



**TENPIN  
BOWLING  
ASSOCIATION OF  
WESTERN  
AUSTRALIA INC**



## **TBAWA Grievance Procedure Policy**

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## Welcome

Our documents, strategies, policies, and procedures are reviewed annually or as required. If you have any feedback or find a discrepancy in our documents can you, please email us or contact us on our website so we can rectify the error. Please be mindful that all changes will be tabled at the next executive meeting to be reviewed.

TBAWA supports all competitions hosted by Zone Bowling, Independent Centres, Tenpin Bowling Australia, and local associations. We uphold both the states and national constitutions and all rules and regulations outlined by Tenpin Bowling Australia and other associated acts or regulations.

TBAWA is committed to providing and supporting events for all ages and promotes an alcohol and smoke free environment at all our events including sponsored events. TBAWA recognises equal opportunities for all members and volunteers and encourages participation across all divisions. TBAWA will not promote or tolerate bullying or violence by members or official, or against both athletes, volunteers, and spectators.

The State government through the Department of Local Government, Sport and Cultural Industries is a major supporter of Tenpin Bowling Association Inc, in Western Australia. Sport and recreation builds stronger, healthier, happier and safer communities

Please help us in our commitment to our members and promote the values of our sport

Thank you

*Tahnee Ridley*

Tenpin Bowling WA President

<https://www.tenpinwa.org> E: [info@tenpinwa.org](mailto:info@tenpinwa.org)

# 1 Introduction

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## 1.1 Purpose

The purpose of this policy is to provide guidance for all TBA members and volunteers including parents for the sport of Tenpin Bowling. This includes the procedures and information for members, volunteers, and parents if in the event that a grievance is raised within our sport.

## 1.2 Objectives

The objectives of this policy are to

- What a grievance is
- Steps to handle a grievance
- Timeframes around grievances and whom to contact
- Confidentiality
- Vexatious or Malicious Complaints
- Unsubstantiated Complaints
- Referring a Grievance
- Grievance Outcomes
- Grievance Documentation
- Grievance or Complaint Application



## **2 Grievance/Compliant Process and Procedures**

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### **2.1 What is a Grievance?**

Grievances occur in every workplace and sporting domains and handling them properly is important for maintaining a harmonious and productive work environment. The aim of these guidelines is to assist you to deal with grievances so that small issues or problems do not escalate.

These are any type of problem, concern, or complaint where a TBA/Tenpin Bowling Association of Western Australia (TBAWA) member believes he/she has received unreasonable treatment from TBAWA, or any other member wishes to bring the grievance to the TBAWA attention and requires an action or response.

A grievance can be reported to any member of the TBAWA Board and written formal complaints to be sent to TBAWA State Secretary or President for review by the state board.

### **2.2 What is the appropriate timeframe to respond or receive a grievance?**

All grievances should be dealt with expeditiously. This includes timely communication with any relevant parties to the complaint and responding to a grievance received by the State Secretary and or President for the board to review. Undue delay in responding to a grievance may provide grounds for further complaint, either on the part of the grievant or other people involved.

#### **2.2.1 When a grievance is received and or raised**

The matter in dispute will first be discussed between the grievant and the secretary or other appointed board member within ten working days of notification.

If the matter remains unresolved, or suitable arrangements for a meeting have not been made within the timeframe, then the matter will be discussed between the grievant and the President of the board, within ten working days of the meeting being requested.

#### **2.2.2 Members right to lodging a grievance following misconduct or notification of a disputable event**

In the event a member or parent on behalf of a member wishes to make a compliant or grievance regarding disciplinary action, or other disputable event where a member or parent feels aggrieved in the process, the member and or parent may lodge a formal grievance within 10 days of the event of misconduct notification taking place to the State Secretary to be reviewed at the next board meeting or within 14 business days whichever comes first.

#### **The following process shall occur**

- 1 All grievances or complaints received by the State Secretary must follow up with an email acknowledging that the compliant has been received to the member and or parent and course of action thereafter and

- 2 At the request of the grievant, will refer the grievance to an independent panel that includes a member from ATBSO and a Member or Board Member and one other independent person for review and consideration or
- 3 Review the complaint and escalate to Tenpin Bowling Australia for further consideration or consultation or
- 4 Review and provide an outcome to the member/grievant within 14 business days.

### **2.3 When should I raise a grievance or complaint?**

If you are uncertain how to deal with the grievance you can approach the president of TBAWA as appropriate or a specialist in the field of the grievance(s), that includes a Member Protection Officer.

