

GRIEVANCE RESOLUTION GUIDELINES

INTRODUCTION

Where possible, Maccabi seeks to resolve all grievances and complaints by agreement between the people involved in a co-operative and productive manner. In order to achieve this aim, it is important to outline our procedures for dealing with complaints and grievances, and to try our best to ensure that all grievances and complaints are dealt with in a simple, straightforward and prompt way which, to the extent possible, resolves the matters of concern on a confidential basis.

Complaints and grievances might be in relation to, but are not limited to:

- An alleged breach of the MPP or Code of Conduct
- Conduct that appears to be contrary to one of the policies in this Handbook
- Alleged conduct which brings (or is likely to bring) Maccabi into disrepute
- Alleged failure to comply with a penalty given or direction given during a disciplinary process

Where appropriate, these guidelines may also be used to handle complaints that are not covered by this Handbook.

Complaints and/or grievances may be brought by a person who participates in Maccabi activities or a member of the public.

Complaints and grievances may vary in seriousness and complexity and, accordingly, Maccabi reserves the right to depart from these guidelines as it considers appropriate in the circumstances. In some cases, particularly if there is a suspected breach of the law and/or concerns about child protection, Maccabi may refer the complaint to appropriate authorities/agencies.

MANAGING COMPLAINTS AND GRIEVANCES

Wherever possible, it is preferable that matters are handled at the level at which they arose (e.g. if the relevant Club can deal with the complaint, then it should). The following is a guide to help determine the level at which a grievance or complaint should be reported:

- incidents at Club level or involving people operating at the Club level, should be reported or referred to and handled by the relevant Club in the first instance. In such circumstances the matter should preferably be dealt with by the Club's appointed Member Protection Compliance Officer. If the matter cannot be resolved at Club level, it will usually be referred to the relevant State Body's Maccabi Integrity Officer ("**MIO**");
- incidents at State level or involving people operating at State level should be reported or referred to the relevant State Body's MIO in the first instance. If the matter cannot be resolved at State level, it should be referred to the national MIO; or

- if the matter involves an incident or people operating at the National level and/or involve matters that may impact on the standing and reputation of Maccabi as a whole, the matter should be referred to and handled by the national MIO in the first instance.
- MIOs are empowered to refer a grievance to one of Maccabi's Tribunals. These Tribunals exist at both the State and National levels.

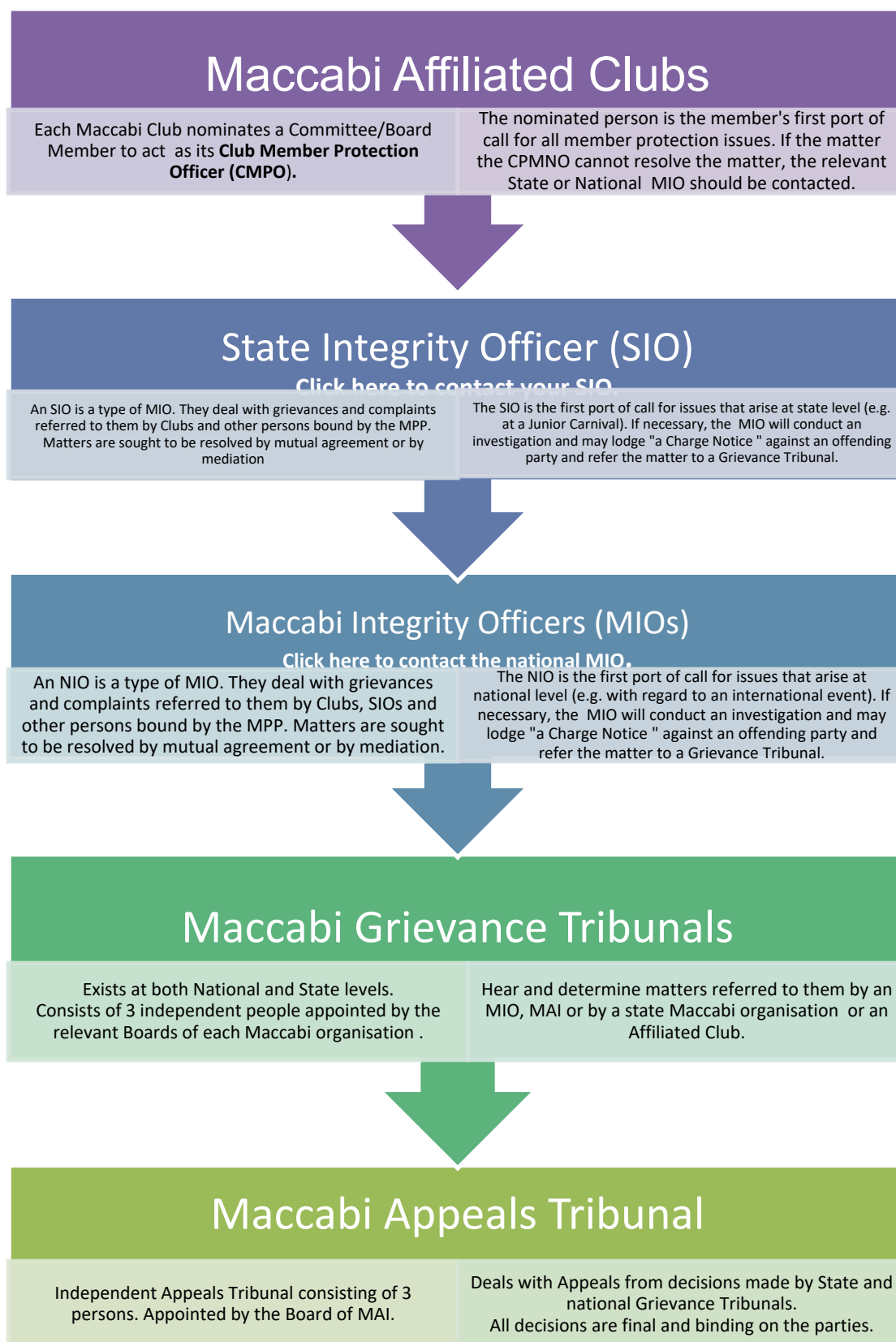
We recommend keeping a record of all incidents, in case it needs to be referred to in future. Clubs are encouraged to maintain an incident log which may include seemingly minor issues.

