



COMPLAINTS HANDLING PROCEDURE

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Version Control

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Distribution

1. Included in the Murray Downs Golf & Country Club Policy Manual
2. Digital copies provided to all Board Members, Staff, Players, Officials, Parents/Guardians

ROLES AND APPOINTEES

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MURRAY DOWNS GOLF & COUNTRY CLUB

COMPLAINTS HANDLING PROCEDURE

COMPLAINTS PROCEDURE

**IF YOU BELIEVE A CHILD IS IN IMMEDIATE DANGER OR A LIFE-THREATENING SITUATION,
CONTACT THE POLICE IMMEDIATELY ON 000 (TRIPLE 0).**

The NSW Ombudsman provides a five-step process on handling general complaints¹.

1. **Complaint is received:** Complaints may be received in various ways, including online, by phone, email, social media, or in person.
2. **Record the complaint:** Record details of the complaint according to Murray Downs Golf & Country Club (hereafter referred to as 'the Club') policies and procedures, e.g., contact details of person making the complaint, verbal or written correspondence, details of the issue and how the complainant wants it to be resolved, and any support the complainant may need. If the complaint is resolved at first contact, record details about the resolution – such as referrals or information provided.
3. **Acknowledge the complaint:** Let the complainant know that you've received their complaint as soon as possible and within the Club's specific timeframe.
 - Consider the most appropriate communication channel – e.g., by phone or email.
 - Include a contact point for the complainant, key timeframes, and the likely next steps. This helps to manage what the Club expects of the complainant and what the complainant can expect of the Club.
4. **Assess the complaint:** Assess the complaint to decide what action to take next. An initial assessment may consider:
 - The Club's jurisdiction
 - Involvement of other organisations
 - Feasibility of the complainant's suggestion
 - Severity, urgency, and complexity
 - Health and safety implications
 - Impact on the individual, the general public and the Club
 - Potential to escalate
 - If there is more than one issue raised in the complaint – check if each issue needs to be handled separately.
5. **Decide what action to take:** After assessing a complaint, you will need to decide what action to take next:

¹ New South Wales Ombudsman (12 September 2022). SOURCE: <https://www.ombo.nsw.gov.au/guidance-for-agencies/effective-complaint-handling/complaint-handling-process>

- If you need more information or the complaint is very serious, you may need to investigate the complaint.
- If you don't need to investigate the complaint, advise the complainant of the outcome. Explain reasons for the decision, remedies, and options for review.
- Keep records about how the complaint was managed, the outcome, recommendations and any actions that need to be followed up.

COMPLAINT HANDLING FLOW CHART



WHAT IS A CHILD-RELATED REPORT?

A report is a process and recording of a safeguarding observation or incident or disclosure made to the Club entity by a person regarding the abuse, potential abuse of, or misconduct or other inappropriate behaviour involving a child in relation to their participation in golf or bowls.

A report should be made by any person who has a concern regarding, is aware of, or has been the subject of or impacted by, a safeguarding incident, or receives a disclosure from a child using either the:

- Record of informal complaint
- Confidential record of formal complaint
- Confidential record of child abuse allegation.

A person making a report to a Club entity may have a mandatory legislative obligation to report certain conduct or behaviour involving a Child to a government Child protection agency. Staff and volunteers are encouraged to familiarise themselves with the mandatory reporting and reportable conduct obligations that are applicable in NSW.

HOW TO MAKE A REPORT

Juniors, parents and/or affiliates are able to make a report by completing the relevant form provided at the time of complaint.

After completing the form, the junior, parent and/or affiliate should provide this to the appropriate Club senior staff member.

If a child or young person discloses information to you that you feel warrants a report to be made, submit a report of that disclosure, making sure to only include what the child disclosed and no further opinion or assumption from yourself – the report maker.

If you are unsure of how to respond if a child discloses abuse to you, see the “Responding to children and young people’s disclosures of abuse” factsheet on the Murray Downs Golf & Country Club website.

REPORT CATEGORY

There are a number of factors that may apply to the matters referred to in a report. For example, there may be different types of conduct and behaviour, degrees of severity of conduct or behaviour and the potential risk to the safety and wellbeing of a child.

Reports are assessed as being either:

- **A Category 1 Matter:** is the most serious type of matters, where there is likely to be the highest risk of or actual damage to the safety and wellbeing of a child. Category 1 Matter include, but are not limited to:
 - Conduct or behaviour that is likely to or has resulted in significant danger or damage to the wellbeing and safety of a child.
 - Any report that involves sexual abuse, a sexual offence, sexual harassment, grooming, or any other criminal behaviour.

