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# TIS Grievance/Dispute Procedure

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**Tasmanian Institute of Sport**



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## POLICY

TIS athletes are provided with advice and services consistent with the TIS commitment to safe and ethical practice. TIS athletes have the right to query and/or raise a complaint about a TIS recommended or delivered practice.

## BACKGROUND

The TIS purpose is to enable Tasmanian athletes to achieve international sporting success. One of TIS' guiding principles is Athlete Care; this principle commits TIS, above all, to acting in the best interests of athlete health, wellbeing, and safety. TIS only supports the achievement of sporting excellence through safe and ethical practice consistent with this Guiding Principle.

TIS recognises that the pursuit of athletic success in the international sporting arena requires an approach that embraces new and emerging knowledge, technology, product, and practice.

TIS also recognises that unsafe and/or unethical practices are available to enhance athletic performance.

TIS staff, contractors and consultants are in significant positions of power and authority in their relationships with the athletes they assist. Therefore, the highest standards of professional and personal behaviour and integrity must be maintained to ensure athlete rights and welfare are protected and their position is not inappropriately used to influence athlete decisions and or actions.

To manage and maintain our commitment to safe and ethical practice, and advice to athletes, TIS has developed a framework of policies that guide staff behaviour and decision making. The implementation of these policies commences with the selection of staff, followed by ongoing education, monitoring of compliance and enforcement.

A key element of the TIS strategy, is to manage the delivery of safe and ethical practice, is the education of athletes in our approach and clear delineation of the process to be followed should they wish to query and/or raise a complaint about a recommended or delivered practice.

### 1. POLICY SCOPE

- 1.1. This policy applies to TIS:
  - a) **Staff** – this includes all employees and independent contractors engaged by
  - b) **Athletes** – all athletes who receive TIS services
  - c) Any other individual who has agreed to be bound by this Framework and its related policies – such as Parents, Visitors and Volunteers.

### 2. STANDARDS

- 2.1. All TIS athletes will be educated on the TIS safe and ethical approach to practice as part of their sport program induction process.
- 2.2. All formal grievances must be documented by the complainant on the approved Athlete Grievance Form and submitted to the TIS Manager, Business & Relationships, or TIS Director in TIS Manager, Business & Relationships absence.
- 2.3. The complainant will receive written acknowledgement of their complaint and the expected time frame for investigation.

- 2.4. TIS Manager, Business & Relationships will treat all formal complaints confidentiality.
- 2.5. In any case where a formal investigation is required, a record shall be made and filed appropriately, outlining the grievance, the investigation findings and outcome.
- 2.6. All parties involved in a grievance resolution process are to participate in good faith and the principles of natural justice and procedural fairness will be observed.
- 2.7. The identity of the complainant may be disclosed to the employee should the Manager, Business & Relationships determine that this needs to occur for the grievance process to be fair.
- 2.8. Athletes have the right to have a support person of their choice present at any time during the grievance process.
- 2.9. All grievances are treated as confidential. However, if investigation is required and the grievance is about a staff member, then the respondent will be told about the nature of the grievance and the identity of the complainant will be disclosed. The respondent has the right to respond to the complaint and to have a support person of their choice in any meetings to discuss the grievance.
- 2.10. At any stage of an investigation or process, where complaints or grievances are found to be unsubstantiated, misconceived, frivolous or vexatious, the Manager, Business & Relationships (in consultation with TIS Director) by notice in writing may dismiss the complaint.
- 2.11. A complainant shall not be subject to any reprisal as a result of their registration of a complaint unless their complaint breaches the TIS Athlete Code of Conduct.

### 3. TIS – GRIEVANCE OFFICER

Designated TIS – Grievance Officer:

- 3.1. TIS Manager, Business & Relationships (In the absence of TIS Manager, Business & Relationships, the TIS Director will act in this capacity)

### 4. DEFINITIONS

**Grievance** - An actual or supposed circumstance regarded as just cause for complaint or an issue of concern raised by any athlete in respect of any issue which is related to their interactions with TIS staff or another TIS athlete.

**Formal Grievance** – A grievance documented and submitted to an TIS - Manager, Business & Relationships.

**Complainant** - Athlete with the grievance or putting forward the complaint.

**Respondent** – Staff/Contractor, Consultant or athlete whom the complaint/grievance is about.

**Vexatious or malicious allegations** - Vexatious or malicious allegations are those made in bad faith, or are fabricated or deliberately made to harm the respondent/s.

## 5. GRIEVANCE PROCESS

- 5.1. Athletes are encouraged to attempt to resolve grievances at the point of conflict. Athletes may seek support and guidance from TIS Athlete Wellbeing and Engagement Manager or other trusted staff to assist this process.
- 5.2. If an athlete feels they are unable to resolve their grievance at the point of conflict they have the right to raise their grievance to a higher level within the organisation by contacting TIS Manager, Business & Relationships.
- 5.3. Once an athlete has notified their intent to raise a formal grievance the TIS Manager, Business & Relationships, the grievance must then be documented by the athlete, using the grievance form. The written grievance should be submitted, no later than two weeks after raising the grievance, unless otherwise agreed with TIS, Manager Business & Relationships.
- 5.4. The TIS - Manager, Business & Relationships will inform the Director of the formal grievance and undertake an investigation of the grievance.
- 5.5. While investigating the complaint, the TIS Manager, Business & Relationships will document the process undertaken, the evidence gathered, and the decision made. In considering the process to be undertaken the Manager, Business and Relationships should seek to resolve the issue as soon as practicable.
- 5.6. If the complainant is not satisfied with the outcome, or the grievance remains unresolved, the athlete may seek to escalate the complaint to the Director.

## GRIEVANCE/DISPUTE FORM - TIS

Date	
Signature	

### **Important notes:**

- If you do not have sufficient space on this form, please attach additional pages.
- TIS will treat this information confidentially, however you should be aware that if your complaint is about another person, the person handling your complaint will generally need to disclose details of the complaint to that person to obtain their response.

Personal Information			
Name		Contact details	
Sport Program			

Information About Your Complaint
<p>Is your complaint about another person? Please tick.</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p><b>If yes, identify the person, their position and how they relate to you.</b>  <i>For example, my complaint is about &lt;name&gt;, &lt;job title&gt;. &lt;We're in the same sport program.&gt; &lt;The Person is my Coach.&gt;</i></p> <p>_____</p> <p>_____</p> <p>_____</p>
<p><b>Provide specific details of your complaint</b>  <i>Please provide as much detail as possible – for example, what happened, when (give approximate times and dates), who was there etc. If you require more space, please attach additional pages.</i></p> <p>_____</p> <p>_____</p> <p>_____</p>

Complaint details (continued)

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What impact has this had on you?

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Has this happened before? (please tick)

Yes  No

If yes, please provide details.

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**Information About the Complaint Process**

What outcome/remedy are you seeking to resolve your complaint?  
*For example, an apology*

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**Have you taken any action to resolve your complaint? (please tick)**

Yes  No

**If yes, describe what you have done so far**

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**Other Information**

Is there any other information you would like to include?

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