Alternatively you may approach TBA for guidance and assistance, but all local grievances/complaints must be directed back to the State Association in the first instance.

### **2.4 Serious misconduct or criminal offences resulting in grievance/complaint**

If the grievance is of a serious nature or may be criminal, the grievance or complaint received by the board may be escalated to the TBA for further support and direction or relevant government department such as the Police or Child Protection or both. The member will be advised where the grievance might better be directed or lead to.

#### **2.4.1 Minor or child related grievances/complaints**

All grievances or complaints around minors will be handled under the TBA Child Protection Framework and the appropriate authorities.

#### **2.4.2 Equity-related Grievances AUSTRALIA**

An equity-related grievance is when a member believes they are being discriminated against i.e. race, colour sexual preference, disability.

Because of the specialist skills involved in identifying some forms of indirect discrimination and harassment when handling equity-related grievances the board or the investigator will seek advice and assistance from the proper specialists.

## **3 Procedural Fairness and Confidentiality**

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### **3.1 Procedural Fairness**

Procedural fairness must be observed in all aspects of the grievance handling process. In practice, procedural fairness involves:

Ensuring that there is proper investigation of the facts.

Relevant parties to the grievance are informed of any allegations made against them, as appropriate.

- Informing the grievant and other relevant parties to the grievance of those involved in the handling of the grievance
- All parties to the grievance are informed of the procedures under which the grievance is being handled and are given a copy of the relevant policy and guidelines
- All parties to the grievance are heard and those who have had complaints made against them are given an opportunity to
- respond. All relevant submissions and any mitigating factors are given proper consideration before any conclusions are reached or any action is taken
- All parties to the grievance should be advised that if the grievance is of such a serious nature that disciplinary action may result, then the facts revealed during an investigation into the grievance may be used in any subsequent disciplinary proceedings
- The investigator and/or decision maker acts impartially, which means they must exclude themselves if there is any bias or conflict of interest

### **3.2 Confidentiality**

Members should usually be able to raise a matter, and receive initial advice, in confidence. It is not usually appropriate to disclose the identity of the member raising the grievance without first obtaining the member's consent. However, all parties should be aware that the TBAWA will not act on an anonymous grievance, and procedural fairness will in most instances require that the member raising the grievance must be identified.

To maintain confidentiality, the person investigating a grievance should not discuss the grievance with others not legitimately involved in resolving the grievance.

A breach of confidentiality relating to a grievance may represent misconduct and be subject to disciplinary action.

### **3.3 Victimisation**

Fear of victimisation may prevent members from raising a grievance in the first instance. The board or person investigating the grievance, shall ensure steps are taken to prevent victimisation from occurring. This includes advising all parties to the grievance that victimisation of any individual/s arising from the grievance will not be tolerated and that disciplinary action will result if victimisation is demonstrated to have occurred.

### **3.4 Vexatious or Malicious Complaints**

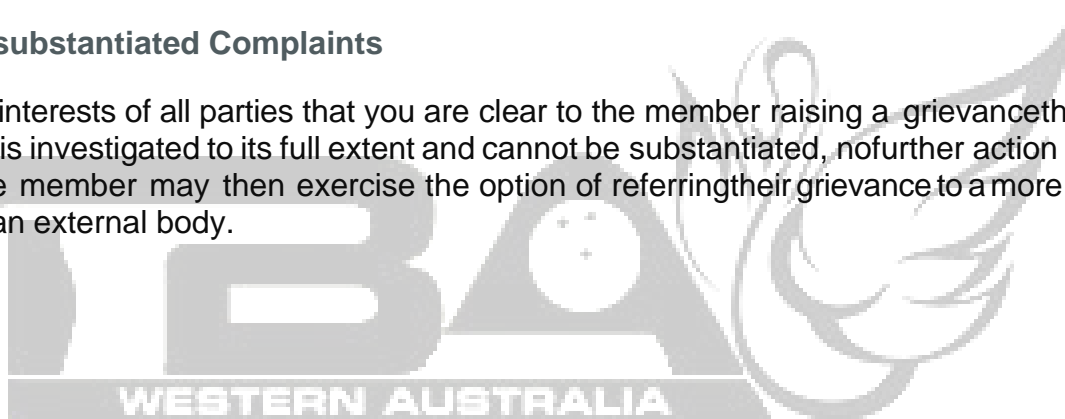
While the great majority of member's grievances are motivated by genuine concern about perceived inappropriate or unfair behaviour or actions, on some occasions a grievance may be vexatious or malicious, i.e. designed to harass or annoy, to cause delay or detriment, or for any other wrongful purpose.

