
HIGHLANDS SOCCER ASSOCIATION COMPLAINTS AND GRIEVANCE POLICY

1. Purpose

The Highlands Soccer Association (HSA) is committed to fostering a safe, inclusive, and respectful football environment for all participants, including players, coaches, officials, volunteers, and spectators. This policy provides a clear and fair process for addressing concerns while ensuring integrity and accountability.

HSA commits to addressing all complaints in the following manner:

- **Addressed in a Timely Manner** – Acknowledged within 7 days, with investigations generally completed within 21–28 days, depending on complexity.
- **Handled with Procedural Fairness** – All parties involved in a complaint will have the right to present their case, be treated with respect, and have decisions made impartially and without bias.
- **Kept Confidential Where Possible** – Complaint details will only be disclosed to relevant parties on a need-to-know basis, except where legal obligations require disclosure (e.g., mandatory reporting, law enforcement investigations).
- **Aligned with Legal and Ethical Obligations** – HSA will comply with relevant laws, including child protection legislation, anti-discrimination laws, privacy regulations, and Football NSW's governance policies.
- **Referred to Authorities When Necessary** – Matters involving potential criminal activity, child safety concerns, serious misconduct, or threats to health and safety will be escalated to the appropriate authorities, including NSW Police, The Office of the Children's Guardian, or Football NSW, as required.
- This policy reflects HSA's commitment to maintaining trust, integrity, and accountability in all aspects of its operations while ensuring a fair and accessible process for resolving complaints.

2. Scope

This Complaints Policy applies to all individuals involved in the HSA and its affiliated clubs. This includes, but is not limited to:

- HSA Board Members
- Club Committee Members and Administrators
- Registered Players (all age groups and competitions)
- Coaches, Team Managers, and Support Staff
- Match Officials (Referees and Assistant Referees)
- Spectators, Parents, and Guardians
- Volunteers and Club Representatives
- Contractors and Service Providers engaged by HSA or its affiliated clubs
- Any other individuals participating in or attending HSA-sanctioned activities, events, or competitions

All persons listed above are required to comply with this policy and participate in the complaints resolution process in good faith. HSA reserves the right to take disciplinary action against individuals and/or clubs, who fail to adhere to this policy, in accordance with Football NSW regulations, the Football Australia Code of Conduct, and any applicable laws.

Where a complaint involves serious misconduct, criminal activity, or child protection concerns, it may be escalated to external authorities, including NSW Police, the Office of the Children's Guardian, or other relevant agencies, as required by law.

3. Definitions

- **Complaint:** An allegation regarding conduct that breaches the association's codes, policies, or regulations.
- **Complainant:** The individual or entity lodging the complaint.

- **Respondent:** The individual or entity against whom the complaint is made.
- **Appellant:** The person filing the appeal.
- **Disciplinary Panel:** Members of the HSA Judicial Panel in addition to no more than 2 representatives from each Club, with preference given to President and MPIO positions.

4. Guiding Principles

- **Confidentiality:** Ensure all complaints are handled with utmost confidentiality to protect all parties involved.
- **Impartiality:** Address complaints without bias, ensuring no conflicts of interest influence the process.
- **Timeliness:** Aim to resolve complaints within 21-28 days, unless further investigation is required.

5. Lodging a Complaint

1. Informal Resolution

HSA encourages individuals to resolve minor complaints and disputes through direct and respectful communication where safe and appropriate. In many cases, concerns can be effectively addressed at the club or team level without the need for formal intervention.

Role of the MPIO (Member Protection Information Officer)

To assist in resolving issues informally, HSA and each HSA affiliated club has an MPIO to assist in resolving concerns informally, following the Football NSW policies. The MPIO plays a neutral and supportive role, ensuring that all parties understand their rights, responsibilities, and the available complaint resolution pathways. The details of the MPIO can be found on the HSA Website or can be obtained by contacting admin@hsa.org.au

Each HSA-affiliated club provides access to an MPIO, who:

- Provides confidential guidance on resolving concerns.
- Explains relevant policies and complaint resolution options.

- Encourages early resolution through mediation where possible.
- Refers serious matters (e.g., child protection, criminal conduct) to Football NSW, NSW Police, or other authorities as required.

