



GRIEVANCE/DISPUTE PROCEDURE

1 Purpose

- 1.1 The Italo Australia Club Inc (IAC) understands and recognises that an individual exposed to a grievance/dispute (regardless of the cause) may suffer adverse physical or psychological harm which may be likely to affect their overall health and wellbeing.
- 1.2 IAC remains committed to ensuring a harmonious and cooperative environment where all stakeholders are able to perform to the best of their ability in a positive atmosphere, without fear of victimisation, intimidation, harassment and/or bullying.
- 1.3 The Grievance/Dispute Procedure (the Procedure) is intended to provide greater awareness of the value of establishing and maintaining a respectful club environment and as such, has been developed to ensure that disputes attributed to any types of grievance are dealt with fairly, expeditiously and consistently.

2 Scope

- 2.1 The Procedure applies to all Stakeholders of the IAC and addresses issues such as, but not limited to: Bullying, Harassment, Intimidation, Victimisation, Disputes and/or Discrimination.

3 References

- 3.1 **Legislative**
 - 3.1.1 *Work Health and Safety Act 2012 (SA)*
 - 3.1.2 *Work Health and Safety Regulations 2012 (SA)*
- 3.2 **IAC Documents**
 - 3.2.1 *WHS & Environment Policy*
 - 3.2.2 *Child-Safe Environment Procedure*
 - 3.2.3 *Social Media Procedure*

4 Definitions

Aggrieved Party	A person who; has been oppressed or wronged grievously.
Bullying	Repeated hostile or bullying behaviors against a person or a group of persons intended to undermine degrade or intimidate.
Disability	A particular physical or mental impairment or incapacity
Discrimination	Unjust or prejudicial treatment of an individual (or group of individuals) based on their actual or perceived membership in a certain group or category.
Dispute	Disagreement or argument between two parties.
Grievance	A concern of a person, which may be considered as grounds for complaint.
Harassment	Repeated and/or unreasonable behaviour directed towards a person, or persons, which creates a risk to their health and welfare, perceived and/or actual. This may also include the possibility of harassment/bullying in relation to a person's sex, marital status, age, race, sexual preference, ethnicity, any disability they may have, and the nature of the relationship between the parties.
Intimidation	To make timid or fearful.



Member	A person who is involved in any way with the club relating to activities such as but not limited to: Management, Training, Coaching, Volunteering, Contracting, or any person in the club who has the capacity to make decisions that affect the whole, or a substantial part, of IAC.
SAPOL	South Australian Police.
Sexual Harassment	Engaging in a course of vexatious comment or conduct against a person because of sex, sexual orientation, gender identity or gender expression, where the course of comment; or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation; where the person making the solicitation knows or ought reasonably to know that the solicitation or advance is unwelcome.
Stakeholder	An individual who has a vested interest in an organisation and who can affect, or be affected, by operations or performance. This may include employees, customers, suppliers, communities, or club members.
Victimisation	To treat someone unfairly for making a complaint or not supporting someone who has made a complaint.
Vexatious	Causing trouble; provoking irritation or anxiety by causing trouble.

5 Procedural Principles

5.1 General

- 5.1.1 IAC offers a supportive culture (where ever practicable) free from harassment, discrimination, victimisation, intimidation and bullying, through provision of leadership, training and education, and by creating a club environment where persons are treated fairly and with courtesy, dignity and respect.
- 5.1.2 IAC Members are accountable for their behaviour and/or actions, particularly where others may be affected and as a result, they are encouraged to abide with the IAC Code of Conduct when at the club or attending external club functions/activities.
- 5.1.3 Inappropriate behaviour to club Members (or their immediate family), or Children and Young People identified as occurring within the club, or at any external club activity, or through IAC social media outlets, where as a result of inappropriate actions or comments, individuals may be personally affected by the behaviour and/or actions of others, as to feel harassed, discriminated, victimised, intimidated or bullied, shall be identified, managed, and where possible eliminated by IAC through prompt, timely and efficient intervention.
- 5.1.4 Any person may be subjected to harassment, discrimination, victimisation, intimidation and bullying (regardless of cause) but not all instances are unlawful, however, where reference is made, or there is the possibility: relating to a person's race, gender, sex, sexuality, disability, injury/illness and or personal characteristics then this is unlawful and these types of behaviour **will not** be tolerated by IAC.

