



DISCIPLINARY POLICY

Volleyball Queensland

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Board Endorsed Date: 7 October 2025
Commencement Date: 8 October 2025
Policy Review: October 2027

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1. Introduction

Volleyball Queensland (VQ) is committed to fostering a safe, respectful, and professional environment for employees, volunteers, members, athletes, officials, and all participants. The policy emphasises procedural fairness, and corrective improvement where possible, while ensuring serious misconduct is addressed promptly to protect the integrity and reputation of VQ.

This Disciplinary Policy sets out a clear and transparent process for addressing behaviour or conduct that does not meet the standards expected under:

- VQ's Code of Conduct
- VQ's Constitution
- Employment contracts and volunteer agreements
- Volleyball Australia's National Integrity Framework (NIF)
- Relevant legislation (e.g., Fair Work Act 2009 (Cth), Work Health and Safety Act 2011 (Qld), Anti-Discrimination Act 1991 (Qld)).

2. Policy

This policy aims to:

- Provide a clear and transparent process for dealing with misconduct.
- Protect the rights and wellbeing of all participants.
- Safeguard the integrity and reputation of VQ.
- Promote consistency, proportionality, and fairness in disciplinary decisions.
- Ensure compliance with relevant legislation, including the Fair Work Act 2009 (Cth) and the Anti-Discrimination Act 1991 (Qld).

This policy replaces all other Disciplinary policies (if any and whether written or not).

3. Scope

This policy applies to all VQ employees (permanent, casual, temporary, and contract staff), volunteers, coaches, referees, and officials engaged by VQ, and members, athletes, and



participants involved in VQ events or activities.

It covers conduct by employees/workers occurring in the workplace, during competitions, training, official events, or in any circumstance that may impact VQ's reputation, safety, or operations.

This policy applies for internal VQ related matters specifically relating to disciplinary processes including misconduct, serious misconduct and gross misconduct. Where matters relate to raising complaints, please refer to the VQ Complaints Handling Procedure.

4. Application

All disciplinary action will be conducted in accordance with procedural fairness, ensuring that:

- Individuals are informed of allegations in a timely manner.
- Individuals have the right to respond to present their case.
- Individuals have the right to representation via a support person.
- Decision-makers are impartial and unbiased.
- Appeal rights are available and preserved.

Disciplinary measures will be proportionate, consistent, and progressive, focusing on correction and improvement before punitive outcomes where appropriate. All processes will be conducted with confidentiality and sensitivity, based on thorough investigation and evidence. Must ensure equity, cultural awareness, and reasonable adjustments will be applied where requested and required.

VQ will comply with external reporting obligations under WHS, safeguarding, and integrity frameworks.

5. Definitions

Appeal: A formal request to review a disciplinary decision through VQ's appeals process.

Formal Warning: A documented disciplinary action that forms part of an employee's personnel record.



Gross Misconduct: Conduct so severe it may justify immediate termination, suspension, or expulsion (e.g., fraud, violence, child protection breaches).

Investigation: A systematic examination of allegations or incidents to determine facts and appropriate action.

Misconduct: Behaviour that falls below expected standards but does not amount to serious or gross misconduct.

Progressive Discipline: A structured process escalating from informal discussions through to formal warnings and termination where required.

Procedural Fairness: or Natural Justice and the right to a fair process, including knowing the allegations, the opportunity to respond, and decisions made impartially.

Serious Misconduct: Breaches of fundamental obligations that may justify formal disciplinary action such as a written warning or termination.

Summary Dismissal: Immediate termination of employment without notice for serious misconduct.

6. Misconduct Categories

6.1. Misconduct

Behaviour or conduct that is considered below expected standards, some examples include, but are not limited to:

- Minor breaches of attendance or punctuality.
- Failure to follow reasonable management and VQ instructions.
- Inappropriate use of VQ resources (e.g., emails, equipment).
- Minor behaviour related issues not aligning with the VQ Code of Conduct.
- Disrespectful or unprofessional behaviour, including personal and professional courtesy.

