

DEALING WITH INCIDENTS, COMPLAINTS AND DISPUTES

INTRODUCTION

Maccabi aims to take all complaints and disputes seriously and deal with them in a fair, timely, transparent, and effective way. Where possible, we also aim to resolve complaints and disputes by agreement between the people involved in a co-operative and productive manner.

In some cases, particularly if there is a suspected breach of the law and/or concerns about child protection, Maccabi will refer the complaint to appropriate authorities/agencies.

Maccabi aims to address complaints in a manner that maintains confidentiality as far as possible and will seek to ensure that no one is victimised for making, supporting, or providing information about a complaint during the complaint handling process.

Maccabi Representatives at all levels are expected to deal with incidents, complaints and disputes in accordance with this Chapter.

WHAT TYPES OF INCIDENTS, COMPLAINTS AND DISPUTES ARE COVERED BY THIS POLICY?

Complaints or disputes might be about, for example:

- an alleged breach of the Code of Conduct or another Integrity Policy;
- alleged conduct which brings (or is likely to bring) any part of Maccabi into disrepute; or
- an 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. However, generally, Maccabi will not use these guidelines to manage:

- complaints about personal grievances and disputes that are not related to integrity issues; or
- some complaints about the behaviour of players/athletes during a sporting competition, if these need to be dealt with by the relevant sporting Association – for example, if the conduct involves a player/athlete from a non-Maccabi club.

Complaints and/or grievances may be brought by a Maccabi Participant or a member of the public. It is not important whether someone has 'officially' or 'formally' reported a complaint – once the issue has come to Maccabi's attention, Maccabi will need to respond to it.

Maccabi might act proactively to deal with an issue of this type even if no one has made a complaint.

If the issue involves an alleged breach of child safety standards or other criminal conduct, Maccabi may need to report it to relevant authorities.

It is important to identify what the issue is, so that Maccabi can identify who should handle it. Just because something has 'gone wrong', doesn't mean it is automatically an integrity issue.

HOW TO MAKE A COMPLAINT

A person or organisation can make a complaint, and it should be submitted to a Maccabi Integrity Officer (club, event, state or national).

Complaints should have the following:

- be in writing, a Maccabi complaint form is available on the website ([link](#));
- identify which policy has been breached;
- it should have as much information as possible (relevant details) and if there are any witnesses, please supply their contact details

A Complaint Form may be submitted by a parent or guardian on behalf of a Vulnerable Person.

Anonymous complaints can be submitted, and Maccabi will take the complaint seriously, though it can make it difficult to progress the matter. Maccabi complaints remain confidential, and information will not be forward to the other parties without consent, if unless it is a possible criminal offence and then it will be report to the appropriate authorities.

If the complaint relates to an allegation of child abuse or a situation involving a child at risk, it is to be reported immediately to a Maccabi Integrity Officer. A Child Safety Report ([here](#)) needs to complete and submitted within 24 hrs of the initial report.

When deciding if the matter is an integrity issue and/or how to deal with it, the State Integrity officers can be consulted for advice at any stage.

COMPLAINT PROCESS

All complaints are important to us. We aim to take them seriously without taking sides.

On receiving the complaint, it is as assessed as to what and how a policy has been breached, and it is determined how the complaint should be managed and by who. Maccabi encourages for complaints to be managed at the level that they are reported. However, this is not always possible.

In a situation where a complaint may need to be escalated or referred to someone else if there is:

- an actual or perceived conflict of interest;
- an issue where the Integrity officer is one of the parties involved;
- an issue that involves allegations of child abuse;
- an issue that involves alleged criminal conduct
- an issue that the Integrity Officer does not feel confident or has the capacity to handle; or
- an issue with the potential to damage Maccabi reputation or community standing.

To assist in the assessment, complaints are managed under Maccabi's Complaint Categorisation ([link](#)). It will assist in determining an appropriate means of dealing with the complaint. Complaints are categorised into three levels based on the nature of the alleged conduct, the possible level of harm and complexity of the issues raised in the complaint. Each matter is considered on its merits in light of these categories.

The three complaint categories are:

- Low – minor allegations and mostly involve a mistake, misunderstanding or an absence of intent to harm.
- Medium - complaints that involve breaches of the integrity policies, may involve the risk of moderate or reasonable harm, or repeated, more severe or more complex low-level allegations.
- High – matters that involve criminal behaviour and/or immediate risk of harm, and includes child abuse, sexual abuse and includes sexual misconduct. It can also include more severe medium level allegations.

Under each of these categories come a recommended disciplinary action that will provide a clear message that the behaviour was unacceptable, thereby acting as a deterrent. Some disciplinary actions can include:

- requiring a verbal and/or written apology;
- requiring counselling or training 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.

CONFIDENTIALITY AND RECORD-KEEPING

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

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

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. However, the general nature of the complaint may be disclosed.

In many circumstances, disclosure may be necessary in order to ensure that the complaint 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 a complaint including any decision handed down by a Tribunal in a confidential and secure place.

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.

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 Integrity Officer 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.