberprotection@lsv.com.au](mailto:memberprotection@lsv.com.au)

Note:

- Verbal complaints or anonymous complaints will not be considered
- Complaints will only be addressed once LSV membership is confirmed

The LSV MPC will respond to the complainant by email within two business days of receiving the support request.

**3.5 Referring Complaints to the Appropriate Area**

In some instances complaints may relate to specific areas of lifesaving, including programs or events, and should be managed within the existing policies and procedures of that area.

The Complaints Assessment Officer (CAO) is established to determine the most appropriate areas for the complaint to be referred and make that recommendation to the MPC.

The LSV MPC will provide a summary of the complaint to the CAO to establish what / who the complaint is about and what outcome is being sought.

Once determined, the CAO will advise the MPC who will then inform the complainant or Club regarding the proposed resolution of the matter.

This may include referral to supporting resources and/or the LSV Member Protection Panel for further investigation.

- LSV MPC will liaise with the complainant
- LSV MPC will support the Club committee, Club MPO and LSV Member Protection Panel, with process information and resources to enable a timely resolution.
- Matters of child protection will be referred to the CEO or their delegate for immediate attention

**3.6 Investigation and Resolution of Complaints**

The nature of complaints necessitates the implementation of processes empathetic to the unique circumstances in which complaints occur.

The classification of complaints are categorised as follows:

Member to Member Issues	The M&LD Member Protection Coordinator and Member Protection Officer Panel will handle these matters.
Club Governance Issues	The Council of Lifesaving Club Directors will refer these matters to an experienced and appropriate Volunteer Member to assist the club.
LSV State Officer Issues	The relevant Council Executive/Committee will manage these matters in accordance with LSV By Laws and Position Description.
Major Disciplinary Issue	These matters will be referred directly to the Grievance and Judiciary Committee.
Program & Activity Based Issues	These matters will be referred to the most appropriate Council Executive/Committee responsible for the delivery of the program/activity where the complaint originated.

**4 Investigation of Member to Member Related Matters**

The information below details LSV Complaint Handling Process.

This process will be initiated should the Club MPO/Director through education and application of policy be unable to affect a resolution after providing information to a complainant.

This process will be only initiated if upon review, is deemed necessary and appropriate by the LSV MPC and/or the LSV Member Protection Panel.

Investigation Process:

- The person/s against who the complaint has been made (respondent) will be advised in advance by a LSV MPO, appointed by the LSV Member Protection Panel, that they are required to attend a meeting and that the allegations will be raised at that meeting.

- The respondent will be provided with accurate information regarding the nature of the complaint with sufficient time prior to meeting and/or interview (reasonable sufficient time considered to be no less than 1 week).
- The respondent will be informed of their right to have a support person present at this meeting.
- Any request for further information or clarification should not unduly delay the process.
- The interview should be in question and answer form and the LSV MPO interviewer will take notes. The record of interview should be signed by all parties upon completion.
- A support person should not interject in any interview. The support person, on record, should be asked upon completion of the interview if they have any concerns regarding the procedure.
- Upon completion of the interview, the respondent should be informed that the position of both parties will be considered by the LSV MPO and/or by the LSV Member Protection Panel, as required, and an appropriate course of action determined with an aim of resolving the matter.
- If the investigation establishes there has been a breach of policy and/or regulation it should be referred to the LSV Grievance and Judiciary Committee under By Law 5.

#### **4.1 Interview Witnesses and Collate Other Information**

If insufficient information is available regarding the complaint, other interviews may be required, which will be conducted by an LSV MPO with persons nominated by either party or with the LSV MPC. These interviews will be conducted using the same guidelines as above.

#### **4.2 Resolving the Complaint**

The information gathered from the investigation should be considered and an appropriate course of action decided. The action will depend on the nature of the allegations, the response of the respondent and the respective person/s involved.

Based on all information, provided the following outcomes may be recommended:

- No further action to be taken
- Mediation
- Counselling
- A written apology
- Referral to the Grievance and Judiciary Committee

#### **4.3 Mediation**

In most cases, mediation will be a suitable pathway. This provides the complainant and the respondent the opportunity to express their views in a measured environment (mediation conference) with a third party mediator who can assist facilitate discussion through to resolution.

This may involve a written apology and/or an agreement to refrain from certain behaviours or actions. Where there are admissions that constitute a breach of policy or regulation, the matter will be referred to the Grievance and Judiciary Committee.