6.2. Serious Misconduct

Breaches of the employment obligations that may result in formal disciplinary action such as written warnings and other actions, up to and including termination, some examples include, but are not limited to:

- Repeated minor misconduct despite warnings.
- Repeated breaches of the Code of Conduct.
- Significant breaches of confidentiality or privacy related requirements.
- Bullying, harassment, or discrimination.
- Unauthorised absences from work.
- Significant safety breaches or disregard of WHS procedures.

6.3. Gross Misconduct

Behaviour or conduct that may result in immediate termination of employment, significant safety breaches, child safety breaches or conduct that may breach the employment relationship, including but not limited to:

- Theft, fraud, or dishonesty, violence, threats, or intimidation in the Workplace or at VQ related events.
- Serious breach of safeguarding or child protection policies.
- Breaches of Work Health and Safety obligations, including, causing actual or imminent harm to themselves or causing harm to others.
- Serious breach of confidentiality or privacy especially relating to child safety or other Relevant Workers.
- Wilful damage to VQ property.
- Being under the influence of drugs or alcohol at work or official events.
- Criminal activity that damages VQ's reputation or standard operations.

7. Responsibilities

Position	Responsibilities
Board of Management	• Final decision-making body for serious sanctions and appeals. • May delegate specific authorities where required. • Approves policy changes.
Chief Executive Officer (CEO)	• Ensures the policy is applied fairly and consistently. • Ensures the implementation of this policy across all of VQ. • Decides on serious misconduct outcomes and suspensions and provides outcome accordingly.

Managers, Coaches, and Supervisors	• Address misconduct promptly and fairly. • Escalate matters where required to the CEO. • Maintain accurate and detailed records of disciplinary actions.
Employees, Volunteers, and Members	• Comply with the VQ Code of Conduct and other policies. • Follow reasonable directions aligned to policies by Managers, Coaches, Supervisors and CEO. • Participate honestly in any disciplinary process. • Exercise their right to representation in formal proceedings.

8. Right to Representation

All individuals subject to disciplinary action have the right to:

- Be accompanied by a support person for any formal disciplinary meetings. A support person may be a colleague, friend, family member, partner, spouse or lawyer.
 - The role of a support person is to provide support to the individual only. It is not to talk or to advocate for the employee during any meetings.
- Seek advice from a union, lawyer, or representative.
- Request reasonable preparation time or reasonable time to arrange a support person.
- Access interpreter or accessibility support services, and allow additional reasonable time to arrange.

9. Investigation Procedures

9.1. Investigation Initiation

An investigation will be initiated where:

- Allegations of serious or gross misconduct are raised.
- Repeated instances of minor misconduct despite prior warnings.
- Criminal activity, safeguarding, or WHS breaches are suspected.
- Facts need to be established before disciplinary action can be determined.

9.2. Investigation Principles

All investigations will follow the following principles:

- Investigators must be independent and impartial, free from any forms of bias.
- All relevant evidence must be considered, and all witnesses must be interviewed.

- Investigations will be timely, confidential, and respectful and must follow a thorough process.
- All parties will have the opportunity to present their case.
- Information will only be shared where required and must remain confidential.

9.3. Investigation Process

Investigations may follow and involve some or all of the following processes (determined at a CEO level at time of initiation):

- a. Appointment of a qualified investigator (internal or external). This may be the CEO, or a delegated authority by the CEO or the Board of Management.
- b. Development of a specific investigation plan, scope, and timeframes need to be identified.
- c. Collection of documents, records, and other physical evidence.
- d. Confidential interviews with witnesses and the respondent.
- e. Opportunity for the respondent to respond in writing or verbally.
- f. Evaluation of evidence against policies and standards.
- g. Written report with findings and recommendations.

