Volleyball Queensland

c/- Sports House,
Suite 2.12
150 Caxton Street
Milton QLD 4064
Ph: (07) 3367 1991
www.vq.org.au

VQ Complaints Handling Procedure

Policy:	Complaints Handling Procedure
Approved by:	VQ Board Members
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1. Policy 3
2. Definitions 3
3. Reference Documents 3
4. Guidelines to Lodging a Complaint 5
5. Complaints made by or involving a child or young person 6
6. Cultural safety for Aboriginal and Torres Strait Islander children, young people and families 7
7. Mandatory Reporting and Reportable Conduct 8
8. Volleyball Australia's Responsibilities 9
9. Conduct outside of "Prohibited Conduct"? 9
10. Referral to Alternative Dispute Resolution (ADR) 10
11. Dealing with the Complaint 11
12. General Investigative Process 11
13. Responses 12
14. External Investigation 12
15. Outcomes of Investigation or Enquiries 13
16. Standard of Proof 13
17. Actions to Implement Investigative Outcomes 13
18. Jurisdiction for Substantiated Complaints 14
19. VQ Judiciary Committee 15
20. The Judiciary Committee 15
21. The Judiciary Committee's Decision 18
22. The Hearing Record 18
23. Appeal Process 19
24. Review, Reporting and Continuous Improvement 20
25. Penalty Scale 22
APPENDIX 1: VQ Complaint Handling Procedure – Process Charts 23
APPENDIX 2: DRAFT TEMPLATE ACKNOWLEDGEMENT LETTER 27
APPENDIX 3: CHILD FRIENDLY COMPLAINT FORM AND PROCESS SUMMARY 29

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1. Policy

Volleyball Queensland (**VQ**) is committed to making Volleyball a safe and fair place for all participants.

This document is designed to provide a framework for dealing with complaints and reports lodged against Relevant Persons (hereinafter, referred to as a "**Respondent**") with respect to conduct associated with any activity of VQ.

This includes complaints and reports that fall within the scope of VA's NIF.

2. Definitions

Code of Conduct	refers to the *Volleyball Queensland Code of Conduct* which illustrates behaviours and values that are expected of Relevant Persons.
Complainant	means a person who lodges a complaint pursuant to this Procedure.
Complaints Manager	refers to the Chief Executive Officer of VQ or a person appointed as the Complaints Manager by the CEO.
Relevant Persons	includes: • members, athletes, coaches, referees, officials, and volunteers; • employees and contractors of VQ; and • parents, guardians, and spectators engaged in VQ activities or events.
NIF	means the National Integrity Framework being a suite of documents including the following five (5) integrity policies: • Safeguarding Children and Young People Policy; • Competition Manipulation and Sport Gambling Policy; • Improper Use of Drugs and Medicine Policy; • Member Protection Policy; and • Complaints, Disputes and Discipline Policy.
Prohibited Conduct	means the conduct proscribed in the relevant policies (including the VA NIF) as Prohibited Conduct.
VA	means Volleyball Australia.

3. Reference Documents

a) For complaints that fall outside the scope of the VA's NIF, VQ applies its own suite of governing documents. These include policies, regulations, rules, directives, and by-laws that address conduct

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which may be the subject of a complaint.

b) This suite of VQ documents sets out the obligations of individuals when engaging with VQ or participating in VQ-sanctioned events and activities. These documents include:

(i) FIVB "Rules of the Game", noting that these rules are usually updated every four years and the current version is the *Official Volleyball Rules 2025-2028*.

(ii) Tournament / competition rules and regulations, which may or may not exist, for each respective volleyball competition, e.g. Queensland Schools Cup or Premier Volleyball League.

(iii) VQ Membership Registration Form – signed declaration agreeing to the terms and conditions of registration with VQ.

(iv) VQ's *Code of Conduct*, which applies to all athletes, coaches, officials, administrators, parents and spectators.

(v) The "*Athlete Code of Conduct*" form found in appendix A of the *VQ Code of Conduct* and signed by VQ Representative Players in U/15, U/17, U/19 & U/21 teams each year individually to enable their participation in Queensland state teams.

(vi) VQ's *Child Safety Policy.*

(vii) *V*Q's *Social Media Policy*.

(viii) VQ's constitution, which contains provisions that deal with members' conduct (addressed later in this Procedure) and grievance procedures to deal with internal conflicts or disputes.

(ix) Guidelines for implementing the Universal Principle and Child Safe Standards in Queensland, published by the Queensland Family and Child Commission (**QFCC**)

(x) *Child Safe Organisations Act 2024* (Qld), including the 10 Queensland Child Safe Standards, the Universal Principle for Cultural Safety for Aboriginal and Torres Strait Islander Children, and the Reportable Conduct Scheme.

c) This Procedure is intended to:

(i) apply to all complaints and reports (together referred to as 'complaints') received by VQ, including those alleging conduct that constitutes Prohibited Conduct under VA's NIF;

(ii) complement and operate alongside the NIF;

(iii) give effect to VQ's obligations under the *Child Safe Organisations Act 2024* (Qld), the Queensland Child Safe Standards, and the Universal Principle;

(iv) support VQ's constitutional provisions relating to (a) the suspension, disqualification, and disciplining of members; and (b) grievance procedures; and

(v) serve as a gateway for referring complaints to other, more appropriate processes where required.

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4. Guidelines to Lodging a Complaint

a) Complaints or reports alleging Prohibited Conduct under VA's *Safeguarding Children and Young People Policy* and complaints alleging discrimination under VA's *Member Protection Policy* are to be made to Sport Integrity Australia (**SIA**).

b) Complaints or reports alleging Prohibited Conduct under VA's *Code of Conduct* or *Competition Manipulation and Sport Gambling Policy* are to be submitted to VA.

c) Complaints or reports of all other types of Prohibited Conduct are to be made to VQ and those matters will be dealt with pursuant to VA's *Complaints, Disputes and Discipline Policy*, not this Procedure.

d) All other types of complaints or reports may be made using any of the following channels:

(i) in writing by email to the Complaints Manager at ceo@vq.org.au;

(ii) in writing by post to the CEO at Volleyball Queensland, Sports House, Suite 2.12, 150 Caxton Street, Milton QLD 4064;

(iii) verbally in person or by phone to the VQ CEO or their nominated VQ employee, who will make a written record of the complaint and provide a copy to the Complainant for review;

(iv) via the VQ child friendly complaint form (see Appendix 3); or

(v) anonymously through any of the above channels. Where a complaint is made anonymously, VQ will investigate the matter to the extent that it is able to do so based on the information provided and will always act where the complaint relates to the safety or wellbeing of a child or young person.

e) All complaints will be formally acknowledged within two (2) working days. The acknowledgement will confirm the proposed process, the forum in which the matter will be addressed, and the anticipated timeframe for providing a response.

f) The Complainant will be offered the option of a support person of their choice at every stage of the process, on equal terms with the Respondent. The support person may be a parent, carer, family member, trusted adult, cultural support person, or Elder. A support person does not need to be nominated in writing.

g) Complaints must clearly describe the alleged behaviour and / or misconduct that occurred during a VQ-sanctioned competition or activity.

