



COMPLAINTS, DISPUTES AND DISCIPLINE POLICY

Step by step guide to the Complaints process

The complaints process is set up to keep Australian sport safe and fair. This document outlines how complaints about unacceptable behaviour will be managed under the *Complaints, Disputes and Discipline Policy*.

STEP 1 MAKING A COMPLAINT

You can lodge a complaint to Sport Integrity Australia about allegations of Prohibited Conduct relating to:

- child safeguarding
- discrimination based on a protected characteristic
- abusive behaviour towards a person with disability.

This can be submitted [using the online form](#). Assistance is available by calling the Safe Sport Hotline on 1800 161 361.

Complaints about other Prohibited Conduct should be submitted to your sporting organisation.

STEP 2 EVALUATION

When a complaint is received, it will be evaluated to work out if it is in scope and will be managed through the complaints process. To be in scope, a complaint needs to meet the following criteria:

- The person who submitted the complaint is the person directly affected by the alleged conduct (or their authorised representative), or the parent/carer of a vulnerable person directly affected by the alleged conduct.
- The alleged conduct meets the definition of Prohibited Conduct under any of the [National Integrity Framework](#) policies, or under one of the sport's relevant policies (refer to the sport's national website).
- The alleged Prohibited Conduct occurred after the sport's [commencement of the National Integrity Framework](#) or relevant policy.
- The person or organisation accused of wrongdoing was bound by the sport's policies at the time the alleged conduct occurred.

From this point on, the complaint may also be referred to another organisation, such as the police or a child protection agency.

Who manages complaints?

Complaints about alleged conduct under the *Safeguarding Children and Young People Policy*, or relating to discrimination based on a protected characteristic, including race, disability, sex, religion or age, or abusive behaviour towards a person with disability can be submitted to Sport Integrity Australia.

Case categorisation

When a complaint is submitted, Sport Integrity Australia considers the alleged conduct and other contextual information to determine the most appropriate way to manage the complaint. This includes using the [case categorisation model \[PDF 2.6 MB\]](#) and considering relevant aggravating and mitigating factors that may apply. An example of a mitigating factor may be the age of the parties or lack of prior complaint history.

Complaints may be managed through a range of measures, including education and other behavioural management strategies. In some cases, the alleged conduct will be investigated and lead to a finding about what may have happened.

STEP 3 INVESTIGATION

An investigation is the process of determining what has happened based on the balance of probabilities. As part of an investigation, people involved with the complaint, including witnesses, may be contacted to provide information about the allegations that have been made. In more complex matters, the people involved in the complaint may be required to participate in formal recorded interviews.

It is important that enough information is received to make an informed decision, so depending on the complexity of the complaint, this can take time. Parties to the complaint will be kept updated at appropriate points during the process.

STEP 4 FINDINGS

If a person's complaint is investigated, there are four possible findings that can be made.

Substantiated: There is sufficient evidence to suggest the alleged conduct is more likely to have occurred than not and amounts to a breach of policy.

Partially substantiated: Based on the evidence, some, but not all, of the alleged conduct is found to have occurred, and that conduct still amounts to a breach of policy.

Unsubstantiated: If, based on the evidence, it is more likely than not that the respondent did NOT breach a policy, the allegations will be found to be unsubstantiated and the matter will be closed with no further action.

Unable to be substantiated: Based on the evidence, it is more likely than not that the Respondent did not engage in the alleged conduct, or the conduct does not amount to a breach of policy. The matter is then closed with no further action.

When a matter is managed by Sport Integrity Australia, they will notify the parties to the complaint of the findings and refer the matter to the sport to manage the resolution process, including guidance on sanctioning if applicable.