9.4. Witness Protections

The investigation must ensure that witness statements and witness evidence remain confidential and all interviews held with witnesses must be in a private setting. All notes must be detailed and verified by the witness and kept in a confidential folder visible only to the investigating team and only be shared with the employee if appropriate and required.

Witnesses will be protected by victimisation or retaliation.

10. Suspension

10.1. Grounds for Suspension

Suspension may be applied and appropriate if:

- There is a risk to safety or wellbeing of the employee, the stakeholders or VQ.
- Investigation could be compromised by the employee remaining at work.
- The allegations involve gross misconduct resulting in immediate action.
- VQ operations or reputation may be at risk or damaged.
- There is a risk of evidence being tampered with or destroyed.

10.2. Types of Suspension

Paid suspension (for employees): This is the default option for all employees.

- Employees will be provided full payment and benefits for the period of the investigation.
 - Employee must attend all investigation meetings as requested.
 - Employee must not attend the VQ site including events without authorisation by the CEO.
- Administrative suspension (for volunteers or members): This is usually for those who are voluntary and this suspension will be unpaid.

For both above types of suspension, legal advice will be undertaken by VQ and the CEO is to make the final decision and approval.

10.3. Suspension Process

- a. Manager/CEO assesses risk and consults with the Board where required and approves accordingly.
- b. Investigator will provide written notice to the employee, outlining reasons and conditions for suspension.
- c. Employee is to return VQ property where applicable.
- d. Investigator to review the suspension status and provide updates to the employee.

10.4. Suspension Conditions

During suspension, employees must remain contactable during ordinary working hours and must not attend VQ venues without prior approval. Employees must ensure and maintain confidentiality.

11. Disciplinary Procedures and Timeframes

11.1. Progressive Discipline

Unless gross misconduct occurs, disciplinary action will generally follow:

- 1. Informal conversation (usually for minor misconduct):**
 - a. Verbal feedback to clarify expectations or address issues.
 - b. A brief record of the conversation must be documented.
- 2. Formal verbal warning (Repeated minor misconduct).**
 - a. Formal meeting held with the individual.
 - b. Discussion confirmed in writing, with expectations and required improvements outlined and shared with all parties.
- 3. Written warning (continued misconduct or serious misconduct).**
 - a. Formal investigation and disciplinary meeting conducted.
 - b. Written warning issued, outlining the breach, expected improvements, and potential consequences.
 - c. A copy of the written warning must be kept on the employee or member's file.
- 4. Final written warning (Serious repeated and ongoing misconduct)**
 - a. Formal investigation and disciplinary meeting conducted.
 - b. Final written warning issued, clearly advising that further misconduct may result in termination of employment or membership.
- 5. Termination of employment (Continued and Repeated serious misconduct, or gross misconduct).**
 - a. **Employees:** Termination of employment may occur only after a disciplinary investigation or meeting, with mitigating factors considered. Termination will be carried out in accordance with the individual's Employment Agreement, the Fair Work Act 2009 (Cth), and other relevant legislation. In cases of gross misconduct, summary dismissal (immediate termination without notice) may

apply.

- b. **Volunteers and Members:** Termination of membership, registration, or volunteer engagement may occur only after a disciplinary process has been completed, with consideration of all relevant circumstances. In cases of serious or gross misconduct, immediate expulsion or removal from activities may apply.

11.2. Indicative Timeframes

Initial assessment: Aim to commence within 5 business days of receiving a complaint, where practicable.

Disciplinary meeting: Notice to Employee to be sent out within a minimum of 48 hours (this time may be extended depending on the seriousness of the matter or where additional time is requested).

Employee response: within 5 business days following the disciplinary meeting (may be extended on reasonable grounds).

Investigation completion: Target of 20 business days. This may be extended in complex matters or where additional time is required to ensure procedural fairness.

Report: Within 5 business days of investigation completion, where practicable.

Decision notification: Within 5 business days of a determination being made.

Appeal review: Target of 25 business days to complete the appeal process.