Volleyball Queensland

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h) Where a complaint relates to conduct outside of competition but involves another VQ member, the Complainant should specify the jurisdiction being sought. This may include the competition rules or by-laws, the VQ constitution, or the VA Member Protection Policy.

i) A copy of the written complaint and VQ's acknowledgement letter (Appendix 2) will be forwarded to the Respondent within two (2) working days, as well as to each club President or school team contact for both parties (if relevant).

j) Following formally acknowledging receipt of the complaint, the Complaints Manager will undertake an initial assessment of the complaint to determine whether the alleged conduct of the Respondent falls within the scope of Prohibited Conduct as defined in VA's NIF.

5. Complaints made by or involving a child or young person

This section applies where the Complainant is a child or young person under 18, or where the complaint relates to the safety or wellbeing of a child or young person, regardless of who lodges it.

5.1 Who can lodge a complaint

A child or young person may lodge a complaint in their own right. A parent, carer, family member, kinship carer, Elder, teacher or other trusted adult may also lodge a complaint on behalf of a child, with or without the child's involvement. An adult who has a concern about a child's safety should not wait for the child to raise it themselves.

5.2 How a child can raise a concern

A child or young person may raise a concern using any of the channels set out in section 4 Guidelines to Lodging a Complaint. A child accessible version of the complaint process and a plain English form are set out in Appendix 3. A child may also speak to any VQ staff member, coach or event official they trust, who is responsible for escalating the concern to the Complaints Manager or CEO.

5.3 Support

A child or young person may bring a support person of their choice to any meeting or discussion. A support person may be a parent, carer, family member, friend, Elder, cultural support person or another trusted adult. Where the child is Aboriginal or Torres Strait Islander, the Cultural Safety section of this Procedure applies.

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5.4 Privacy

VQ will handle complaints from or about children with care. VQ will not disclose a child's identity or the details of their complaint to their parent, carer or any other person unless the child has agreed, or disclosure is necessary to keep the child or another person safe, or disclosure is required by law. Where VQ needs to inform a parent or carer and the child does not want this, VQ will explain to the child why and what will happen.

5.5 No Retaliation

A child or young person who raises a concern in good faith, or who participates in a complaint process, will be protected from any reprisal. Retaliation against a child complainant by any VQ staff member, volunteer, member or affiliate is a serious breach and will be dealt with under this Procedure.

5.6 Urgent Concerns

If a child is in immediate danger, call 000. A child or young person can also contact Kids Helpline on 1800 55 1800 at any time for free and confidential support.

5.6 Process Adjustments

VQ will adjust its process where necessary to support a child or young person's participation. This may include shorter communications, the option to communicate in writing or through a support person, face to face meetings in a safe and familiar place, additional time, or other reasonable adjustments. The Complaints Manager is responsible for identifying and making these adjustments.

5.8 External Pathways

A child or young person, their family, or a support person may also raise a concern directly with Queensland Police or Sport Integrity Australia. Where appropriate, VQ can assist with making contact with those bodies on request.

6. Cultural safety for Aboriginal and Torres Strait Islander children, young people and families

VQ upholds the Universal Principle under the *Child Safe Organisations Act 2024* (Qld). Aboriginal and Torres Strait Islander children, young people and their families have the right to a culturally safe experience when engaging with VQ, including when raising a concern or participating in a complaint process.

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a) VQ has zero tolerance for racism. Any complaint alleging racism, cultural abuse or racial discrimination will be treated as a serious matter. A complaint that is substantiated may result in sanctions up to and including termination of membership or employment.

b) In handling complaints that involve Aboriginal and Torres Strait Islander children, young people or families, the Complaints Manager will:
   (i) offer the Complainant the option to nominate a cultural support person, Elder or community advocate to support them through the process;
   (ii) consider, in consultation with the Complainant, whether the matter may be appropriately addressed through First Nations led practices such as yarning, with the consent of the parties;
   (iii) where appropriate, and with the consent of the Complainant, engage with a relevant Aboriginal Community Controlled Organisation to support the process;
   (iv) ensure that any investigator, Advocate or Judiciary Committee member engaged on the matter has appropriate cultural capability or is supported by someone who does; and
   (v) not disclose the Complainant's Aboriginal or Torres Strait Islander identity to any person unless the Complainant has given consent.

Nothing in this section prevents a matter from being referred to Sport Integrity Australia or VA where that is required under the National Integrity Framework.

7. Mandatory Reporting and Reportable Conduct

Nothing in this Procedure limits any reporting obligation VQ or any relevant person has under the law. Where a complaint discloses information that suggests a child has been, is being, or is at risk of being harmed, the Complaints Manager will:

a) take immediate steps to ensure the child is safe;
b) report the matter to the Queensland Police Service where there is an immediate risk to a child;
c) refer the complaint to Sport Integrity Australia in accordance with VA's Safeguarding Children and Young People Policy; and
d) notify the head of the entity (the CEO of VQ) of any reportable allegation or reportable conviction under the Reportable Conduct Scheme once that scheme applies to VQ.

All staff and volunteers who form a reasonable suspicion that a child has suffered, is suffering, or is at risk of suffering harm must report this to the Complaints Manager or the CEO without delay. A complaint does not need to be made through any formal channel before such a report is made.

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VQ will cooperate fully with any investigation by the Queensland Police Service, Sport Integrity Australia, the QFCC, or any other relevant authority.

