



**SPORT INTEGRITY
AUSTRALIA**



**FOOTBALL
AUSTRALIA**



WHAT IS A ‘COMPLAINTS HANDLING PROCESS’?

This process is designed to give people an opportunity to make a formal complaint, to an independent organisation, about the conduct of another individual, group or organisation. When people submit complaints, Sport Integrity Australia will be able to conduct investigations and hold individuals or organisations accountable for unacceptable behaviour in sport. We will only respond to complaints we receive and will not conduct investigations beyond this. This process is focused on the investigation and resolution of individual complaints and is not designed to be a broad review of the culture or governance of football.

What can be submitted?

Sport Integrity Australia will manage submissions related to conduct which:

- occurred in Football Australia’s National Programs (including the men’s and women’s national teams, and the A-league clubs, including the A-League, W-League and Y-League), and
- falls within one of these categories of Prohibited Conduct:
 - Abuse
 - Bullying
 - Child Abuse
 - Child Grooming
 - Endangering the safety of a child
 - Harassment
 - Sexual misconduct
 - Unlawful discrimination
 - Victimisation
 - Vilification

Definitions of each type of Prohibited conduct are available in Football Australia’s [Complaints, Disputes and Disciplinary Policy For Independent Handling of Complaints Relating to Prohibited Conduct](#).

Who can make a submission?

Anyone who has information that meets the criteria above can make a submission.

How do I make a submission?

To make a submission you can fill in our online form at www.sportintegrity.gov.au which will be available from 1 November 2021.

If you need assistance in making your submission you can call us on 13 000 27232 and select option 3.

The process will be open for people to submit complaints between 1 November 2021 and 31 January 2022.

Submissions should include as much information as possible about the conduct so that Sport Integrity Australia can best understand the issue.

What if I have a concern outside this scope?

If you have a concern about conduct outside this scope, for example around selection and eligibility, competition rules or code of conduct, you should contact Football Australia.

Information about other potential Prohibited Conduct (for instance an incident that occurred at a lower level of football) will be assessed by Sport Integrity Australia in accordance with our usual processes.



For these matters, this means Sport Integrity Australia will review submissions and either:

- refer the complaint to the relevant agency for action (for example law enforcement), or
- refer the complainant to Football Australia or the state sporting organisation.

Sport Integrity Australia will use the information to inform its education and policy work, but has no jurisdiction to formally manage complaints in football which are outside the scope of the ICHP.

What is the complaints process?

There are five steps to the complaints process: Making a Submission, Initial Evaluation, Investigation, Resolution and any Hearing. The [fact sheet](#) provides more information.

Can I make a complaint anonymously?

You cannot submit a complaint anonymously. This is because the respondent is entitled to procedural fairness and natural justice, which means they are entitled to know what the complaint is and who made it, so that they can respond.

If you have information you want to share, but do not want it to go through the complaints process, [submit a Report](#).

What is the difference between submitting a complaint and a report?

Complaints

- Complaints allow Sport Integrity Australia and Football Australia to take action against someone if it is found that they have committed Prohibited Conduct.
- Complaints can only be submitted by the person who experienced the alleged Prohibited Conduct.
- Complaints cannot be submitted anonymously.
- Complaints constitute "Formal Complaints" and will be processed according to the [Complaints Process](#).
- Sport Integrity Australia will be in regular contact with the person who submits a Complaint while it is being evaluated and if it proceeds to investigation.

Reports

- Reports allow Sport Integrity Australia to collect additional information outside Complaints, and may be used to support a formal complaint process or investigation.
- Reports can be submitted by:
 - Someone who has seen or heard about alleged Prohibited Conduct against someone else, or
 - Someone who experienced the alleged Prohibited Conduct, but who does not want to submit a Complaint.
- Unlike complaints, reports can be submitted anonymously, however you are encouraged to provide as much information as possible.
- If you submit a report about alleged prohibited conduct that happened to someone else, Sport Integrity Australia may contact the person who the alleged behaviour happened to.
- People who submit reports will not receive regular updates throughout the process.

Why should I make a complaint?

We all want sport to be safe and fair for all participants. No one should have to tolerate abuse or bullying in football. This process is your opportunity to speak up about unacceptable behaviour that you have experienced or witnessed. Although it can be difficult, by speaking up, you can help ensure football is a safe environment now and into the future.

What is the burden of proof to determine whether a complaint leads to sanction?