Steps for Informal Resolution

1. **Speak directly to the person involved** – If appropriate, individuals should first attempt to discuss and resolve the issue directly in a calm, respectful, and constructive manner.
2. **Seek assistance from the Club or Team Officials** – If direct discussion does not resolve the issue, a Club Committee Member, Coach, or Team Manager may help mediate a solution.
3. **Engage the MPIO for guidance** – If further support is needed, the MPIO can provide confidential advice and assist with finding a resolution.
4. **Record the outcome (if required)** – While informal resolutions do not require formal documentation, it may be useful to note agreed outcomes for future reference.

If an informal resolution is unsuccessful or inappropriate (e.g., cases of misconduct, harassment, child safety concerns, or serious disputes), the matter should be escalated through the formal complaints process. The MPIO can assist individuals in understanding the next steps for lodging a formal complaint as it applies to this policy.

2. Formal Complaint

If an informal resolution is not feasible, appropriate, or unsuccessful, individuals may submit a formal complaint to the HSA. The formal complaint process ensures that serious concerns are addressed fairly, impartially, and in accordance with Football NSW and Football Australia regulations.

How to Lodge a Formal Complaint

A formal complaint must be submitted in writing and should include:

1. **Details of the Incident** ○ A clear and concise description of the alleged misconduct, including the date, time, and location of the incident.
 - The names of the individual(s) involved and any witnesses (if applicable).
2. **Specific Breaches of Policies or Codes** ○ Reference to any alleged breaches of relevant policies, codes of conduct, or regulations, such as:
 - Football Australia National Code of Conduct and Ethics
 - Football NSW Grievance & Disciplinary Regulations
 - HSA Rules and Regulations
 - Child Protection or Member Protection Policies

3. **Supporting Evidence** ○ Any relevant documents, emails, messages, photos, videos, or witness statements that support the complaint.
4. **Preferred Outcome (if applicable)** ○ A statement outlining what the complainant hopes to achieve from the complaint process (e.g., mediation, disciplinary action, policy clarification).

Where to Submit a Complaint

- Complaints should be submitted via email to HSA's designated Complaints Officer or MPIO or by contacting admin@hsa.org.au.
- If the complaint involves serious misconduct (e.g., violence, harassment, child protection concerns), it may also be escalated by the individual or HSA to Football NSW, NSW Police, or other relevant authorities.
- All complaints will be logged and assigned a reference number, with updates provided throughout the process by the investigating member.

6. Complaint Handling Process

1. **Acknowledgment** – The complainant will receive written confirmation of receipt within 7 days.
2. **Assessment** – The complaint will be reviewed to determine the appropriate process (e.g., internal investigation, mediation, or escalation to Football NSW).
3. **Investigation** – Investigation will generally conclude within 21-28 days, with extensions for complex cases. If required, an independent investigator or disciplinary panel will gather evidence and interview relevant parties.
4. **Decision & Outcome** – The complainant and respondent will be informed in writing of the findings and proposed actions
5. **Right to Appeal** – If the complainant or respondent is dissatisfied with the outcome, they may appeal in accordance with Football NSW's Grievance & Disciplinary Regulations.

HSA is committed to handling all formal complaints with confidentiality, impartiality, and procedural fairness, ensuring that all parties are treated with dignity and respect throughout the process.

7. Possible Outcomes of a Complaint

Once a formal complaint has been reviewed and investigated, the HSA will determine an appropriate outcome based on the evidence provided and the relevant Football NSW and Football Australia regulations.

The possible outcomes include:

1. No Action

If the complaint is unsubstantiated due to a lack of evidence or if it does not breach any relevant policies or codes, HSA may determine that:

- No further action is required.
- The complainant and respondent will be notified of the decision.
- The complaint may be recorded for future reference, should further issues arise.

2. Mediation

If the complaint involves a miscommunication, minor disputes, or interpersonal conflict, HSA may offer mediation as a resolution. This process involves:

- A neutral facilitator (e.g., MPIO or independent mediator (pending selection and payment as agreed upon by the involved Club and HSA)) helping both parties discuss the issue in a safe and structured environment.
- Encouraging a mutually agreed resolution, where both parties commit to moving forward in a positive manner.
- If mediation is successful, the matter will be considered resolved and no further disciplinary action will be taken.