- Any report of serious abuse of a child and
- Any report that is currently being investigated by or has been the subject of a determination or finding of guilt by the Police, government Child Protection agencies, any regulatory or external agency or the courts.
- **A Category 2 Matter:** is a serious matter that may include localised or lower-level conduct or behaviour and where there is no immediate or material concern regarding the safety and wellbeing of a child. A Category 2 Matter may include, but is not limited to:

- Conduct or behaviour that may be of concern but is not likely to or has not resulted in significant danger or damage to the wellbeing and safety of a Child.
- Any report of less serious abuse of child.
- Any report of recurring, inappropriate behaviour or conduct that is not a serious or immediate concern or threat to the safety and wellbeing of a child.
- **A Category 3 Matter:** is a matter that is not a Category 1 or 2 Matter. It may be a range of conduct or behaviour that may often be referred to as poor or improper practice. A Category 3 Matter includes, but is not limited to:
 - Inappropriate conduct or behaviour that does not involve or is not related to Sexual Abuse or Criminal matters.
 - Conduct or behaviour that may, at times, be inadvertent or unintentional.
 - Unacceptable conduct or behaviour that is not abuse or illegal.

REPORTING SAFEGUARDING MATTERS TO THE APPROPRIATE LEVEL

Staff should always make a report where:

- The staff has a reasonable concern about the safety, wellbeing, or care of a child.
- The staff is aware of, witnessed, or was involved in a safeguarding incident involving a child.
- The staff received a disclosure from a child.

If the staff has concerns regarding the immediate safety and wellbeing of a child, they should contact the Police by calling 000 immediately.

The general principle is that where practical safeguarding matters should be dealt with at the level of the sport that the behaviour, conduct, or incident occurred.

The following summary examples are provided way of illustration in the event of a Category 2 or 3 Matter:

- **Club Level Matter:** incidents that occur at club level, or that involved people operating at club level, should be report to and handled by the club at first instance.
- **District Association Matter:** events and/or competitions that are provided by the District Association should be reported to and handled by the District Association.
- **State Level Matter:** incidents that occur at state level, or that involve people operating at the state level, should be reported to, and handled by the state body at this first instance.

REPORTING TO STATE OR TERRITORY GOVERNMENT CHILD PROTECTION AGENCY AND THE POLICE

If Club Staff, Volunteers, and/or Affiliate believes a Child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Each state and territory have legislation which requires that certain conduct or behaviour involving a Child must be reported to a government Child Protection Agency, which is often referred to as 'mandatory reporting' or 'reportable conduct'. Staff are encouraged to familiarise themselves with the reporting requirements that are applicable to their state or territory.

If Club staff and/or affiliate receives a report which relates to a Category 1 Matter, such as serious abuse of a child, and the body reasonably believes that the child is, has been, or is at risk of being, the subject of abuse, the Club must report the matter to the relevant state or territory government Child Protection Agency.

EMERGENCY / CHILD AT RISK OF IMMEDIATE HARM

Call 000—Police for danger, ambulance for medical concern.

POLICE

Abuse/Criminal Allegations—Report straight to police—they should be the first port of call in case they need to conduct an investigation. The police are primarily interested in gathering evidence in order to conduct legal action.

If a matter involves the police, it is important that you seek their advice regarding telling anyone about the matter, including the person who is the subject of the allegation. You could jeopardise the criminal investigation if you tell the person that the police have been told (they start deleting hard drives or flee the country).

DEPARTMENT OF COMMUNITIES AND JUSTICE (DCJ)

If a child is at risk of serious harm, report to DCJ using <https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk>

DCJ focus on protecting children and removing them from danger. They include danger children may be in from their own family.

OFFICE OF CHILDREN'S GUARDIAN (OCG)

OCG are primarily focused on regulating and monitoring child related workers. They make sure that people working with children are appropriate and help organisations to improve child safety.

Reporting to OCG for concerns about a WWCC holder.

In terms of the Reportable Conduct team at the OCG, this only applies for sport during an overnight camp of more than two (2) nights. Unless it is an overnight camp, sport does not fall within the Reportable Conduct scheme.

HANDLING A REPORT

How will a report be managed?

All reports will be dealt with and managed in accordance with any and all legal and regulatory obligations, including in relation to any applicable mandatory reporting or reportable conduct legislation. The person/staff member handling a report on behalf of the Club and/or affiliate should consider all their legal and regulatory obligations, including employment law considerations.

In handling a report, the Club and/or affiliate should aim to manage and deal with a report as effectively and efficiently as possible. However, in handling reports under this policy, there are some minimum standards that apply.

- Deal with the report promptly, seriously, and sensitively and in accordance with the terms of this policy.
- Treat reports and safeguarding matters in a consistent and fair manner (whilst acknowledging that each report is unique).
- Recognise that procedural fairness is the minimum standard of fairness to be applied in the determination of a report.
- Keep the report confidential and not disclose a report to another person, except if
 - Required by law
 - Disclosure is necessary to effectively deal with the report or safeguarding matters in accordance with this policy (which may include disclosure to the Police or relevant State or Territory government Child Protection Agency).
- Respect the parties' privacy and comply with all applicable privacy laws.
- Ensure that all reports received are properly documented and securely stored.
- Where possible, keep the parties reasonably informed and updated about the process.
- Take all necessary steps to make sure that people involved in a report or safeguarding matter are not victimised or harassed and, if they are, ensure that appropriate disciplinary action is taken.