8. Volleyball Australia's Responsibilities

Should the Respondent's alleged conduct fall within the scope of VA's NIF, it will be dealt with as follows:

a) Complaints alleging "Prohibited Conduct" under VA's Safeguarding Children and Young People Policy, or complaints alleging discrimination under VA's Member Protection Policy, must be referred to Sport Integrity Australia. Where the Respondent's alleged conduct falls within the scope of either policy, the Complaints Manager will:
   (i) refer the complaint to SIA and copy VA for its information;
   (ii) notify the Complainant of the referral; and
   (iii) provide the Complainant with the relevant SIA contact details.

b) If the Respondent's alleged conduct falls within the scope of any other form of "Prohibited Conduct," the Complaints Manager will:
   (i) manage the complaint in accordance with VA's Complaints, Disputes and Discipline Policy (**CDDP**), rather than this Procedure;
   (ii) notify VA and Sport Integrity Australia of the complaint, for their information;
   (iii) inform the Complainant that the matter will be addressed by VQ under the CDDP; and
   (iv) advise the Complainant of the proposed next steps and the anticipated timeframe for resolution.

c) If a complaint falls within the scope of a "Protected Disclosure" under VA's Whistleblower Policy, it must be referred to VA for management under that policy. Similarly, any complaint alleging Prohibited Conduct under VA's Code of Conduct or Competition Manipulation and Sport Gambling Policy must also be referred to VA.

d) Where a complaint alleges conduct that may constitute a breach of the Australian National Anti-Doping Policy, it must be managed in accordance with that policy. The Complaints Manager should consult with VA's National Integrity Manager to determine which organisation is best placed to address the matter.

9. Conduct outside of "Prohibited Conduct"?

Should the complaint allege conduct that falls outside the scope of VA's NIF, the Complaints Manager will advise the Complainant of this determination. The Complaints Manager will decide how best the complaint

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can be dealt with having regard to the circumstances of that particular matter.

Without limiting how the Complaints Manager may deal with a complaint, the Complaints Manager may do any one or more of the following:

a) request the Complainant to provide further information concerning their complaint;
b) seek a formal report from any match official relevant to the complaint (e.g. referees, scorers, lines people, competition administrators or court supervisors);
c) make enquiries with potential witnesses;
d) make other enquiries to clarify the facts relevant to the complaint;
e) determine whether a more formal investigation is warranted and, if so, to appoint a person to undertake the investigation and to report on the investigative outcomes;
f) refer the matter to the relevant Competition or Tournament Control Committee, where relevant, for its attention;
g) refer the matter to the VQ Board of Management concerning a person's membership status, but only after completing the process set out within this Procedure; or
h) explore the Complainant's willingness to participate in some alternative method of resolution of their complaint (commonly known as Alternative Dispute Resolution or ADR).

The primary objectives at this stage of the process are to:

a) clearly identify all of the alleged conduct of the Respondent that the Complainant is complaining about;
b) ascertain whether the complaint can potentially be resolved through some form of ADR or dealt with through some other process that is more appropriate in the circumstances; and
c) to assist in determining the next steps in dealing with the complaint.

If the Complaints Manager refers a matter to a Competition or Tournament Control Committee, the Committee will handle the matter under its own processes and provide the Complaints Manager with the outcome.

10. Referral to Alternative Dispute Resolution (**ADR**)

Where the Complainant has advised of a willingness to participate in some form of ADR, the Complaints Manager may write to the Respondent:

(i) advising of the receipt of the complaint;

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(ii) providing a copy of the complaint or, at the Complaints Manager's discretion, advising of the substance of the complaint, that is, the alleged conduct of the Respondent that the Complainant is complaining about; and

(iii) ascertaining the Respondent's willingness to participate in an ADR process.

The Complaints Manager will copy in each relevant team contact for both parties, if considered appropriate in the circumstances. In the event the parties are willing to participate in an ADR process, the Complaints Manager is to settle the form of that ADR process in consultation with the parties and arrange for that process to be undertaken.

If the matter is resolved through the ADR process, VQ will take no further action other than to record the outcome and, if applicable, terms of the outcome.

If the matter is not resolved through the ADR process or the Respondent is not willing to participate in such a process, the Complaints Manager will determine what further steps should be taken in order to deal with the complaint.

11. Dealing with the Complaint

If the complaint is not dealt with or resolved through an ADR process, the Complaints Manager will continue to deal with the complaint pursuant to this Procedure and in accordance with the following general process.

This general process is a guide only and should be modified to take into account what has already taken place in dealing with the particular complaint to that point in time.

12. General Investigative Process

Once the Complaints Manager is satisfied all of the alleged conduct of the Respondent has been identified, the Complaints Manager may forward the complaint to the Respondent for the purpose of:

a) formally advising the Respondent of the receipt and substance of the complaint (if this has not already occurred); and

b) requesting the Respondent to provide a response within a specified timeframe. The Complaints Manager will determine what is a reasonable timeframe having regard to the substance of the complaint and any other relevant factor.

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The Complaints Manager will copy in each Club President or school team contact for both parties, if considered appropriate in the circumstances.

For the avoidance of doubt, the Complaints Manager will determine whether or not the complaint 'as received' will be forwarded to the parties in question having regard to the content and substance of the complaint (including the presence of inflammatory, irrelevant or extraneous information that may distract from dealing with the substantive conduct).

Regardless of whether the complaint ‘as received’ is forwarded to the Respondent, the Complaints Manager will ensure the Respondent if fully informed of the particulars and allegations levelled against them, so that they are in a position to respond in a full and meaningful way to the allegations made by the Complainant. If the response is provided verbally, the Respondent has the opportunity to bring a support person to any meetings held in person and/or online.

The Complaints Manager may determine whether the complaint is frivolous or vexatious. If such a determination is made, the Complaints Manager is to advise the Complainant, the Respondent (if they are aware of the complaint) and the VQ Board of Management.

13. Responses

The Respondent is to provide a response to the Complaints Manager within the specified timeframe.

If the Respondent does not provide a response within the specified timeframe, the Complaints Manager may proceed to determine what further action should be taken having regard to the information available to them.

If the Respondent does provide a response, the Complaints Manager will consider that response, together with all other relevant information, and determine what further action should be taken having regard to the information available to them.

14. External Investigation

Where the Complaints Manager has, at their sole discretion, appointed an independent person to investigate the complaint and has received a report on the outcomes of the investigation, the Complaints Manager may provide a copy of that report, in whole or part, to the parties. The guiding principle concerning such disclosure will be ensuring the parties are afforded procedural fairness.

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Where an investigator reports that one or more allegations have been substantiated, the Complaints Manager will disclose that information to the Respondent and provide the Respondent with the opportunity to be heard on the matter. The Complaints Manager may specify a reasonable timeframe within which the affected party is to provide a response.