5.2 Unacceptable Behaviour

- 5.2.1 Unacceptable behaviour at IAC may arise through verbal or physical abuse, through email, text messages, internet chat rooms or other social media platforms, and can be directed at a single person or a group of people. This behaviour is harmful to the receiver(s), and can also damage the reputation of IAC.
- 5.2.2 Generally, unacceptable behaviour does not arise from a once off event, however where this continues or conflict escalates to the point where the safety or wellbeing of an individual(s) is, or may be, impacted then it should not be ignored.



5.2.3 Unacceptable behaviour can occur unintentionally, where actions which were not intended to humiliate, undermine, threaten or victimise a person actually have that effect, and these issues need to be addressed promptly in order for the behaviour to cease.

5.2.4 Harassment, discrimination, victimisation, intimidation and bullying can take many forms, including any of the following examples, which may become grounds for submission of a grievance:

- *Direct verbal and physical threats of violence;*
- *Aggressive behaviour;*
- *Unfair and excessive criticism;*
- *Publicly insulting or humiliating individuals and/or others (verbally or via social media platforms);*
- *Spreading mis-information and/or rumors; and*
- *Yelling/screaming abuse.*

5.2.5 Where a grievance has been submitted to IAC by a Member, or a third party, then IAC will undertake immediate and necessary action in order to resolve the issue.

5.3 Zero Tolerance

5.3.1 There are some behavior's which are totally unacceptable to IAC and these include but are not limited to:

- *Harm or risk of harm to Children and Young People;*
- *Inappropriate images/filming of Children and Young People;*
- *Teasing or putting people down;*
- *Shouting or yelling at people;*
- *Unwelcome comments about a person's personal life;*
- *Posting unwelcome comments on any IAC social media platforms;*
- *Offensive jokes based on sexual preference, or a person's race, ability, disability, pregnancy, age, religion, marital status, sexuality or physical appearance;*
- *Unwelcome physical contact such as touching or fondling;*
- *Indecent physical and/or verbal assault; and*
- *Unfair treatment of person(s) making a complaint, or supporting someone who has made a complaint.*

5.3.2 Any IAC Member identified as displaying any inappropriate behaviour will be immediately stood down from their role at the club, pending a review of circumstances arising. Where identified that the Member was in the wrong, they will no longer be welcomed at IAC.

5.4 Roles & Responsibilities

5.4.1 Regardless of position held within IAC everyone should model respectful behaviour at all times, and encourage those they have responsibility for to report unacceptable behaviour as soon as it is observed or experienced, in order it can be managed in a timely and efficient manner.

5.4.2 The IAC Board will undertake to deal with unacceptable behaviour as soon as they are made aware, ensuring that all reports are taken seriously and are referred promptly for review.

5.5 Grievance/Dispute Process

5.5.1 A grievance/dispute may be received by the IAC Board in writing or made verbally, and may be issued directly from Member's, or by a third party where they believe, or witness a person has been aggrieved, and where the affected person does not choose to, or is to intimidated to submit a grievance/dispute.