#### **4.4 Failure to resolve through Mediation**

If the complaint is not resolved through mediation, an LSV MPO should meet with the complainant and discuss the mediation conference. In this instance, the investigator may suggest that the issue be escalated to an external agency.

Alternatively, the investigator can propose to the complainant of possible courses of actions (refer to SLSA Member Protection Policy 6.5). The complainant may be satisfied that despite no resolution, their complaint has been heard and action has been taken.

#### **4.5 Counselling**

Independent counselling may be sought by the complainant to support the resolution process. Counselling may be used as a tool to assist complainant to work through how the experience or behaviour has impacted them and what resolution or change they are seeking.

**4.6 Referral to the LSV Grievance and Judiciary Review Committee**

Unresolved disputes between office bearers and the relevant executive groups/councils will be referred to Grievance and Judiciary Committee.

Any matters that are likely to result in disciplinary measures will be referred to the LSV **Grievance and Judiciary Review Committee** (refer to LSV By Law 5).

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include an official warning, demotion from Club role or suspension, suspension of membership or cancellation of membership.

Any disciplinary measure imposed under this policy must:

- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach; and
- Be determined in accordance with the Club Constitution, By Laws, this policy and/or SLSA and LSV Rules and Regulations.

**5 Appendix - Attachments**

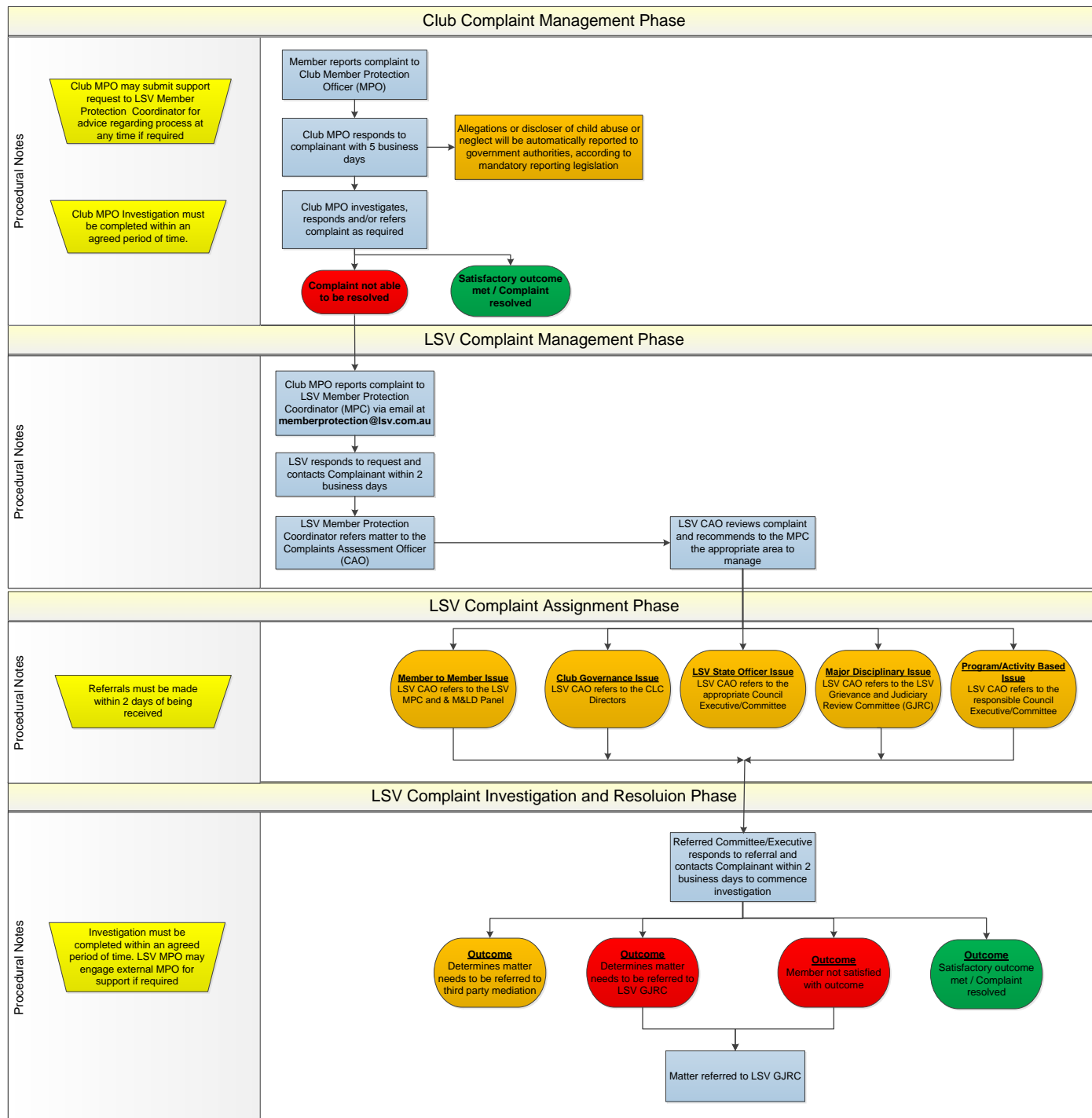
Please refer to the following attachments which support this process:

- A. Complaints Process Chart
- B. Complaint Support Request Form (for members requesting support with a member protection issue)
- C. Complaint Handling Reporting Form
- D. LSV Review and Grievance Committee Process

**6 Procedural Governance**

Approved for release by:	Designation	Review Date
CEO	Membership and Leadership Development Council Human Resources	June 2017

APPENDIX A: Complaints Process Flow Chart



**APPENDIX B: Complaint Support Request Form**

(for members requesting support with a member protection issue)

**Member Protection/Complaints Support Request Form**

This form will be referred to a qualified volunteer MPC/ MPO for evaluation

Please allow **2 working days** upon submission of this form for an initial response

Date of Referral to LSV       /       /       Date of Complaint/Alleged Incident       /       /       .

Name of Complainant \_\_\_\_\_

Financial Member of \_\_\_\_\_ LSC

Preferred contact number \_\_\_\_\_

Preferred email address \_\_\_\_\_

Preferred day / time for contact \_\_\_\_\_

Does the Complaint relate to the treatment of a child under the age of 18 years?\*

Yes     No

Immediate matters (or the suggestion) of child harm should be referred to Child Protection Crisis Line 13 12 78 (24 hours, 7 days a week, toll free within Victoria)

**Adult members have a duty of care under law to report:**

*A new criminal offence for failing to protect a child under the age of 16 from a risk of sexual abuse commenced on 1 July 2015. The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.*

*\*Any spectrum of behaviour which could unduly affect the wellbeing of a junior member will be managed as priority*

**ISSUE SUMMARY**

What is the enquiry or complaint about? (Please tick relevant box(es) and explain briefly a statement of complaint below)

- Sport/ Competition       Awards/Training       OH&S       Committee
- Member Conduct       Life Saving/Patrols       Other

---



---



---



---

**OUTCOMES – What solution is being sought?**

---



---



---

**CLUB INTERFACE – Has the complaint been referred to the Club?**

- Yes     No

If Yes, date of complaint \_\_\_\_/\_\_\_\_/\_\_\_\_.

Name of Club MPO or Club Officer who took complaint (and role if applicable)

---

Briefly describe how complaint was handled at club level:

What date was the last follow up by a Club MPO or Club Officer \_\_\_\_/\_\_\_\_/\_\_\_\_

---

LSV Office Use Only

Received By: \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Correspondence Acknowledged on: \_\_\_\_/\_\_\_\_/\_\_\_\_ via Email / Phone

ADVICE PROVIDED (to resolve issue – please attach relevant correspondence and paperwork):

Referred to following LSV MPO for further investigation (if applicable):

\_\_\_\_\_

Date referred to LSV MPO follow up (if applicable): \_\_\_\_/\_\_\_\_/\_\_\_\_



**ATTACHMENT C: Complaint Handling Reporting Form**

COMPLAINANT NAME:	
CLUB:	
DATE SUPPORT REQUEST FORM RECEIVED:	
LSV MPO Actioning Complaint:	
<b>INDICATE TYPE OF ISSUE</b> eg: Member to Member, Member to Club, Other (please specify)	
Date MPO Correspondence Actioned: ____ / ____ / ____	
ACTION TAKEN (please record action/s taken to resolve this issue including who was questioned and consulted - please attach all correspondence and paperwork):	
DATE COMPLAINANT NOTIFIED OF RESOLUTION: (copy of correspondence attached)	____ / ____ / ____
LSV MPO SIGNATURE:	

Complaints Handling Reporting Form  
(for LSV Member Protection Officer (MPO) to complete)

**APPENDIX E: LSV Grievance and Judiciary Review Committee Process Chart**