15. Outcomes of Investigation or Enquiries

There are three (3) possible outcomes (putting aside any determination that the complaint was frivolous or vexatious) in relation to each allegation in a complaint (noting there may be more than one allegation in a complaint):

a) the allegation is substantiated;
b) the allegation is unsubstantiated; or
c) the allegation was unable to be substantiated.

The allegation will be 'substantiated' if there is sufficient evidence to suggest the alleged conduct is more likely to have occurred than not (on the balance of probabilities).

If, based on the evidence, it is more likely than not that the Respondent did not breach any applicable standard of conduct, the allegation will be found to be 'unsubstantiated' and the matter will be closed with no further action.

If there are two equally plausible versions of events, or not enough evidence to make a finding either way to the relevant standard, the matter will be 'unable to be substantiated' and the matter will be closed with no further action.

16. Standard of Proof

In deciding the outcome of the investigative process, the Complaints Manager will adopt the civil standard of proof, being on the balance of probabilities. The allegations to be considered may be of such seriousness that clear and cogent evidence or information may be required before there is reasonable satisfaction that the allegations have been made out on the balance of probabilities.

17. Actions to Implement Investigative Outcomes

Volleyball Queensland

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17.1 Allegations Substantiated

Where the Complaints Manager determines that the allegations are substantiated, the Complaints Manager will proceed in accordance with section 18 - Jurisdiction for Substantiated Complaints.

17.2 Allegations Unsubstantiated or Unable to be Substantiated

Where the Complaints Manager determines that the allegations are either unsubstantiated or unable to be substantiated, they will inform the parties of their determination and the matter will be closed with no further action.

18. Jurisdiction for Substantiated Complaints

Without derogating from the provisions of the above the Complaints Manager will determine the most appropriate avenue to deal with a substantiated complaint. This determination will be advised to the Complainant and Respondent as soon as is reasonably practicable.

There are a number of avenues within VQ to deal with such a complaint, namely, through referral to:

a) The relevant **Competition/Tournament Control Committee**, or equivalent, as defined under the respective competition or tournament regulations, rules or by-laws.

b) **VQ Judiciary Committee**, which can be empowered by the VQ Board of Management to conduct hearings into any complaint.

c) **VQ Board of Management –** where the matter falls within the scope of VQ's Constitution. In that regard, clause 4(c), provides:
"The Association shall be recognised as the controlling body for Volleyball in Queensland and the Powers of the Association shall be:
…
(c) To suspend, disqualify or otherwise discipline any member that has committed any breach of this Constitution or rules or directives of the QVA or whose actions may in the opinion of the Board of Management, bring into disrepute, the Association or official or member thereof.

Clause 10(5) of VQ's Constitution goes on to provide:

"(5) The Board of Management may terminate a members membership if the member;

Volleyball Queensland

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www.vq.org.au

(a) is convicted of an indictable offence; or

(b) does not comply with any of the provisions of these rules; or

(c) has membership fees in arrears for at least 2 months; or

(d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association."

Clauses 10(6) & (7) then go on to provide the process that will be followed by the Board if considering terminating a person's membership.

Where the complaint is referred to the VQ Board of Management, it will be dealt with in accordance with the processes set out in VQ's Constitution.

Where the complaint is referred to a Competition or Tournament Control Committee, it will be dealt with in accordance with that Committee's processes. Any Competition or Tournament Control Committee in a VQ-sanctioned event has the right to immediately refer or escalate a matter to the VQ Judiciary Committee. All such referrals must be in writing to the VQ Complaints Manager.

19. VQ Judiciary Committee

19.1 Composition of the VQ Judiciary Committee

VQ will seek expressions of interest for people to be appointed as members of VQ's Judiciary. When a Judiciary Committee is required to conduct a hearing into a complaint, the Complaints Manager will contact members of the VQ Judiciary seeking their availability and identifying any conflicts of interest. The Judiciary Chairperson will be required to have formal legal training. The VQ CEO will appoint the Judiciary Committee for each matter separately.

19.2 Representation

Legal representatives or advocates are permitted to appear before the VQ Judiciary on behalf of a party where leave to appear has been granted to that party by the Chairperson of the Judiciary Committee.

20. The Judiciary Committee

a) The Judiciary Committee must conduct its proceedings in line with the principles of procedural fairness, ensuring matters are addressed promptly, fairly, and with integrity. Its decisions must be guided by equity and good conscience.

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b) The Judiciary Committee may seek information in any manner it considers appropriate to the circumstances and is not bound by formal rules of evidence. Subject to this clause, the Judiciary Committee has discretion to determine how proceedings are managed and may issue directions as required.

Example: The Judiciary Committee may give directions requiring the parties to: (a) provide witness statements and other evidence (documentary or otherwise) by a specified date; or (b) provide written submissions or an outline of the party's case.

c) Without limiting the foregoing, the Judiciary Committee may at its discretion:
   (i) use video conferencing or phone to conduct its proceedings;
   (ii) require a party to lead evidence or provide information about a particular issue;
   (iii) hold preliminary meetings to:
      1. settle the issues, if any, in dispute;
      2. determine a timetable for the orderly progression of the proceedings;
      3. determine any challenges to the Judiciary Committee's jurisdiction to hear the complaint, or the validity of the proceedings, or any application to stay the proceedings; or
      4. determine any challenge to the sufficiency of the particulars of the complaint.

d) The Judiciary Committee may make the determination it considers warranted in the circumstances.

Example: A Respondent takes issue with the sufficiency of the particulars and argues that better particulars are required to ensure they receive a fair hearing. The Judiciary Committee may determine to order VQ or the complainant to provide further and better particulars.

e) The Judiciary Committee may receive into evidence any referee's report and any other match official's report, and any investigation report, provided that a copy of the report has been made available to the Respondent and the Complainant.

f) The Judiciary Committee may give whatever weight it thinks appropriate to the report's contents. The Judiciary Committee must hear the parties and consider any material they desire to present, so long as the Judiciary Committee considers it to be sufficiently relevant to the issues in dispute.

g) The Judiciary Committee may permit a party to call appropriate persons to give evidence before it on appropriate matters, provided the evidence is sufficiently relevant to the issues in dispute. Those persons may be cross-examined by the other party. However, unless the Judiciary Committee gives leave, the

cross-examination must only be to clarify or amplify the person's testimony or test their recollection.

h) The Respondent must appear personally before the Judiciary Committee. The Respondent may be accompanied by a support person, but that person has no right to speak or be heard, they are purely there to support.

i) If the Respondent does not appear, or fails to communicate with the Judiciary Committee, or fails to act in a timely manner, the Judiciary Committee may nevertheless proceed to determine the complaint.

j) Proceedings before the Judiciary Committee must be held in private and are confidential. Unless the Judiciary Committee determines otherwise, no member of the Judiciary Committee and no other person who has been involved in the proceedings may divulge any information about the proceedings to any person, except as permitted by this Procedure or to the extent compellable by law.

k) The Judiciary Committee must consider the substantial merits of the case and record any findings of fact and other conclusions as it thinks necessary in the circumstances. The standard to be applied is the civil standard, on the balance of probabilities.

l) The Judiciary Committee must determine whether or not the complaint has been made out in full or in part. The Judiciary Committee need not confine its findings and conclusions to the matters set out in the complaint.