- 5.5.2 IAC encourages Members to report to any IAC Board Member, soon as practicable to do so, a grievance/dispute occurring within the club environment, or at any external club activities, which may be likely to affect themselves and/or their immediate family members. **NOTE:** In the case of harm, or risk of harm to Children and Young People, refer to the Child-Safe Environment Procedure.
- 5.5.3 In the first instance, where ever practicable, efforts should be undertaken to directly resolve the grievance/dispute by the affected parties, ideally within fourteen (14) days, however where this cannot be achieved then referral of the matter to an IAC Board Member is required.
- 5.5.4 The Board Member should, immediately upon knowing about the grievance/dispute, advise the IAC President who will in turn arrange a review of circumstances arising, as soon as is practical to do so following receipt of the report (refer to Annexure A). **NOTE:** Where the grievance is against the IAC President then the responsibility for investigating will cascade down the Board (i.e.: Vice-President, Secretary, Directors, etc.).
- 5.5.5 The IAC President (or delegate) shall appoint two (2) Board Members to undertake the review process which will involve contacting all parties involved in the grievance/dispute to gain a full understanding of the circumstances presenting.
- 5.5.6 Should the appointed Board Members undertaking the review require further assistance/expertise, they may seek assistance/advice from an independent external third party who has experience in handling grievances/disputes (refer to Annexure C).
- 5.5.7 Where identified in the review process there is a need for mediation to occur, this shall be actioned through an independent third-party provider, with experience in counselling and mediation (refer to Annexure C).
- 5.5.8 Any aggrieved party may choose to have a person to support them during the review process. This person is there purely for support, **not** to act as a mediator, or to initiate any action.
- 5.5.9 IAC Members affected by the grievance/dispute shall be advised of the outcomes of the review, and the corrective actions implemented. The review outcomes shall remain confidential between the affected parties, and shall not be discussed with anyone else, or posted on any social media outlets. Where identified that comments have been posted on any IAC social media platforms regarding the review or events, these will be immediately removed by the person in charge of the IAC social media platform (refer to the IAC Social Media Procedure).
- 5.5.10 Any identified and **proven** cases of harassment, discrimination, victimisation, intimidation and/or bullying occurring at the IAC will result in membership being revoked, or in the case of a Board Member, immediate removal from their role.
- 5.5.11 Where proved that the grievance/dispute was vexatious (made with the intent of causing harm or distress) appropriate action will be taken against the person making the vexatious complaint. This may result in instant revoking of club membership.

5.6 Physical Threat

- 5.6.1 A threat of physical harm may include, but is not limited to; verbal advice that harm will be done to a person(s) or written communication indicating intent to cause bodily injury or possible death threats to another person. Actual physical harm is when a person is handled (in any manner) and fears they may suffer trauma, injury, disfigurement, permanent disability or death as a result of the handling.
- 5.6.2 Where there is inappropriate behaviour, which involves physical assault or threat of physical harm, SAPoL are to be **immediately** notified. This can be by any person present at the time, or by the aggrieved party, or an IAC Board Member.



- 5.6.3 IAC Members should **not** attempt to restrain a person threatening physical harm (particularly if they are exhibiting weapons). Where ever practical, threatened persons should move to a safe and secure area, away from the person making the threat until the arrival of SAPoL.
- 5.6.4 Information relating to the physical threat (actual or perceived) shall be recorded on a club Report Form, and maintained in a secure and confidential manner by the review team.

5.7 Confidentiality

- 5.7.1 Information provided to IAC regarding a grievance/dispute (regardless of the cause) shall be kept confidential with no disclosure made to any parties outside the review team, without the written consent of the person submitting the grievance/dispute (refer to Annexure B) **NOTE:** The exception to this will be in the case of a physical threat where SAPoL will be immediately notified.
- 5.7.2 Where required, IAC shall protect the identity of those involved in the grievance/dispute with access to documentation relating to the grievance/dispute only permitted to the review team.
- 5.7.3 Findings relating to a grievance/dispute shall be documented and maintained in a secure and confidential file by the review team. These records shall be maintained at IAC for a period of no less than twenty (20) years.



ANNEXURE A

GRIEVANCE/DISPUTE PROCESS FLOW





ANNEXURE B

RELEASE FORM

Name of Person providing approval	
Signature	
Date	
I hereby approve the release of information regarding my grievance/dispute for the purposes of undertaking further review of circumstances arising.	
Name of Person releasing information	
Signature	
Date	
Name of Person information provided to	
Date information released	
<i>NOTE: This form is to be filed in the records obtained by the review team and held on file by IAC for a period of no less than twenty (20) years.</i>	



ANNEXURE C CONTACT PERSONNEL/ORGANISATIONS

ORGANISATION	CONTACT NUMBER	ADDRESS
Community Counselling & Care	8725 1843	50A James Street Mt Gambier
Liz Jarrett Counselling Services	8723 6817	47 Margaret Street Mt Gambier
Liz Moriarty & Associates	8723 1999	10 Eleanor Street Mt Gambier

CRISIS COUNSELLING	
Lifeline Australia	13 11 14
Kids Help Line	1800 551 800
Beyond Blue	1300 224 636