Sport Integrity Australia will consider the outcome of each matter on the balance of probabilities – that is, was the behaviour more likely to have occurred than not.

Who determines any resolutions or sanctions?

If Sport Integrity Australia believes that Prohibited Conduct is more likely to have occurred than not, we will make a sanction recommendation and Football Australia will communicate this to the respondent in a 'Breach Notice'. Football Australia will enforce the sanction. The respondent can choose to seek a hearing in response to the Breach Notice in the National Sports Tribunal.

If it is appropriate, Sport Integrity Australia may also refer parties to mediation through the National Sports Tribunal. All parties would have to consent for this to occur.

Can I make a submission about something I saw (that didn't involve me?)

Anyone who has information about possible Prohibited Conduct can make a submission.

Complaints can only be submitted by the person who experienced the conduct.

Other people who have information or who witnessed an incident can submit a report. You may be contacted to provide more information or be a witness if required.

If somebody reports an issue that involves you, we will contact you and ask if you would like to make a complaint. It is entirely up to you whether you would like to be involved in the process.

Will I be kept up-to-date with an ongoing assessment?

If you are the one to submit the complaint and the alleged conduct happened to you, Sport Integrity Australia will be in regular contact with you throughout the process. We will initially contact you to confirm that your complaint has been received, then to confirm whether or not it has been deemed in scope, and again throughout the investigation and resolution process. You will also be provided contact details to follow up on your complaint at any time if required.

If you submit a report about information you have seen or heard regarding alleged conduct against someone else, you will not receive regular progress updates, however you may be asked to participate if an investigation proceeds.

What if the conduct I report is a criminal offence?

If your complaint includes conduct that might be a criminal offence, Sport Integrity Australia may need to report it to a law enforcement agency. We will talk to you before we do this, and will never provide your details without your permission, unless we believe there is risk of imminent harm.

If I make a complaint, will it be kept confidential?

All matters will be kept confidential and will not be disclosed to any third parties outside the people directly involved in the matter (ie the respondent and any witnesses, as part of procedural fairness). We will not provide comment (to the media, or any other parties) confirming or denying whether someone has submitted a complaint or not.

If the matter proceeds to investigation, we will provide your name and details of the allegations to the respondent (the person the complaint is about). This is important for procedural fairness.

Football Australia will become aware of the nature of your complaint at the resolution stage of the process because they are required to impose any sanctions.

How long will the process take?

Each complaint varies, and every process is different. There are lots of factors that impact how long an investigation can take, including how complex the issue is, the availability of people to participate in our investigation process and ensuring that all parties have an opportunity to have their say. We will keep you updated on the progress of your complaint throughout the process.

What if I have already made a complaint before?

If you have already made a complaint about the same conduct previously, and it has already been considered by Football Australia under a disciplinary process and a formal determination made by Football Australia or a Football Australia tribunal, you cannot make a second complaint about the same conduct.

Which matters will be heard at the National Sports Tribunal?

At the end of an investigation, Sport Integrity Australia may recommend disciplinary measures (such as a ban from sport) be taken against a respondent. If this happens, the respondent may elect to seek a hearing in the National Sports Tribunal (NST). At this point, you may be requested to appear as a witness in the NST.

Can a parent or guardian submit a complaint on behalf of a child, even if they are now over 18?

Yes, however we would still need the consent/ agreement of the person who experienced the conduct to progress it if they are now over the age of 18.

Will I have access to additional support if I need it?

You can have a friend, family member or other support person with you throughout the process (for example, they can be present during any interviews). Mental health and wellbeing support will also be available.

Can I withdraw my complaint during the process?

Yes – you can withdraw anytime by advising us by email.

How will submissions be managed?

All submissions will be managed in accordance with Football Australia's *Complaints, Disputes and Disciplinary Policy For Independent Handling of Complaints Relating to Prohibited Conduct* and Sport Integrity Australia legislation.

Other questions?

All submissions must be made via the Sport Integrity Australia website. If you need assistance in understanding how to fill out the form, you can also call us on 13 000 27232, and selecting option 3. If you have other questions, please contact footballcomplaints@sportintegrity.gov.au

DISCLAIMER:

This document does not replace Football Australia's *Complaints, Disputes and Disciplinary Policy For Independent Handling of Complaints Relating to Prohibited Conduct*. The policy should be read for any inconsistency, confusion or further details. The policy applies and overrules this document in any instances