Example: Should a Respondent act in an unreasonably combative manner or deny the allegations ultimately proven, the Committee may take that conduct into account when determining the appropriate sanction.

m) If, during a hearing, it becomes evident that the Respondent may have committed some other breach which is not the subject of the current complaint, the Judiciary Committee may, in its discretion, amend the complaint or to add an entirely new complaint based on facts disclosed during the hearing. In exercising its discretion, the Judiciary Committee will give the Respondent the opportunity to be heard on the matter.

n) In the event the complaint is amended or a new complaint laid, the Judiciary Committee will ensure the Respondent is afforded procedural fairness. If necessary, the Judiciary Committee may adjourn the proceedings for such time as it considers reasonable in the circumstances.

o) The Judiciary Committee cannot hold a complaint to be made out, in full or in part, unless the majority of

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the Judiciary Committee members who dealt with the matter are satisfied on the balance of probabilities.

p) Proceedings may continue, at the Judiciary Committee's discretion, despite the Respondent's resignation as a member of Volleyball Queensland.

21. The Judiciary Committee's Decision

As soon as practicable after the conclusion of the hearing, the Judiciary Committee must notify VQ, the Respondent and the Complainant, whether it has:

a) dismissed the complaint;
b) found the complaint made out in full or in part;
c) finalised the proceedings due to the Respondent's resignation as a member; and must supply each of them with a copy of its Hearing Record (refer to clause 22).

Where the Judiciary Committee finds the complaint made out in full or in part, it must, after giving the Respondent and, if it thinks fit, VQ, an opportunity to be heard on the question of any sanction to be imposed, determine the sanction taking into account, amongst other things, the Penalty Scale set out in clause 25 of this Procedure where that scale is relevant.

The Judiciary Committee must take into account any antecedent actions of the Respondent of which it is aware (including any prior sanctions) and which it considers sufficiently relevant to determining the appropriate sanction. When considering what antecedent matters are sufficiently relevant, the Judiciary Committee may consider submissions of the VQ and the Respondent and the interests of the Complainant and the Respondent and the guiding principles of fairness, respect, responsibility and safety.

22. The Hearing Record

The Judiciary Committee must provide a report (the **Hearing Record**) to the VQ Board of Management (copies to the Respondent, Complainant and the Complaints Manager) which sets out:

a) the complaint before it, including any amendments or additional complaints;
b) an outline of the proceedings, including any preliminary determinations or orders;
c) a description of the evidence or information considered by it and, where applicable, copies of any statements, reports, or exhibits admitted in the proceedings;
d) its findings and reasons; and
e) the sanction imposed.

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The Complaints Manager must take whatever action they consider necessary to implement the decision of the Judiciary Committee and must advise the Respondent, the Respondent's club President (if relevant) and the Complainant of that action.

23. Appeal Process

a) Where the Judiciary Committee makes an adverse finding against, or imposes a sanction on, the Respondent, the Respondent may appeal to the VQ Board of Management within five (5) working days of the date the Hearing Record was served on them. Appeals may be against either or both the adverse findings or sanction.

b) There shall be no appeal from a decision of the Judiciary Committee unless the Respondent satisfies the chairperson of the Appeals Commitee, in that person's sole discretion, that one or more of the following grounds of appeal is satisfied:

(i) that significant new or additional evidence has become available, which is likely to make a material difference to the decision of the Judiciary Committee;

(ii) that the penalty imposed by the Judiciary Committee is not in accordance with the provisions of this Procedure;

(iii) that the penalty imposed by the Judiciary Committee is manifestly excessive; or

(iv) that the Judiciary Committee failed to follow procedures or requirements of this Procedure to the significant detriment of the person seeking the appeal.

c) The Notice of Appeal must:

(i) be lodged in writing and submitted to the Complaints Manager;
(ii) set out clearly and succinctly whether the appeal is against an adverse finding (and identify the said finding) and/or sanction;
(iii) clearly and succinctly set out the grounds of the appeal and explain how, in the Respondent's opinion, the Judiciary Committee fell into error in making its determination by reference to the evidence and information before the Judiciary Committee;
(iv) set out the remedy sought by the Respondent (for example, that the appeal be allowed and the decision of the Judiciary Committee be set aside and, in its place, a determination made that the complaint be dismissed); and
(v) set out whether a stay of the Judiciary Committee's decision is sought and, if so, the grounds in support of the application for the stay.

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d) Lodgement of an Appeal Notice does not operate as a stay of the decision of the Judiciary Committee, unless the Appeals Committee, in their sole discretion, determines otherwise.

e) The chairperson of the Appeals Commitee will consider the grounds of appeal articulated in the Notice of Appeal and will determine whether the Respondent has made out all or any of their grounds of appeal.

f) Where the chairperson of the Appeals Committee determines the Respondent has made out any one or more of their grounds of appeal, the Appeals Committee will then determine whether it is appropriate to grant the remedy sought by the Respondent.

Example: the Appeals Committee may find that a particular ground of appeal is made out, but the error in question did not affect the ultimate decision under challenge and so deny the remedy sought by the Respondent.

g) The Appeals Committee will advise the Respondent, Complainant and VQ Complaints Manager of its determination as soon as reasonably practicable. The decision of the Appeals Commitee regarding any appeal is final.

h) The Appeals Commitee shall comprise of the following persons:
   a. a chairperson; and
   b. of no fewer than two other (2) committee members,

appointed by VQ from time to time to hear appeals as required by VQ. Members of an Appeals Committee will preferably have experience in hearing and determining disciplinary matters in sport, however, need not have any particular experience with the sport of volleyball.

i) Judiciary Committee members and a chairperson who were not involved in the hearing of a matter the subject of an appeal shall be eligible to sit on the Appeals Committee panel to hear the appeal.

