

<div>Policy 108</div> <div>Managing Member/Participant and Club Volunteer Complaints and Grievances</div> <div>rainbow club</div>			
Applies to	Board Members Staff Teachers Club Management Volunteers Event Volunteers Members	Date Approved	Proposed 12/2019
Responsibility	CEO		Next Review Due
	Updated and Reviewed by Board	Apr 2023	Oct 2025

Policy statement

Rainbow Club Australia is committed to ensuring that any person or organisation using Rainbow Club's services or affected by its operations has the right to lodge feedback or a complaint or to appeal a decision of the organisation and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency.

The organisation has a complaints and appeals management procedure that:

- Is simple and easy to use
- Is effectively communicated and promoted to all stakeholders
- Ensures complaints or appeals are fairly assessed and responded to promptly
- Is procedurally fair and follows principles of natural justice
- Complies with legislative requirements

The Managing Complaints and Grievances Policy and Procedures is documented in the Rainbow Club Manual and made available on the Rainbow Club website.

All Clubs, staff members, volunteers or member/participants will be informed of their rights and responsibilities with regards to complaints and appeals at the earliest possible stage of their involvement with the organisation.

Definitions

‘Club’	is a Registered Rainbow Club.
‘Complainant’	is the member or person lodging the complaint.
‘Member’	is the child or young person with a disability registered in a Rainbow Club program
‘Staff’	is any person in the employ of Rainbow Club who is paid for their role. This includes administrative staff and teachers.
‘Volunteer’	is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Principles

Rainbow Club:

- Considers all complaints received
- Treats all complainants with respect, recognising that the issue of complaint is important to the complainant
- Maintains confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution
- Ensures advocacy is available to members/participants who make a complaint and require support
- Ensures that cultural and linguistic needs are supported
- Resolves complaints, where possible to the satisfaction of the complainant
- Deals with all complaints in a timely manner
- Keeps parties to the complaint informed of progress of the complaint
- Ensures that Board, staff, volunteers and members are given information about the Managing Complaints and Grievances Policy and Procedure

Procedures

Information for all Board, staff, volunteers, members/participants or other stakeholders

STEP 1: Club Committee

All our Clubs are run by volunteers and have a Lead Teacher who is appointed and paid by Rainbow Club. We ask all parents to respect their commitment and time. In the event that a member/participant has a complaint this should be made in the first instance, to a member of the Club Committee or to a Lead Teacher.

The relevant member of the Club Committee or the Lead Teacher will endeavour to resolve issues to the best of their ability.

STEP 2 : Development Manager

In the event that the Club Committee or Lead Teacher is unable to resolve the issue, or the complaint is about the Club Committee, member of the Committee or the Lead Teacher, the complainant should contact Rainbow Club's Development Manager and advise them of the nature of the complaint with details of dates and times as appropriate.

The Development Manager immediately records the complaint on Rainbow Club's Complaint Register

The Development Manager will respond to complaints within seven (7) working days. In investigating a complaint, the Development Manager will seek statements from all parties to the complaint and if necessary seek statements from any witnesses

The Development Manager will update the Complaints Register as the investigation proceeds and close off the complaint when a resolution is reached.

The Development Manager is not obliged to disclose the information received in such statements but will take into account the environment, context and responsibilities of those who contribute such statements.

The Complaints Register is reviewed fortnightly by the CEO and/or persons delegated by the CEO.

STEP 3: CEO

In the event the Development Manager is unable to resolve the issue or the complaint is about the Development Manager, the complainant or the Development Manager should elevate the complaint to the CEO. The CEO will respond to complaints within seven (7) working days.

In investigating a complaint, the CEO will seek statements from all parties to the complaint and if necessary seek statements from any witnesses.

The CEO is not obliged to disclose the information received in such statements but will take into account the environment, context and responsibilities of those who contribute such statements.

STEP 4: Board of Rainbow Club Australia

Should a participant or volunteer wish to raise the matter further, they should contact the President of Rainbow Club Australia or any member of the Board of Rainbow Club Australia.

Should the President or other Board member deem it necessary to bring the matter to the Board, they will consider the matter. If the Board is of the opinion that a Club volunteer or member/participant:

- Have persistently refused or neglected to comply with a provision or provisions of these rules
- or

- Have persistently and wilfully acted in a manner prejudicial to the interests of Rainbow Club

The Board may resolve to:

- Expel the Club volunteer or member/participant
- or
- Suspend the Club or member/participant from membership of the organisation for a specified period; or suspend the volunteer from the organisation
 - Take appropriate disciplinary action regarding the Club, volunteer or member/participant.

If the Board passes a resolution to take action:

The Board Secretary shall, as soon as practicable, cause a notice in writing to be served on the Club volunteer or member/participant which:

- Sets out the resolution of the Board and the grounds on which it is based
- States that a representative of the Club, volunteer or member/participant may address the Board at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice
- States the date, time and place of that meeting

and

- Informs the Club volunteer or member/participant that they may do either one or both of the following:
 - Attend and speak at the meeting or appoint a representative (or representatives) to attend and speak at the meeting
 - Make a written submission to the Board at or prior to the date of the meeting relating to the resolution

At the meeting, the Board shall:

- Give the Club volunteer or member/participant or their representative/s an opportunity to make oral presentations
- Give due consideration to any written submissions to the Board either at or prior to the meeting

and

- By resolution, determine whether to confirm or to revoke the resolution

Where the Board confirms a resolution:

The Board Secretary shall, within seven (7) days after that confirmation, by notice in writing inform the Club volunteer or member/participant of the result of their of appeal.

A resolution confirmed by the Board does not take effect:

- Until the expiration of the period within which the Club volunteer or member/participant entitled to appeal against the resolution does not exercise their right of appeal within that period

or

- Where within that period the Club volunteer or member exercises their right of appeal

Upon expulsion of a Club that is a Rainbow Club:

- The approval to operate a Club is automatically cancelled
- If the allegation involves a criminal offence, it must be referred to the police and the Board notified

STEP 4: Appeal to a General Meeting

A Club volunteer or member may appeal against a resolution of the Board within 7 days after notice of the resolution.

The appeal by a Club volunteer or member/participant to a General Meeting of the organisation is by lodging a notice to that effect with the Board Secretary.

Upon receipt of a notice from a Club, staff member, volunteer or member, the Board Secretary shall notify the Board. The Board shall convene a General Meeting of the organisation to be held within 21 days after the date of which the Board Secretary received the notice.

At the General Meeting:

- No business other than the question of the appeal shall be transacted
- The Board and the Club volunteer or member/participant (or their representative/s) shall be given the opportunity to state their respective cases orally or in writing or both

and

- The present organisation members shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked

If, at the General Meeting, a special resolution is passed in favour of the confirmation of the resolution, the resolution is confirmed.

STEP 5: Right of appeal to external bodies

If a complainant is not satisfied with the outcome or process of the internal complaints procedure, a formal external complaints procedure may follow.

The complainant will be referred to the NSW Ombudsman – Disability Services.

At any time a complainant may lodge a complaint with NDIS Safeguards Commission at <https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=PRD00-OCF>

Record keeping: Complaints Register

The CEO will maintain a Complaints Register and will record the following for each complaint or appeal:

- Details of the complainant and the nature of the complaint
- Date lodged
- Action taken
- Date of resolution and reason for decision
- Indication of complainant being notified of outcome
- Complainant response and any further action

Copies of all correspondence will be kept with the Complaints Register.

The Complaints Register and files will be confidential and access is restricted to the CEO or persons delegated by the CEO and/or the Board President.