STEP 5 RESOLUTION

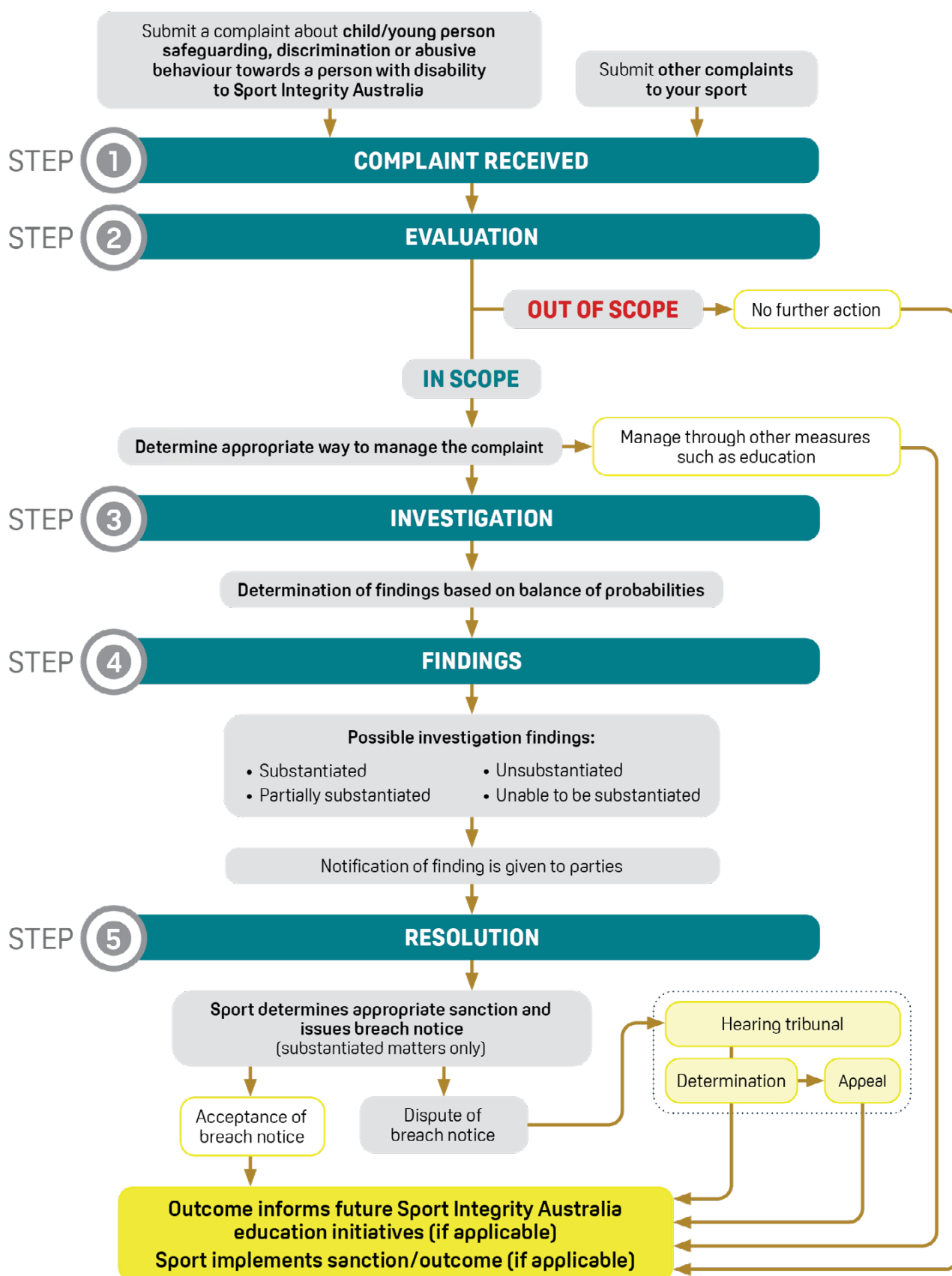
If a complaint is found to be substantiated, the sport is responsible for issuing a breach notice to the respondent and may also determine an appropriate sanction.

A sanction can include a range of measures, from a reprimand to a suspension or expulsion from the sport, depending on the category of the breach.

The respondent can either accept the breach notice and proposed sanction, at which point the matter will be finalised, or they can choose to dispute the findings against them and/or the proposed sanction at a hearing tribunal.

The sport will enforce any sanctions that result from the complaints process.

[Click here for a text alternative of the flowchart](#)



Disclaimer: This fact sheet does not replace the National Integrity Framework Complaints, Disputes and Discipline policy. The policy applies and overrules this fact sheet in any instance.



An alternate text description of the Sport Integrity Australia complaints process flowchart

Prior to Step 1: A person will submit a complaint about child/young person safeguarding, discrimination or abusive behaviour towards a person with disability to Sport Integrity Australia or submit other complaints to your sport.

Step 1: Complaint received.

Step 2: Evaluation. A complaint is deemed either in scope or out of scope.

If out of scope, there is no further action and this outcome informs future Sport Integrity Australia education initiatives (if applicable) and/or the sport implements the sanction / outcome (if applicable).

If in scope, Sport Integrity Australia determines the appropriate way to manage the complaint. If the most appropriate way to manage the complaint is through other measures such as education, this outcome informs future Sport Integrity Australia education initiatives (if applicable) and/or the sport implements the sanction / outcome (if applicable).

Step 3: Investigation. Determination of findings based on balance of probabilities.

Step 4: Findings. Possible investigation findings: substantiated, partially substantiated, unsubstantiated, unable to be substantiated. Notification of finding is given to parties.

Step 5: Resolution. Sport determines appropriate sanction and issues breach notice for substantiated matters only.

The breach notice can either be accepted or disputed. If accepted, this outcome informs future Sport Integrity Australia education initiatives (if applicable) and/or the sport implements the sanction / outcome (if applicable).

If disputed, the complaint is referred to a hearing tribunal, which will deliver their own determination. Regardless of the outcome from the hearing tribunal, this outcome informs future Sport Integrity Australia education initiatives (if applicable) and/or the sport implements the sanction / outcome (if applicable).

[Click here to return to the flowchart graphic](#)