24. Review, Reporting and Continuous Improvement

The Complaints Manager will maintain a Complaints Register containing information about every complaint received, the pathway used, key dates, outcomes and any action taken. The Complaints Register will be kept secure and confidential.

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At least once each year, the Complaints Manager will provide a report to the CEO and VQ Board of Management covering where possible:

a) the number and type of complaints received and resolved during the period;
b) timeliness of responses and any delays;
c) outcomes and sanctions imposed;
d) any systemic issues identified and the actions taken or proposed to address them;
e) trends relating to Aboriginal and Torres Strait Islander children, young people and families, children and young people with a disability/s, or children and young people from culturally and linguistically diverse backgrounds; and
f) feedback received from children, young people, families and VQ members on the complaints process.

The VQ Board of Management will consider the report and direct any changes required to policy, procedure, training or practice.

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25. Penalty Scale

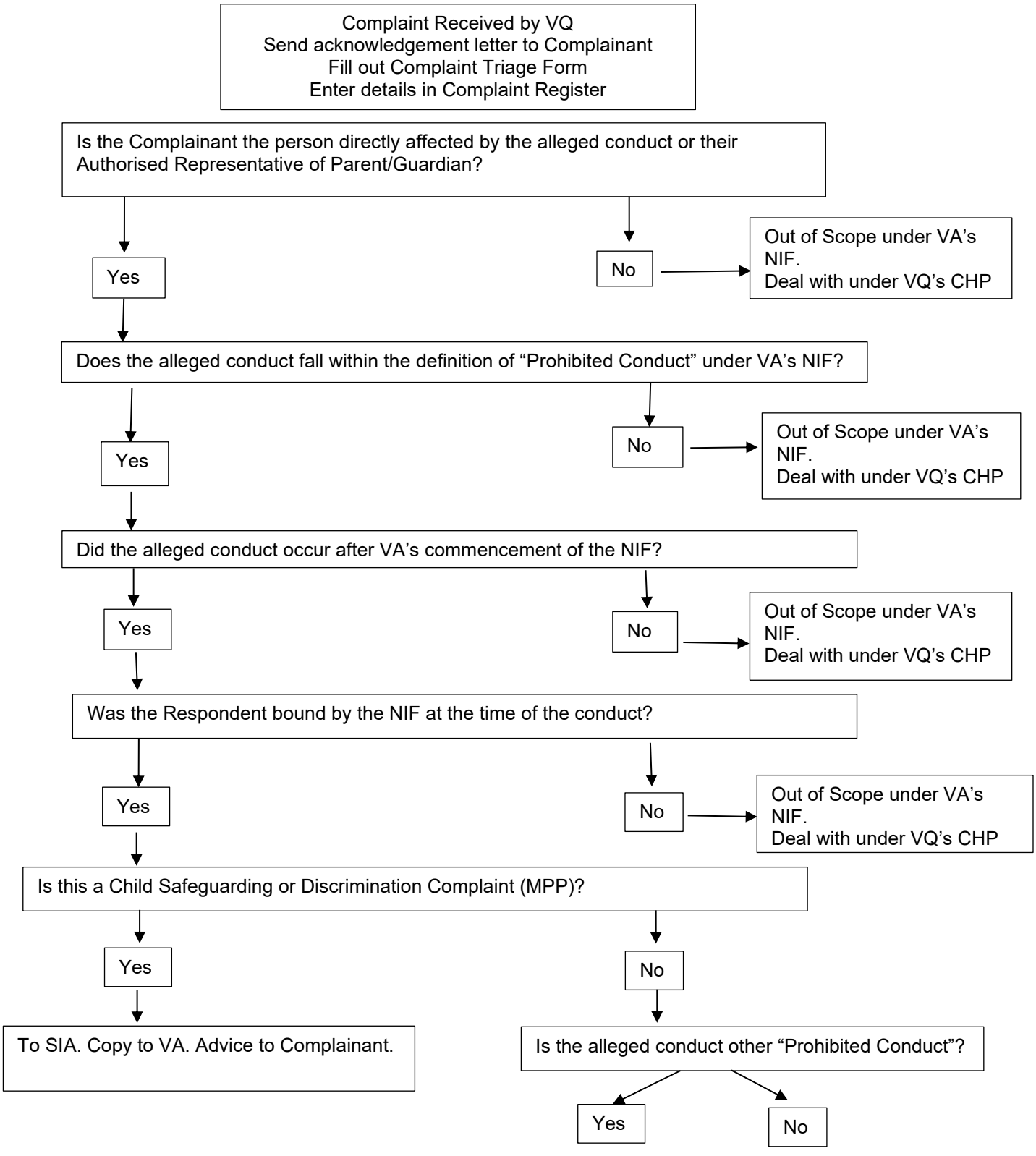
The table below sets out the maximum penalties for suspension or sanctions under the VQ Complaints Handling Procedure for the conduct listed. These penalties may be revised by formal resolution of the VQ Board of Management at any time, but changes will not apply retrospectively.

CHARGE/OFFENCE	MAXIMUM PENALTY
Threatening or abusive language	4 rounds or weeks (whichever is greater)
Abuse or contempt shown towards an official	8 rounds or weeks (whichever is greater)
Making threats to a Player, Official, Spectator and/or any property	12 rounds or weeks (whichever is greater)
Physical intimidation towards a Player, Official or Spectator	12 rounds or weeks (whichever is greater)
Damage to any physical property of a Player, Official or Spectator, including competition or venue equipment	12 rounds or weeks (whichever is greater)
Physical contact of a threatening nature to a Player, Official or Spectator	26 rounds or weeks (whichever is greater)
Discrimination, racism or cultural abuse on the basis of race, ethnicity, disability, sex, gender identity, sexual orientation, age, religion, or cultural identity, including against Aboriginal and Torres Strait Islander children, young people and families.	Up to and including termination of membership, with referral under the NIF where applicable

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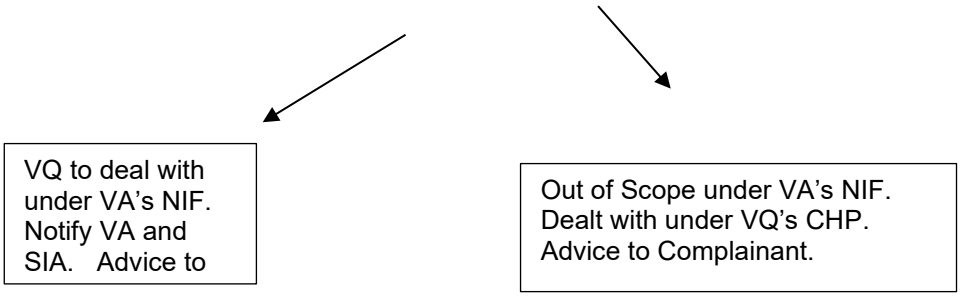
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APPENDIX 1: VQ Complaint Handling Procedure – Process Charts



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Note 1: If the complaint is a "Protected Disclosure" under VA's Whistleblower Policy – it must be dealt with under VA's Whistleblower Policy. Send complaint to VA, copy to SIA and advise Complainant.