These timeframes are indicative and may be adjusted where necessary to ensure a thorough process, full participation by all parties, and compliance with procedural fairness.

12. Appeals

12.1. Right to Appeal

All employees have the right to appeal a disciplinary decision of all formal warnings, suspension decisions, termination of employment or any other disciplinary process they deem inappropriate or unjust.

Appeals must be lodged in writing within 10 business days and appeal panel will be independent of the original decision. The CEO (or a delegate if the CEO was involved in the original decision) will establish an appeal panel of at least two (2) people.

- The two panel members must not have been involved in any way in the original decision-making process.
- At least one member must have some relevant experience in employment matters, governance or understand the appeals process in some prior way.
- Panel members must disclose any conflicts of interest and be free of bias.
- Consideration for the appeals at VQ should consider

12.2. Grounds for Appeal

Grounds for appeal include procedural flaws and failure to follow the procedure fairly, where the decision was unreasonable based on specific evidence, and where new evidence may be introduced, or bias.

12.3. Steps for Appeal

1. A written appeal must be submitted to the CEO within the required timeframe (10 business days).
2. The written appeal must be acknowledged within 2 business days.
3. An independent panel of 2 people will be appointed.
4. The panel will review all relevant information from the original investigation and the appeal

submission.

5. The panel will make a determination to uphold, modify or overturn the decision.
6. The decision will be provided in writing to the employee with reasons.

12.4. Outcomes from Appeal Process

Following the appeal process, the panel may:

- a. Uphold the determination and overturn the original decision, remove or adjust the disciplinary outcome.
- b. Partially uphold the original decision but modify the original decision with a lower penalty outcome.
- c. Dismiss the appeal and reaffirm the original decision.

13. Documentation and Record-Keeping

- All disciplinary matters documented and dated and details of the situation and circumstances.
- Investigation notes must include witness statements, other notes taken throughout the process of discussions and interviews, and the documentation of the final decision.
- The employee's responses including any other written submissions, must be kept on file.
- All investigation files and information must be securely stored with access limited to authorised persons and records retained for 7 years.
- The documentation must be confidentiality maintained, even after termination or resignation.

14. External Reporting considerations

- Criminal matters must be reported to the police or law enforcement. This includes child safety matters and other concerns.
- Complaints from VQ events must be made in line with the VQ Complaints Handling

Procedure.

- Serious work health and safety incidents or notifiable incidents must be reported to the WHS regulator.
- Child Safeguarding breaches must be handled in line with the VQ Complaints Handling Procedure.
- Any Integrity breaches under NIF must be reported in line with VQ Complaints Handling Procedure.

15. Decision-Making Guidelines

Decision-makers will consider the following factors when making a determination:

1. Nature of Misconduct

- Understanding the severity and impact of specific behaviour and whether it was deliberate or inadvertent.
- Understand and consider the risk to safety, reputation of the business, or any other VQ operations.
- Whether there was a breach of trust or professional standards.

2. Individual Factors

- Understanding the length of service of employment or the length of the membership and employment history including any previous disciplinary matters.
- Acknowledgment of wrongdoing and accountability and whether accountability was taken.
- Personal circumstances and any other mitigating factors.

3. Workplace Factors

- Investigators must consider the need for deterrence.
- Understanding and considering the consistency with previous or similar cases, and ensuring severity is aligned with previous cases and processes.
- Investigators must understand the impact on workplace morale and culture and the
- operational requirements and business needs.

16. Review of Policy

This policy will be reviewed every two years, or earlier following legislative or governance changes, operational changes within VQ, or significant disciplinary incidents.

Reviews will be undertaken in consultation with staff, volunteers, and the Board.

17. Related Documentation

VQ Complaints Handling Procedure

VQ Code of Conduct

Volleyball Australia's National Integrity Framework (NIF)

Fair Work Act 2009 (Cth)

Anti-Discrimination Act 1991 (Qld)