Members should be made aware that if a grievance is investigated and found to be vexatious or malicious, then disciplinary action may result.

Members who believe they are subject of a vexatious or malicious grievance can seek advice on their options from the State Association, Member Protection Officer or TBA.

### **3.5 Unsubstantiated Complaints**

It is in the interests of all parties that you are clear to the member raising a grievance that if a grievance is investigated to its full extent and cannot be substantiated, no further action will be taken. The member may then exercise the option of referring their grievance to a more senior person or an external body.





## **4 Investigation Process and Outcomes**

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### **4.1 Verbal Complaint**

If a verbal complaint is received by a member or parent on behalf of a member the following will be carried out

- If it is in relation to a current event where the member or parent of a member believes TBA rules and regulations or rules of the event have been broken, it is to be raised to the Tournament Director to be dealt with immediately following the tournament rule book or other relevant legislation or policy
- If the complaint or grievance is in relation to any incident post the event, the person receiving the complaint is to encourage the person to write to the State Secretary for it to be actioned under this policy if the complaint can not be rectified that day

When dealing with a verbal grievance, the recipient shall

- Listen and respond sensitively to any distress exhibited
- Encourage the member to raise the issue directly to the person concerned if not a serious grievance
- Ask the member what other advice or resolution avenue/s they have already explored
- Clarify what, if any, action the member is requesting, outline the likely process if the grievance proceeds, give a copy of our policy and any guidelines and inform that they may, if they choose, request support from a representative of their choice
- Advise the member that any allegations in writing will be made available to all parties against whom the allegations are made and that in the interest of procedural fairness and they will have to be willing to be identified unless the allegations relate to corruption, child abuse or unlawful behaviour
- Be aware of the limits of your own authority, and refer the grievance to a more senior person on the board
- Be aware of the member's potential concern as to the possible repercussions of raising a grievance; take all possible steps to ensure that no victimization occurs as a result of the grievance being raised

### **4.2 Written Complaint**

When the State Board receives a grievance or complaint form a member or parent on behalf of a member, is received in writing from the member by the State Secretary, a confirmation

shall be sent to the respondent, and will be taken seriously and in a manner, which respects the confidentiality of all parties.

The board will endeavour to resolve it promptly, with a minimum stress to all parties and follow the principles of procedural fairness. It is important that those involved with the grievance are clear about the resolution process.

Wherever possible, the board will seek and consider the member's wishes about preferred resolution processes. However, there may be instances where a grievance is such a serious nature that formal action is required regardless of the member's wishes, e.g. when a grievance that relates to allegations of corruption, any unlawful behaviour and allegations involving children (those under 18 years of age).

The member that wishes to make a formal complaint or grievance must provide the following details

- Time the incident took place
- Reference any letter that has been received by the member that led to the complaint
- Provide facts and evidence where possible in relation to the allegation or incident
- Outline the grievance or complaint
- Outline the resolution or outcome the grievant wishes to receive
- If the matter is to be referred to an independent committee if required
- Witnesses to the event, if relevant
- Actions they took, if relevant

#### **4.3 Investigation Process**

If a grievance involves allegations about the behaviour of another person/s you must take steps to investigate the allegations unless the person/s admits the behaviour.

##### **Steps in the investigation process**

- 1 Clarify and document the details of the grievance with the member (grievant), including exact times and dates of any incidents involved if possible. Request the member to produce any relevant documentation or advise if there were any witnesses to the incident, he/she is complaining about. Ask the member their preferred resolution option, although it is important to make it clear that this may not be a possible outcome. If a member raises an issue but is not willing to proceed with the grievance then he/she should be advised that because of the requirements of procedural fairness, in most circumstances no further action can be taken by TBAWA.

- 2 Interview the respondent/s to the grievance, offering them the choice of being accompanied by a representative of their choice, outlining the specific allegations that have been made about them and giving them the opportunity to make a full response.
- 3 Interview any witnesses and ask for a full account of the incident/s they observed. In order not to breach confidentiality, do not tell a witness any more than they already know, and make sure they are aware that the matter is confidential and should not be discussed with others.
- 4 Consider all relevant evidence (and no irrelevant information) in the investigation process. In some cases, you may determine that there is insufficient evidence to pursue the matter further at this stage
- 5 Discuss with the board or make recommendations to the board on the course of action and complete grievance form (appendix 1)

#### **4.3.1 Independent Committee**

If the grievance or complaint can not be dealt with by the State Association due to conflict or at the request of the applicant, then an independent committee will be formulated to review the complaint/grievance.