3. Disciplinary Action

For complaints involving serious breaches of conduct, disciplinary action may be taken in accordance with Football NSW's Grievance & Disciplinary Regulations. Sanctions may include:

- Official Warning – A written or verbal warning issued to the individual.
- Education or Training – The individual may be required to undertake relevant training (e.g., child protection, respect in sport).
- Suspension – A temporary suspension from participation in HSA activities, matches, or competitions.
- Fines or Penalties – Monetary fines or other penalties may be imposed as per Football NSW regulations.

- Expulsion or Deregistration – In cases of serious misconduct, the individual may be permanently removed from HSA competitions, events, or membership.
- Referral to External Authorities – If the complaint involves criminal behaviour, child protection concerns, or serious threats to safety, the matter will be referred to NSW Police or relevant government agencies.

All disciplinary actions will be undertaken in accordance with Football NSW and Football Australia regulations, ensuring procedural fairness and the right to appeal any decision through the appropriate grievance process.

8. Appeals Process

The HSA is committed to ensuring all complaints and disciplinary decisions are handled fairly, transparently, and in accordance with procedural fairness. To uphold this principle, individuals involved in a complaint have the right to appeal certain decisions under specific conditions.

8.1. Right to Appeal

Both the complainant and the respondent have the right to appeal decisions made by HSA, provided the appeal is based on valid grounds and is lodged within the specified timeframe.

8.2. Grounds for Appeal

An appeal will only be considered if it meets one or more of the following criteria:

- A significant procedural error that may have affected the outcome of the original decision.
- New and relevant evidence has come to light that was not available at the time of the initial decision.
- The penalty or sanction imposed is deemed excessive, unfair, or inconsistent with precedent.
- A clear misinterpretation or misapplication of Football NSW, Football Australia, or HSA policies can be demonstrated.

Appeals that do not meet these grounds may be dismissed without review.

8.3. Appeal Procedure

1. **Lodging an Appeal** ○ The appellant (the person filing the appeal) must submit a written appeal to HSA within seven (7) days of receiving the original decision.
 - The appeal must include:
 - A detailed explanation of the grounds for appeal.
 - Any supporting evidence or documentation.
 - A preferred resolution or outcome, if applicable.
2. **Review Process** ○ Upon receipt, HSA will acknowledge the appeal within five (5) business days.
 - The appeal will be reviewed by an independent appeals panel, which may consist of:
 - A senior HSA official.
 - A neutral representative from Football NSW.
 - A legal or governance expert (if necessary).
3. **Hearing (if required)** ○ If the appeal requires further review, the appellant and relevant parties may be invited to a formal appeal hearing.
 - The hearing may be conducted in person or via video conference, depending on circumstances.
4. **Decision & Outcome** ○ The appeals panel will assess all evidence and issue a final decision within fourteen
(14) days of the appeal submission.
 - Possible outcomes include:
 - Upholding the original decision.
 - Modifying or reducing the sanction.
 - Overturning the decision and dismissing the case.
 - Referring the matter for further investigation.
 - The appellant will receive a formal written response outlining the panel's findings and rationale.

8.4. Finality of Decisions

- The HSA Appeals Panels decision is final unless Football NSW or Football Australia policies allow further appeal.
- If the appellant is unsatisfied, they may escalate the matter to Football NSW's Grievance & Disciplinary Tribunal, subject to their policies and processes.

This appeals process ensures that all members of the HSA community are afforded fairness, transparency, and the right to be heard, while maintaining the integrity of football governance.

9. Record Keeping

The HSA is committed to maintaining accurate and secure records of all complaints, investigations, and outcomes to ensure transparency, accountability, and compliance with Football NSW, Football Australia, and legal requirements.

9.1. Documentation

HSA will maintain detailed records for each complaint, including:

- The written complaint submission and any supporting evidence.
- Correspondence related to the complaint (emails, meeting notes, etc.).
- Investigation reports and findings.
- Statements from witnesses or involved parties.
- Decisions and outcomes, including disciplinary actions or mediation results.
- Appeals and final determinations, if applicable.

