



Southern Districts Basketball Association Complaints Policy



1.0 Introduction

Southern Districts Basketball Association (SDBAL) is committed to making basketball a safe and fair place for all participants.

As a Member Organisation of Basketball Australia, SDBAL operates under:

- The National Integrity Framework (Sport Integrity Australia), and
- Basketball Australia's Complaints Policy.

This Complaints Policy establishes the governance framework and procedures for managing and resolving complaints, grievances, and disputes at the association level. It applies to matters outside the scope of Basketball Australia's Complaints Policy scope, while ensuring seamless referral to national processes where required.

Relationship with Basketball Australia Policies:

- SDBAL is bound by the National Integrity Framework
- Alleged breaches of the Member Protection Policy or Child Safeguarding Policy are referred to Basketball Australia under its Complaints Policy
- SDBAL will take immediate local safeguarding steps and provide Basketball Australia with relevant information.

Child Safe Standards Compliance

This policy ensures compliance with Queensland's Child Safe Standards and Reportable Conduct obligations by embedding:

- Clear response and referral procedures for child safety concerns
- Commitment to child participation and voice in processes
- Mandatory and ongoing child safeguarding training
- Safe recruitment and screening practices
- Accessible and child-friendly reporting pathways

2.0 Fundamental Principles

This Complaints Policy is founded on the following principles:

Natural Justice and Procedural Fairness:

- Right to be heard, impartial decision-making, timely processes and decisions based on evidence.

Accessibility and Equity:

- Processes accessible to all participants regardless of age, ability, or background
- Support provided to children and vulnerable persons

Restorative Approaches:

- Early, fair and proportionate resolution
- Emphasis on learning and improvement rather than punitive outcomes



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Cultural Safety and Responsiveness

- Respect for Aboriginal and Torres Strait Islander cultural protocols
- Use of cultural advisors where appropriate
- Cultural competence expected of all decision-makers

3.0 Governance Framework

3.1 Organisational Accountability

The SDBAL Board has ultimate accountability for complaint management and delegates operational responsibility to the General Manager, who serves as the primary Complaints Manager.

3.2 Decision-making Authority

Decision-making authority is distributed as follows:

- **Minor Administrative Issues:** Operations Manager
- **Interpersonal Conflicts:** General Manager/Complaints Manager
- **Policy Breaches:** General Manager with Board notification
- **Serious Misconduct:** Board decision with external expert advice
- **Appeals:** Independent Appeals Panel appointed by Board

Conflict of Interest: All decision-makers must declare conflicts; independent or external experts engaged as required.

4.0 Scope and Jurisdiction

This policy applies to all SDBAL Members and Participants in relation to their involvement in SDBAL activities, whether on or off court. The scope includes all basketball-related activities, communications, and events where SDBAL has jurisdiction.

Integration with Other Policies:

- Child Safety matters are addressed under the Child Safeguarding Policy
- Serious breaches are referred to Basketball Australia's Complaints Policy
- Employment matters are addressed under relevant employment frameworks

This policy does not apply to:

- Interactions between participants where the only connection to basketball is their membership status
- Subsequent conduct following prohibited conduct that no longer directly relates to basketball
- Matters determined by SDBAL to be more appropriately dealt with under different policies, codes, or regulations
- Criminal matters that must be referred to appropriate authorities



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5.0 Process Categories and Pathways

5.1 Local Administrative Disputes (handled by SDBAL):

- Competition rules, team selection concerns (non- discrimination), club governance, facility use, general interpersonal conflicts, coaching/training concerns, financial disputes.

5.2 National Referrals (handled by Basketball Australia):

- All alleged Prohibited Conduct as defined by Member Protection
- Matters involving potential suspension or expulsion from basketball
- Criminal conduct
- Child safeguarding concerns
- Serious misconduct that could damage basketball's reputation
- Matters where SDBAL has conflict of interest

5.3 Process Determination

The Complaints Manager will assess all matters to determine the appropriate process pathway based on severity, risk, jurisdiction, and available expertise.