##### **Membership**

- President for ATBSO
- TBAWA Board Member or appointed person
- One independent person appointed by TBA or
- One independent person, member, volunteer, or parent appointed by the TBAWA Board

#### **4.4 Outcomes following an investigation**

The outcome of the grievance resolution process should be in keeping with the seriousness of the grievance and should be fairly and consistently applied across the TBAWA.

Some of the possible outcomes of a member grievance include

After receiving advice and support the member address the matter directly with the person concerned

Through the process of resolution, the member gains a better understanding of the situation so that his/her concerns are addressed

The member receives an apology, or the issue or behaviour that was the basis of the grievance is modified

A mutually acceptable resolution to all those involved is reached through alternative dispute resolution processes such as mediation. It should be noted that the alternate resolution should only be considered if all parties to the grievance are willing to proceed with them and there is sufficient common ground between the parties to ensure that there is some prospect of a positive outcome.

In some cases, the grievance cannot be substantiated and no further action results. The member raising the grievance and any other parties involved should be advised in writing that no further action will be taken in relation to the grievance.

In more serious cases, the TBAWA formal disciplinary processes will be invoked. Any disciplinary action will be undertaken in accordance with the process prescribed in the TBA Member Protection Policy. Consideration must be given to any mitigating circumstances before disciplinary action is taken. Formal warnings about inappropriate behaviour are a common outcome in the first instance, unless the behaviour is of a very serious nature e.g. involving repeated incidents of inappropriate behaviour or serious breaches of the TBA's code of conduct.

#### **4.5 Appeal or Escalation**

If the member is unsatisfied with the outcome, you should advise the member that he/she can pursue the grievance through other appropriate processes. E.g. WA Ombudsman, WA anti-discrimination board or Equal opportunity commission.

If a member is not satisfied with the outcome or result, they have a right to contact their Member Protection Officer

If a member is not satisfied with the outcome or result, they may refer the matter or escalate it to Tenpin Bowling Australia or the TBA Ethics Committee.

## 5 Approval

All policies are reviewed every two years or as business requires. All major changes and/or scheduled reviews will be tabled for discussions at the next executive meeting and endorsed by the board. Policies are tracked and reviewed as per the policy review schedule that is monitored by the Governance and Compliance Officer or the Secretary in the absence of a GCO, ensuring the M-files number is correct and the latest version is in M-files. Final approval is to be completed by the President.

### Endorsed

Version no	Executive Member(s)	Date of Endorsement	Next Review

### Approved

<b>Name:</b>	Tahnee Ridley
<b>Position title:</b>	TBAWA President
<b>Signature:</b>	
<b>Date:</b>	

### Document Version History

Version no	Primary author(s)	Description of version	Date completed
1.0	Amanda Ladlow		06/02/2018
2.0	Tahnee Ridley	Document History and contents updated Imported to new template	26/04/2020
3.0	Tahnee Ridley	Add appendix 1 Added section 4	06/02/2021

Business communications, correspondence, information, and documents sent / received electronically are official TBAWA records. Such records must be maintained in an electronic form, in TBAWA's Record Management System (RMS), M-files and not unnecessarily deleted. All paper correspondence and/or documents must be scanned into the RMS and stored in the storage facility. All electronic records that is stored in the RMS are subject to the same scrutiny as hardcopy records, in relation to access to information legislation, and 'discovery' during legal processes. Accordingly, all TBAWA officials are responsible for ensuring their electronic communications and other electronic records are to be dealt with in accordance with TBAWA Record Management Policy

## Appendix 1

See hyper link



### Tenpin Bowling Association of Western Australia Formal Grievance or Compliant Report

Name of Applicant		Date:
TBA Membership Number		Athlete/Volunteer/Parent/ Other
Contact for Applicant		
Allegation/Issue		
Received By		
Investigating Party Name		

#### Background of Issue

- Identify how the situation occurred and what actions if any have already been taken by you as the applicant
- Provide brief details of your complaint/grievance

#### Remit of Investigation/Review of application

- Define the breach of policy if applicable
- Define reason for investigation
- What allegations are of concern in the application