9.2. Storage & Confidentiality

To protect the privacy and rights of all individuals involved:

- All complaint records will be stored securely, in compliance with privacy laws and Football NSW data management policies.
- Access to complaint records will be restricted to authorised personnel, including the HSA Complaints Officer, MPIO, or relevant disciplinary committee members.

Records will be kept for a minimum of five (5) years or as required by Football NSW, Football Australia, or legal obligations. Minor complaints are retained for two (2) years, while serious cases (e.g. police reports-follow legal retention requirements).

- Any sensitive information will be redacted or anonymised if required for reporting or compliance purposes.
- Information will only be shared on a need-to-know basis and where legally required (e.g., reporting to NSW Police or child protection agencies).

10. Review of Policy

The HSA is committed to ensuring that its Complaints Policy remains effective, relevant, and aligned with best practices in football governance. To achieve this, HSA will conduct regular reviews by the board of the policy and provide opportunities for member feedback and continuous improvement.

10.1. Regular Policy Reviews

- The Complaints Policy will be formally reviewed every two (2) years or as required by changes in:
 - Football NSW and Football Australia regulations
 - State and federal laws (e.g., child protection, privacy, anti-discrimination laws)
 - Best practices in sports governance and dispute resolution
- Interim updates may be made if significant issues arise or if feedback indicates a need for improvement.
- Any updates will be communicated to all HSA members, clubs, and stakeholders via official channels (email, club meetings, and official notices).

10.2. Feedback Mechanism

HSA encourages all members, including players, parents, coaches, referees, and club officials—to provide feedback on the complaints process to ensure it remains fair, accessible, and effective. Feedback can be submitted via:

- Member Protection Information Officer (MPIO) consultations
- End-of-season member surveys or club forums
- Direct submissions to the HSA Complaints Officer or Board

All feedback will be reviewed and considered in policy updates, with a focus on enhancing fairness, transparency, and accessibility in complaint resolution.

By implementing a structured review and feedback process, HSA ensures that its Complaints Policy evolves in response to member needs, legal requirements, and Football NSW guidelines, fostering a safe and respectful football environment for all participants.

11. Complaints Referred to NSW Police

Certain complaints involve serious allegations that must be immediately referred to NSW Police or other relevant authorities. The Highlands Soccer Association (HSA) has a legal and ethical duty to report such matters and will fully cooperate with law enforcement and relevant agencies.

11.1. Types of Complaints Referred to NSW Police

The following complaints will be escalated to NSW Police without delay:

- Criminal Conduct – Any complaint involving alleged criminal activity, such as theft, fraud, vandalism, or property damage.
- Assault or Physical Violence – Any instance of physical violence, serious threats of harm, or bodily injury.
- Sexual Harassment or Abuse – Allegations of sexual misconduct, harassment, abuse, or grooming involving players, officials, or any other participants.

- Child Protection and Safety Concerns – Any complaint involving actual or suspected harm to a child, including neglect, abuse, or inappropriate conduct as defined under NSW child protection laws.
- Serious Threats or Harassment – Any complaint involving threats to life, stalking, or repeated harassment that may constitute a criminal offence.
- Drug-Related Offences – Possession, use, or distribution of illegal substances within the association's premises or at HSA sanctioned events.

11.2. Process for Referral

- Upon receiving a complaint of a serious criminal nature, the association will immediately refer the matter to NSW Police or the relevant authority.
- If safe and appropriate, the complainant will be informed that the matter has been escalated.

HSA will suspend any internal investigation until law enforcement authorities complete their inquiries, unless otherwise advised by the police.
- Any person accused of such offences may be suspended from all HSA activities pending the outcome of the police investigation.

11.3. Cooperation with Authorities

- HSA will fully cooperate with NSW Police, child protection agencies, and other relevant government bodies.
- Confidentiality will be maintained at all times, and information will only be shared with authorised parties as required by law.

By enforcing these protocols, HSA ensures that serious misconduct is handled appropriately, safeguarding the welfare, safety, and integrity of all members involved in the sport.



12. Policy Approval & Review

Policy Drafted By: Sarah Packer – Highlands Soccer Association Secretary

Reviewed By: Craig Patterson – Highlands Soccer Association President

Approved By: Highlands Soccer Association Board of Directors

Date of Approval: March 2025

Next Review Date: March 2027