



SPORT INTEGRITY
AUSTRALIA



Personal Grievances Policy

V2 18 June 2022

Authorisation:

Adopted by the Board in accordance with the Constitution, s29.1,
18th June 2022, effective from 21st July 2022

A handwritten signature in black ink, appearing to read "John F.", is written over a light grey rectangular background.

Secretary

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1. Definitions

Defined terms not otherwise defined in this Policy have been defined in and have the meaning given to them in the Australian Croquet Association Inc (ACA) National Integrity Framework. In this Policy the following words have the corresponding meaning:

Personal Grievance means any type of interpersonal conflict or dispute between Relevant Persons and/or Relevant Organisations that falls short of the threshold for abuse, bullying, harassment, or sexual misconduct under the ACA Member Protection Policy.

Policy means this Personal Grievances Policy including any schedules and annexures.

Relevant Organisation means any of the following organisations:

- (a) Australian Croquet Association Inc (ACA), trading as Croquet Australia or Gateball Australia
- (b) **Croquet and/or Gateball Organisations**, which includes:
 - (i) Member Organisations;
 - (ii) Clubs; and
 - (iii) Authorised Providers, which means any non-Member organisations authorised to conduct Activities sanctioned by ACA or a Member Organisation;
- (c) Team, which means any collection or squad of athletes who compete and/or train in Croquet and/or Gateball and
- (d) Any other organisation who has agreed to be bound by this Policy.

Relevant Person means any of the following persons:

- (a) Individual Member;
- (b) Participant;
- (c) Employee;
- (d) Contractor;
- (e) Volunteer; and
- (f) Any other individual who has agreed to be bound by this Policy.

2. Purpose

2.1 Purpose of this Policy

This Policy has been adopted alongside the ACA National Integrity Framework to establish a formal process for people and organisations engaging with the sports of Croquet and/or Gateball to resolve interpersonal conflicts and disputes that arise in the context of their involvement in Croquet and/or Gateball but do not involve a breach of an Integrity Policy or other ACA policy.

3. Jurisdiction

3.1 Who the Policy applies to:

This Policy applies to Relevant Persons and Relevant Organisations.

3.2 When the Policy applies

- (a) This Policy applies to interactions between Relevant Persons and Relevant Organisations in their capacity as Relevant Persons or Relevant Organisations relating to their involvement in the sports of Croquet and/or Gateball
- (b) The Policy does not apply to the following:
 - (i) a breach of an Integrity Policy under the ACA National Integrity Framework;
 - (ii) a breach of another ACA or Croquet and/or Gateball policy;
 - (iii) disputes relating to the employment of a Relevant Person;
 - (iv) interactions between Relevant Persons and Relevant Organisations that are not related to the sports of Croquet and Gateball and/or are not in their capacity as Relevant Persons or Relevant Organisations.

4. Dealing with Personal Grievances

4.1 Steps for resolving Personal Grievances under this Policy

- (a) Relevant Persons and Relevant Organisations are encouraged to attempt to resolve any disagreement or dispute that is subject to this Policy amongst themselves in the first instance.
- (b) Where a disagreement is unable to be resolved directly through discussion, or one of the parties to the disagreement is uncomfortable with approaching the other party directly or is otherwise unable to do so, the matter may then be referred to the management of the Croquet and/or Gateball Organisation of the level at which the dispute occurred. For example, if the subject of the disagreement relates to interactions at local club level and the parties to the disagreement are unable to resolve it amongst themselves, it may then be referred to the management of that club.
- (c) Where the relevant Croquet and/or Gateball Organisation or a member of the administration of the relevant Croquet and/or Gateball Organisation is a party to a Personal Grievance, the matter should instead be referred to the management of the Croquet and/or Gateball Organisation of the next level up. For example, if a dispute at local club level involves an individual involved in the running of the club, it should instead be referred to the relevant state-level organisation.
- (a) If a Personal Grievance is referred to a Croquet and/or Gateball Organisation under this Policy, it may in its absolute discretion, decide:
 - (i) to manage the matter under this Policy; or
 - (ii) to manage the matter internally in accordance with such other policies or procedures as determined by the board in its absolute discretion; or
 - (iii) that it is not appropriate for the matter to be dealt with under this Policy or internally at the Croquet and/or Gateball Organisation (in which case the matter will be considered closed).
- (b) If ACA or a member of the administration of ACA is a party to a Personal Grievance, the Board may, in its absolute discretion:
 - (i) refer the matter to the National Sports Tribunal to be managed in accordance with the processes of the National Sports Tribunal; or
 - (ii) decide to manage the matter internally in accordance with such policies or procedures as determined by the ACA board in its absolute discretion; or
 - (iii) decide that it is not appropriate for the matter to be dealt with under this Policy or internally at ACA (in which case the matter will be considered closed).
- (c) The Croquet and/or Gateball Organisation may, in its absolute discretion, appoint an independent third party to help facilitate a resolution to the dispute.
- (d) Where a Personal Grievance is referred for facilitated resolution under this Policy, it will be considered closed under this Policy once the facilitation process has concluded. Any ongoing issues between the parties to the disagreement must be dealt with by them in their personal capacity, unless either party engages in conduct that would amount to a breach of an Integrity Policy, which should then be handled under the ACA Complaints, Disputes and Discipline Policy, or any other ACA policy, which should be handled in accordance with the relevant policy.
- (e) Any costs associated with appointing an independent third party to help facilitate a resolution to the Personal Grievance will be apportioned as agreed between the parties (with such discussion facilitated by the Relevant Organisation) before the facilitated resolution session commences. If agreement cannot be reached, the session shall not proceed.
- (f) If ACA refers a matter to the National Sports Tribunal, the application fee may be paid by one party, or by the parties together, apportioned as determined by ACA or as otherwise agreed between them. Service charges may also be payable to the National Sports Tribunal, which will be negotiated as between the parties to the matter and the National Sports Tribunal, and determined by the National Sports Tribunal CEO.

5. Process for facilitated resolution of Personal Grievances

- (a) Where a Personal Grievance is referred for facilitated resolution, the relevant Croquet and/or Gateball Organisation may appoint an independent third party to assist in resolving the matter.
- (b) The individual appointed as a facilitator does not require formal qualifications as a mediator or conciliator but must have no connection with the parties or the issues involved in the disagreement and be a person who the Croquet and/or Gateball Organisation considers to be capable of facilitating a discussion to resolve Personal Grievances.
- (c) The facilitator to the discussion may make suggestions about possible ways of resolving the grievance but cannot impose a resolution. The facilitation process will be concluded either when the parties agree on an outcome, or after 14 days or such longer period as agreed by all parties involved if a resolution cannot be reached.
- (d) The parties must participate in the facilitated discussion in good faith.

6. Role of Member Protection Information Officers

- (a) Relevant Persons are encouraged to contact a Member Protection Information Officer (MPIO) if they require advice about the options open to them or support while going through the Personal Grievance resolution process.
- (b) For the avoidance of doubt, MPIOs cannot be appointed to facilitate discussions under section 5, as they are not considered to be independent.

7. National Integrity Framework

The ACA National Integrity Framework does not apply to this Personal Grievances Policy but sits alongside it. When interpreting this Policy, any provisions inconsistent with the ACA National Integrity Framework apply only to the extent of that inconsistency.