An issue may need to be escalated due to:

- Conflict of interest (actual or perceived)
- The inability to resolve the issue at the current level
- The need for specific expertise (e.g. interviewing children)
- The club member protection officer being involved in the case
- The serious nature of the alleged incident (e.g. alleged child abuse)

Sometimes, if the complaint involves a person outside Maccabi such as a player from another non-Maccabi team, it may be appropriate for a Club or MIO to refer the complaint to an external person or body, such as the sports association running the competition in which a Maccabi team is playing.

THE GRIEVANCE REPORTING PROCESS



Individuals and organisations may if they wish also pursue their complaint externally under anti-discrimination, child protection, criminal or other relevant legislation.

If a complaint is pursued externally, Maccabi aims to continue to liaise with the victim/complainant to ensure that their interests are being looked after properly.

HOW WILL MACCABI SEEK TO RESOLVE YOUR COMPLAINT/GRIEVANCE?

All complaints and grievances are important to us, and need to be addressed. There are different options for resolving complaints/grievances.

In cases in which an allegation or complaint involves possible child abuse or sexual abuse, and after enquiries have been made by the MIO or other proper Maccabi officer they consider that there is a possibility that a criminal offence may have occurred, the matter **must** immediately be reported to the Police and/or to any other relevant responsible authority (eg to the Department of Social Services).

If your grievance is to be dealt with within the Maccabi structure, then you may wish (or it may be appropriate) for it to be dealt with either **informally** or **formally**.

Informal resolution is what happens when the people involved resolve the issues between themselves. This may happen through:

- discussions;
- an exchange of correspondence;
- a mediated meeting between the people involved to see if the issues can be resolved between them.

Informal resolution will NOT involve Maccabi conducting any investigation or making any formal decision about what has happened, or what the consequences should be. However, we may help the parties with discussions or other communications, or give guidance about appropriate next steps.

Formal resolution is what happens when it is appropriate for Maccabi to make:

- a formal decision about what has happened; and
- a decision about what the consequences (if any) should be.

For example, a formal resolution process may be requested by either party, or be necessary because of the serious nature of the grievance.

Maccabi has an absolute discretion as to whether or not to use a formal resolution process.

Generally speaking, if there is to be formal resolution, then:

- Maccabi will ask the person with the grievance to describe that complaint, in detail, usually in writing;
- the person(s) against whom the grievance is brought will be given details of the allegation(s) against him/her and be given a reasonable opportunity to explain his/her side of the story;
- other people (witnesses) may be interviewed;

- notes will be taken of interviews;
- documents may be collected; and
- after considering the evidence, Maccabi will communicate its decisions about the facts and about the outcomes to everyone involved, usually in writing.

If there is a disagreement about the facts or the story, formal resolution may involve an investigation by a state or national MIO, or an external investigator.

The final outcome of both processes may include:

- a compromise between the parties involved about the issues raised;
- a decision that a complaint is correct or incorrect;
- a solution that satisfies the needs/interests of both parties to some extent; and/or
- a decision that the issue needs to be referred to a Maccabi Tribunal or an external body;
or
- no action being taken.

CONFIDENTIALITY AND RECORD-KEEPING

Whether a complaint will be kept confidential will depend on factors including:

- the nature of the complaint
- its seriousness,
- what the person making the complaint seeks to be achieved about the issue(s) raised.

If a grievance or complaint has been received, Maccabi will generally not disclose the names of any of the parties involved or the particulars of the allegations to other parties, unless the consent of the parties has first been obtained. The general nature of the grievance and complaint may be disclosed. However, in many circumstances, disclosure may be necessary in order to ensure that the grievance can be dealt with properly and fairly. Further, if Maccabi has to investigate the complaint made, or if it must refer the complaint to external agencies (such as the relevant Child Protection agency or police), it may not be possible to maintain confidentiality.

Maccabi will record the complaint, the steps taken to resolve it and the final outcome. Maccabi aims to store all reports relating to the grievance and complaint including any decision handed down by a Tribunal in a confidential and secure place.

DISCIPLINARY MEASURES

If a breach is found, disciplinary measures may be imposed, including:

- requiring a verbal and/or written apology;
- requiring counselling to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by a Club;
- suspension or termination of membership, employment contract, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently; and/or
- any other form of discipline that Maccabi considers reasonable and appropriate.

IMPROPER AND VEXATIOUS COMPLAINTS AND VICTIMISATION

Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint or supporting another person's complaint.

If, at any point in the complaint handling process, Maccabi considers that the person(s) making the complaint has knowingly made an untrue or vexatious complaint, and the complaint is malicious, frivolous or intended to cause distress to the person who is the subject of the complaint, disciplinary action may also be taken against the person(s) who made the complaint.