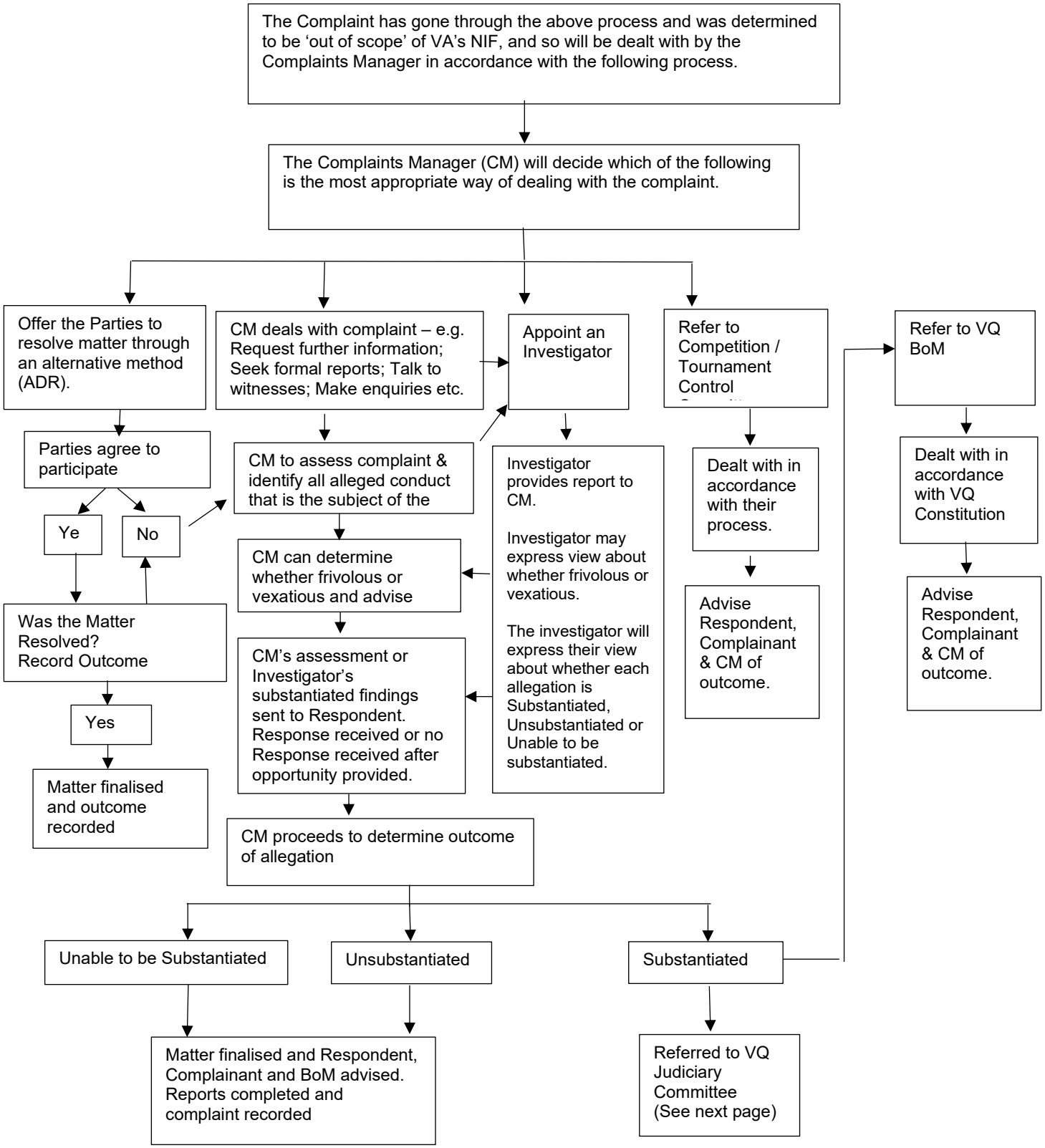
Note 2: If alleged conduct is possible breach of Australian National Anti-Doping Policy – it must be dealt with under that Policy. Advise VA and SIA of the matter and advise Complainant.

Note 3: If the alleged conduct is a breach of either of VA's *Code of Conduct* or *Competition Manipulation and Sport Gambling Policy,* consult with VA's National Integrity Manager to determine if the matter is to be referred to VA for its management.