In relation to confidentiality and privacy, reporters or complainants should note that if they wish to remain anonymous, the Club or affiliate may have difficulty assisting them to resolve their report.

In line with the principle of procedural fairness, the Club and/or affiliate may be required ultimately to provide the person/people complained about with reasonable details of the matters contained in the report, so they have an opportunity to be heard and/or to respond in any disciplinary proceedings.

RECEIPT OF A REPORT BY A REPORT HANDLER

After receiving a report, and based on the material provided by the reporter, the report handler will decide whether:

- They are the most appropriate person to receive and handle the report.
- The nature and seriousness of the report requires any immediate action, such as notifying authorities or provisional action.
- To investigate further or appoint another person to investigate the report.
- To provide a report of the matter to the Club recommending certain actions or disciplinary action.
- To refer the matter to the Police or other appropriate authorities.
- To implement any other interim arrangements that will apply until the process is completed.

MATTERS FOR THE REPORT HANDLER TO CONSIDER

In dealing with the report, the report handler will consider:

- Whether they have had any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the report.
- The relationship between the/any of the parties involved in the report.
- Whether the facts of the report are closer or require further fact finding.
- The urgency of the report, including the possibility that the report of a child may be at risk, or face further unacceptable behaviour while this process is underway.

FURTHER STEPS TO BE TAKEN BY THE REPORT HOLDER

If the report handler is the appropriate person to handle the report, they will, where appropriate and/or necessary

- Conduct further investigation, including by providing sufficient details about the information received in the report to the person that the report relates to and ask for a response.
- Decide if there is enough information to determine whether the conduct or behaviour alleged in the report did or did not occur.
- Determine what, if any further action to take, including referring the matter for investigation or recommending disciplinary action in accordance with the Club regulations.

INVESTIGATION PROCESS

If an investigation needs to be conducted to gather more information about a report, an impartial person will undertake the investigation. This may be a person from within the Club entity, such as the report handler or another appropriate staff member such as a legal professional or person with experience in conducting investigations, or in certain circumstances an independent external investigator.

In conducting an investigation, an investigator may:

- Interview the reporter, the child who is the alleged victim and any other affected party and record the interview/s in writing.
- Convey sufficient details of matters contained in the report, such as the alleged conduct or behaviour, to the alleged perpetrator/s of abuse or other misconduct so that they can respond.
- Interview the alleged perpetrator/s of abuse or other misconduct to allow them to answer the matters contained in the report and record the interview in writing.
- Obtain statements from witnesses and other relevant evidence to assist in establishing the facts, if there is a dispute over the facts.
- Deliver a report to the relevant Club entity as to whether in their view the report is:
 - substantiated (sufficient evidence)
 - inconclusive (insufficient evidence)
 - unsubstantiated (sufficient evidence to show report is unfounded)
 - mischievous, vexatious, or knowingly untrue
 - if requested, recommend whether action should be taken in accordance with the relevant rules, regulations.

The parties involved in this process will be entitled to support throughout the investigation process from their chosen support person or advisor.

All parties should note that the investigator is not seeking to resolve the matters, or to decide whether any breach of any golf regulations has occurred; or to impose a penalty.

The investigator may make recommendations in their report.

CONFIDENTIALITY OF A REPORT

In relation to confidentiality and privacy, a reporter should note that if they wish to remain anonymous, the Club may have difficulty assisting them to resolve, manage, or deal with their report.

In line with the principle of procedural fairness, the Club may be required ultimately to provide the person/people whose behaviour or conduct is of concern or who have allegedly perpetrated the Abuse of a Child with reasonable details of matters contained in the report, so they have an opportunity to be heard and/or respond in any disciplinary proceedings.

Any member who becomes aware of or is involved with a report must maintain the confidentiality and privacy of the report and all individuals involved unless doing so would compromise the welfare of a child or impair the handling and management of the report in accordance with this policy.

A failure to respect the confidentiality or privacy obligations in respect of a report or safeguarding matter may be the subject of a disciplinary process in accordance with the applicable regulations, codes, or policies.

SUPPORT FOR MEMBERS INVOLVED IN SAFEGUARDING MATTERS

The Club is committed to ensuring that all members, in particular children, feel supported and are able to raise issues which relate to safeguarding children in golf.

MPIO's (Member Protection Information Officers) are available to provide support throughout the processes outlined in this policy.

Importantly, no person is to be treated unfairly or victimised for making a report. The Club and affiliates may take action in accordance with the code of conduct against a person engaged in unfair treatment or victimisation or a reporter or any person involved in or affected by a safeguarding matter.

The Club may also assist in directing children, reporters, or any member involved with or affected by a safeguarding matter to external experts who provide counselling and mental health services to offer further support where appropriate.

RELATED POLICIES/FORMS

- Member Protection Standard
- Standard to Interacting with Children
- Privacy Policy
- Photographic and Publicity Consent Policy and Declaration
- Record of Informal Complaint
- Confidential Record of Formal Complaint
- Confidential Report of Child Abuse Allegation

