

Hunter Ice Skating Club Complaint Form



A member of the Hunter Ice Skating Club may make a complaint to the Committee that a member of the association has:

- a) failed to comply with a provision of the Constitution, or
- b) wilfully acted in a way prejudicial to the interest of the association.

Before completing this form, please note:

- 1. If the member is under the age of 18, their parent/guardian may act on their behalf of that member,
- 2. The Committee may refuse to deal with a complaint if the Committee considers the complaint is trivial or vexatious.
- 3. Anonymous complaints will not be accepted,
- 4. In the interests of procedural fairness, the Committee will serve notice of the complaint on the member including a copy of section 5 of this complaint form. The Committee will request they respond to the Committee, in writing, within fourteen (14) days,
- 5. The Committee will reply to the complainant, in writing, within twenty-eight (28) days, after receiving the response, including providing a copy of their written response/s.

1 Your personal details:

Last Name: _____

First Name: _____

Address: _____

Phone: _____ (home)

_____ (mobile)

Email: _____

2 You are a: (please tick)

Skater

Parent/Guardian

Employee

Other (please specify) _____

3 The complaint is about events at: (please tick and give details)

Hunter Ice Skating Stadium

(please give details) _____

Other

(please give details) _____

4 Have you discussed the complaint with a staff member?

Yes

No

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Complaint process

If the Committee decides to deal with the complaint, the Committee must:

- a) serve notice of the complaint on the member, and
- b) give the member at least 14 days from the day the notice is served on the member within which to make submissions to the Committee about the complaint, and
- c) consider any submissions made by the member.

The Committee may, by resolution, expel the member from the association or suspend the member's membership if, after considering the complaint, the Committee is satisfied that:

- a) the facts alleged in the complaint have been proved, and
- b) the expulsion or suspension is warranted.

If the Committee expels or suspends the member, the secretary must, within 7 days of that action being taken, give the member written notice of:

- a) the action taken, and
- b) the reasons given by the Committee for taking the action, and
- c) the member's right of appeal.

The expulsion or suspension does not take effect until the later of the following:

- a) the day the period within which the member is entitled to exercise the member's right of appeal expires, or
- b) if the member exercises the member's right of appeal within the period - the day the association confirms the resolution.

Right of appeal

A member may appeal against a resolution of the Committee by lodging a notice of appeal with the secretary within 7 days of being served notice of the resolution.

The member may include, with the notice of appeal, a statement of the grounds on which the member intends to rely for the purposes of the appeal.

The secretary must notify the Committee that the secretary has received a notice of appeal.

If notified that a notice has been received, the Committee must call a general meeting of the association to be held within 28 days of the day the notice was received.

At the general meeting:

- a) no business other than the question of the appeal is to be transacted, and
- b) the member must be given an opportunity to state the member's case orally or in writing, or both, and
- c) the Committee must be given the opportunity to state the Committee's case orally or in writing, or both, and
- d) the members present must vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

The appeal is to be determined by a simple majority of votes cast by the members.

Resolution of internal disputes

The following disputes must be referred to a Community Justice Centre within the meaning of the *Community Justice Centres Act 1983* for mediation:

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- a) a dispute between 2 or more members of the association, but only if the dispute is between the members in their capacity as members, or
- b) a dispute between 1 or more members and the association.

If the dispute is not resolved by mediation within 3 months of being referred to the Community Justice Centre, the dispute must be referred to arbitration.

The *Commercial Arbitration Act 2010* applies to a dispute referred to arbitration.

Escalation by the Committee

The Committee may escalate a complaint matter to the New South Wales Ice Skating Association (NSWISA) or Ice Skating Australia (ISA) is deemed appropriate by the Committee. The role of NSWISA and ISA is to assist the Committee in managing the resolution of the matter and does now have authorisation to overrule a decision of the Committee and/or association.

Version	Approval Date	Change
1.0	03/07/2023	Form Renewal