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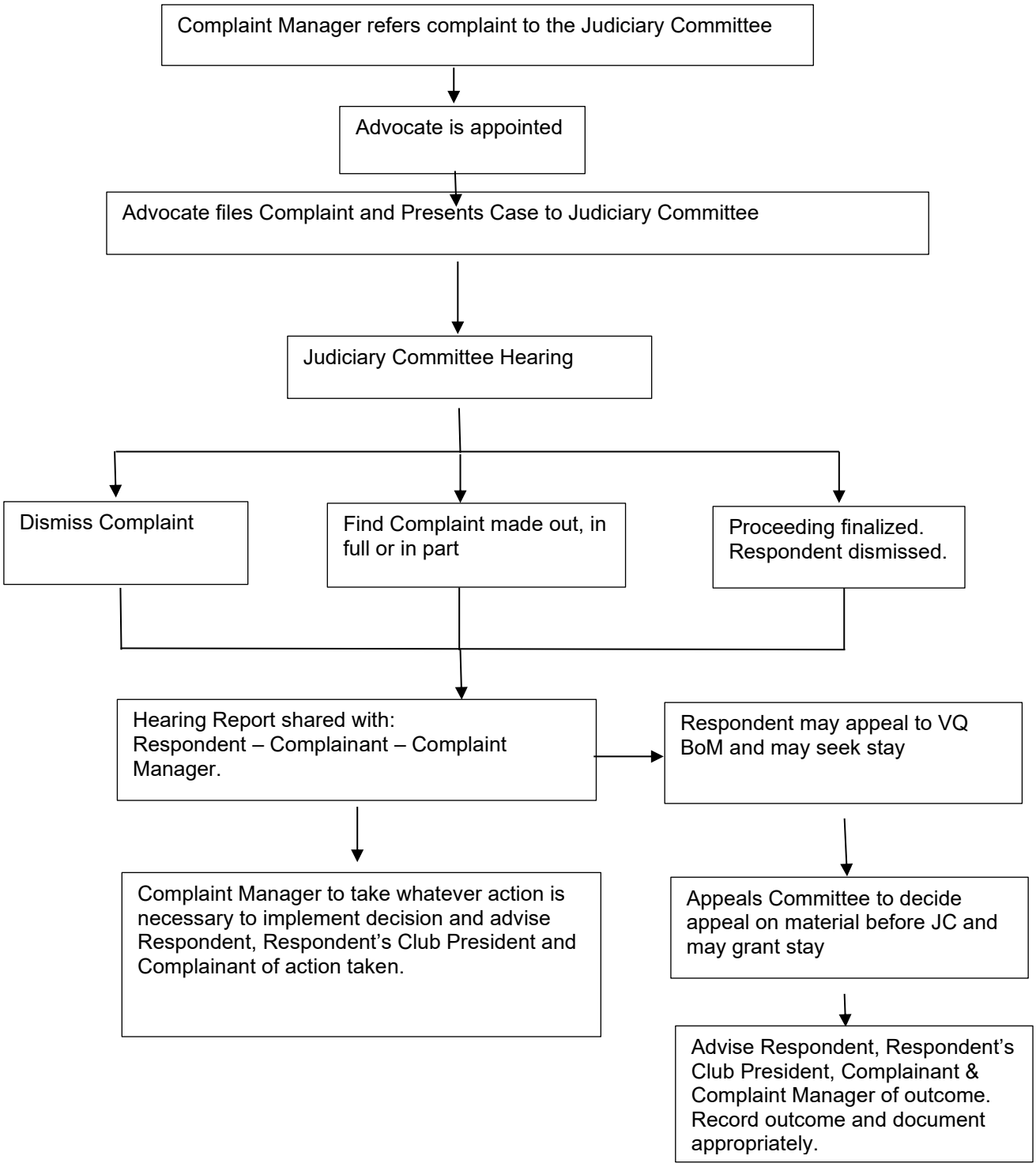
VQ Complaint Handling Procedure – Process Chart



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VQ Complaint Handling Procedure – Process Chart



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APPENDIX 2: DRAFT TEMPLATE ACKNOWLEDGEMENT LETTER

Dear …….

I acknowledge receipt of your letter/email complaint dated …{insert date of complaint}… concerning the conduct of …{name of Respondent}.

As you may be aware, Volleyball Australia (**VA**) has developed a National Integrity Framework (**NIF**) that consists of a number of Integrity Policies, namely the:

(i) National Integrity Framework Policy;
(ii) Competition Manipulation and Sport Gambling Policy;
(iii) Safeguarding Children and Young People Policy;
(iv) Member Protection Policy;
(v) Improper Use of Drugs and Medicine Policy; and
(vi) Complaints, Disputes and Discipline Policy.

Each of those Policies focuses on "Prohibited Conduct" which is defined (differently) in each Policy. As Volleyball Queensland (**VQ**) is bound by the NIF, it is necessary to first determine whether your complaint falls within the scope of "Prohibited Conduct" in any of those Policies. I anticipate that assessment will have been completed by …{insert date}… and apologise for the associated delay.

The outcome of that initial assessment will determine how your complaint will then be dealt with.

Should your complaint fall within the scope of the NIF, it may be referred to Sports Integrity Australia (**SIA**) or VA or retained by VQ. You will note that a copy of this letter has been forwarded to each of those organisations, so they are aware of the existence of your complaint (pending completion of this initial assessment).

Should your complaint fall outside the scope of the NIF, VQ will deal with it.

If VQ deals with your complaint, it will be dealt with in accordance with VQ's *Complaint Handling Procedure* (a copy of which is accessible on VQ's website here {insert hyperlink to Procedure}).

In accordance with VQ's *Complaint Handling Procedure*, VQ will determine the most appropriate way to deal with your complaint.

I anticipate being in a position to write to you shortly after the …{insert previous date}… to advise of the outcome of the initial assessment and provide greater detail about the next steps to be taken in dealing with

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your complaint.

In the interim, should you have any enquiries, please do not hesitate to contact me.

…….

Complaints Manager

Volleyball Queensland

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APPENDIX 3: CHILD FRIENDLY COMPLAINT FORM AND PROCESS SUMMARY

This information is for anyone under 18 who wants to raise a concern or make a complaint about something that has happened at Volleyball Queensland.

If you feel unsafe, uncomfortable, or if something is wrong, you can tell us. We will listen. We will take you seriously.

You will not be in trouble for speaking up.

Ways to tell us:

- Talk to any VQ staff member or coach you trust.
- Email us at complaints@vq.org.au.
- Phone us on (07) 3367 1991 and ask for the Complaints Manager.
- Fill in the form below (on paper or online at [insert link]). You can do this on your own or with help from a parent, carer, Elder, friend or teacher.
- You can tell us your name, or you can stay anonymous. Either way, we will look into it.

You can bring anyone you like to support you. This could be a family member, a friend, an Elder, or a cultural support person.

What will happen:

1. Someone from VQ will let you know we got your message within 2 working days.
2. We will ask if you are safe and if you need any support.
3. We will tell you what we are going to do next and how long it will take.
4. We will keep you up to date along the way.
5. We will let you know the outcome.

We will not ignore you. We will not punish you for speaking up. We will not share your name or story with people who do not need to know.

If you are in danger right now, call 000.

You can also call Kids Helpline on 1800 55 1800 at any time. It is free and confidential.

EXAMPLE COMPLAINT FORM

Your name (you can leave this blank): _____

Your age (optional): _____

A phone or email where we can reach you (optional): _____

What happened? Please tell us in your own words: _____

When did it happen? _____

Where did it happen? _____

Is there anyone else involved or who saw what happened? _____

Is there anyone you would like to bring with you as a support person? _____

What would you like to happen next? _____