For matters within Basketball Australia's jurisdiction, the following constitute Prohibited Conduct:

- **Abuse:** Physical, emotional, psychological, sexual, inappropriate use of power
- **Bullying:** Repeated intentional harmful behaviour
- **Harassment:** Unwanted offensive behaviour
- **Sexual Misconduct:** Including sexual harassment and sexual offenses
- **Unlawful Discrimination:** Direct or indirect
- **Victimisation:** Unfair treatment for making complaints
- **Vilification:** public acts inciting hatred
- **Criminal conduct**

6.0 Complaints Process Framework

6.1 Access and Intake

- Multiple channels for receiving complaints are available
- Support is provided for vulnerable persons making complaints
- Initial assessment determines appropriate process pathway
- Immediate protective action is taken where risk exists

6.2 Resolution Pathways

- **Informal:** Facilitated discussions, mediation, restorative practices
- **Formal:** Independent investigation, procedural fairness, evidence-based decision making, written findings and recommendations.



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6.3 Provisional Measures

Where risk of harm exists, provisional measures may include:

- Temporary suspension or modified participation
- Supervision requirements and no-contact orders
- Support services for affected parties

7.0 Procedural Fairness Requirements

- Timely acknowledgement of complaints
- Clear communication about process and timeframes
- Access to support persons throughout the process
- Confidentiality maintained where possible
- Decisions based on balance of probabilities
- Consistent application of policies and sanctions

8.0 Outcomes and Sanctions Framework

8.1 Possible Findings

- Substantiated: allegation proven on balance of probabilities
- Unsubstantiated: insufficient evidence to prove allegation
- Unable to be determined: conflicting evidence prevents determination

8.2 Sanctions Principles:

Sanctions are:

- Proportionate to the conduct and its impact
- Focused on behaviour modification and learning, consistency and rehabilitation

8.3 Available Sanctions

Available Sanctions (aligned with Basketball Australia framework):

- No further action
- Formal caution/warning
- Mandatory education/training programs
- Community service within basketball
- Mentoring/counselling requirements
- Temporary suspension from specific activities
- Temporary suspension from all basketball activities
- Permanent exclusion from basketball
- Financial penalties (where permitted)
- Restitution requirements
- Other sanctions appropriate to the conduct



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9.0 Appeals Framework

9.1 Right of Appeal

Appeals may be made on the following grounds:

- Procedural unfairness that materially affected the outcome
- Decision unreasonable based on available evidence
- Sanction disproportionate to the conduct
- New evidence that could not reasonably have been available

9.2 Appeal Process

- Independent Appeals Panel with relevant expertise
- Written submissions and, where appropriate, oral hearings
- Review limited to grounds of appeal
- Final decision binding on all parties

10.0 External Referral and Escalation

10.1 Referral Criteria

Matters are referred externally when:

- SDBAL lacks jurisdiction or appropriate expertise
- Conflicts of interest cannot be managed locally
- Legal or regulatory requirements mandate external involvement
- Resources are insufficient for proper investigation

10.2 Reportable Conduct Scheme Obligations

Where a grievance or complaint involves alleged conduct that may fall within the definition of 'reportable conduct' under Queensland's Reportable Conduct Scheme, SDBAL will:

- Immediately refer the matter to the SDBAL Child Protection Officer
- Comply with mandatory reporting obligations to the relevant oversight authority
- Take protective action to ensure the safety of children while the matter is being assessed or investigated
- Support and cooperate with any external investigations by the Queensland Police, Child Safety Services, or other regulatory bodies

10.3 Coordination Framework

Where matters involve multiple jurisdictions or policies:

- Clear communication protocols are established
- Duplicate processes are avoided
- Consistent outcomes are sought
- Information sharing complies with privacy requirements



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11.0 Support and Safeguards

11.1 Participant Support

- Support persons may accompany parties
- Referral to external support services
- Protection from retaliation or victimisation
- Ongoing monitoring of welfare
- external support options including:
 - Lifeline: 13 11 14
 - Kids Helpline: 1800 551 800
 - 1800RESPECT: 1800 737 732

11.2 Confidentiality and Privacy

- Information shared only with those who need to know
- Privacy legislation compliance
- Clear communication about confidentiality limits

12.0 Quality Assurance and Improvement

- Regular review of process effectiveness
- Stakeholder feedback collection
- Analysis of trends and systematic issues
- Benchmark comparison with similar organisations
- Training updates for relevant personnel
- Policy updates to reflect best practice

13.0 Implementation and Resources

- Appointment of appropriately trained personnel
- Mandatory training for relevant staff and volunteers
- Communication of processes to members

Policy Approval

Board Approval Required

Implementation Date:

Review Date: Annual

Related Documents: Child Safeguarding Policy, Member Protection Policy, Appeals Procedures, Contact Directory