



HRTC COMPLAINT-HANDLING POLICY AND PROCEDURE

Purpose

This policy and procedure provides members and employees of the Hobart Real Tennis Club (HRTC) ("Club") with a well-defined structure and process for handling all forms of complaints, from minor infractions of the rules to serious breaches that demand prompt disciplinary action by the Club. This will ensure that all complaints are handled consistently, promptly and fairly.

Complaints Panel

Authority

The Complaints Panel ("Panel") is authorised by the HRTC Committee ("Committee") in accordance with rule 22(2) of the HRTC Club Rules and By-laws ("Rules"). The Panel is appointed as a sub-committee under rule 29(1). The powers of the Panel are limited by the Committee and the Rules. In particular, rule 33 requires that only the Committee has the power to expel a member.

Scope

The Panel handles all complaints concerning the behaviour of members, on and off court, including but not limited to:

- Unsportsman-like conduct;
- Dangerous play;
- Dress code violations;
- Public safety;
- Inappropriate behaviour;
- Theft;
- Sexual harassment;
- Bullying and intimidation;
- Violent and abusive behaviour.

The scope explicitly excludes complaints regarding the actions of employees of the Club or the policies of or decisions taken by the Committee or subcommittees. Complaints regarding an employee or committees must be handled directly by the Committee.

Any complaint received by the Panel concerning a potential criminal act must be referred to the police without delay.

Where this policy conflicts with the HRTC Community Protection Policy, the Community Protection Policy takes precedence.

Appointment

The Panel will comprise a minimum of two members, with a panel of more than two members appointed where the complaint has an increased level of complexity and/or severity. The Panel Chair will be the Club President. The Chair may ask any member of the Committee to act as their alternate. The other Panel members are selected by the Chair to attend a meeting of the Panel from a list of senior members approved by the Committee.



Procedure

Submission

The Club Secretary (secretary@hobarttennis.com.au) will be a confidential point of contact for complainants to help them understand and navigate this policy and procedure, including the complaints submission process. Where the complaint is against the Secretary, the Club Vice-President will provide this point of contact for the complainant.

Complaints can be submitted by any member, employee, or guest of the Club. Complaints can be submitted by email (president@hobarttennis.com.au) or by mail to the President, care of the Club.

Where the complaint is against a member of the Panel, an alternative method of submission will be provided.

Process

The Panel meets on an as-needs basis, according to the seriousness and volume of complaints. Any member of the Panel or their alternate can schedule a meeting. If a member of the Panel is not available, the meeting is not delayed, and the alternate attends in their place.

On receiving a complaint:

1. The Chair confirms receipt of the complaint by return email or mail to the complainant.
2. If the complaint is of a serious nature, the Chair schedules a meeting of the Panel within 14 days of receipt. Otherwise it will be dealt with at the next scheduled meeting.
3. The Chair selects the Panel for the meeting, comprising the Chair or their alternate and a senior member of the club. Panel selection is at the sole discretion of the Chair and will be based on the nature of the complaint, the relationships the complainant and respondent have with potential Panel members, the urgency of the matter, and the availability of Panel members.
4. The Panel reviews the complaint and determines what action should be taken.
5. The Chair reports actions taken at the next Committee meeting, stating the composition of the selected Panel.
6. On concluding a complaint, the Chair advises the parties involved of the outcome.
7. The Panel maintains confidential, permanent records of all complaints, including rejected complaints and any actions taken, copies of all correspondence, and records of interviews.

Reviewing complaints

All complaints are confidential. The name of the complainant must not be disclosed to the respondent or the Committee without the permission of the complainant.

Where the complaint is against a Committee member, it will be dealt with in the same manner as a general member. Where the complaint is against the Chair, the Vice President will assume the responsibilities of the Chair for Panel selection.



The complaint must contain the following information:

- The name of the complainant (anonymous complaints will be rejected);
- The name of the respondent;
- A description of the alleged breach of the Rules or incident;
- The date and time of the incident; and
- If available, the names of any witnesses e.g. pennant team members or dedans spectators.

If a complaint is missing key information, the Chair must request more information from the complainant and delay review until all information has been provided.

The Panel determines whether an investigation is required based on the seriousness of the alleged breach. The Panel exercises their discretion to determine the manner in which an investigation is conducted and by whom. Most investigations will be conducted by the Panel, but in more serious cases, it may be appropriate to engage an external party. The cost of conducting an investigation, such as engaging an external party, must be approved by a minimum of two members of the Executive.

Complaints must be dealt with expeditiously, especially where the matter is of a serious nature.

The Panel determines an appropriate action based on:

- The seriousness of the alleged breach;
- The known history of the respondent; and
- The complaints history of the complainant.

Guidelines

Application

This complaints procedure is the means by which the Rules are enforced. If the Panel considers that this procedure or the Rules are inadequate or ambiguous or inappropriate, they should refer their concerns to the Committee for discussion and decision. For example, if the Club's dress code is considered to be unduly onerous or arbitrary, it is not within the prerogative of the Panel to decide if the dress code is sensible: they simply decide if a rule was breached and decide what action should be taken.

Confidentiality

The details of a complaint are confidential and must not be disclosed to any person, including members of the Committee, except as described in this procedure.

When, and only when, a matter is referred to the Committee for suspension or expulsion, the details of the incident, with one exception, will be fully disclosed to the Committee. The name the complainant, however, must not be disclosed without their permission.

Mandatory reporting

As a condition of their employment, employees of the Club are expected to monitor members' compliance with Club Rules and Rules of Play. When they become aware of a



matter of a serious nature, they are required to lodge a complaint using the process described in this procedure.

As a matter of the Club's duty of care, when a member makes a verbal complaint to an employee or a Committee member of a serious nature about the behaviour of another member, the employee or Committee member must lodge the complaint on the member's behalf.

Conflict of interest

If the Panel member considers they have a conflict of interest, e.g. the complainant or the respondent are relatives or part of their close friendship group, they should recuse themselves from the review or investigation.

Serious matters

If the matter involves a potential criminal breach against a person, it must be referred to the Tasmania Police immediately.

Where a matter is considered to be of a serious nature, the Panel must undertake an investigation. The investigation should include interviews with the complainant, witnesses and the respondent. The respondent must be provided with an opportunity to respond to the complaint.

Where a matter is considered to be of a serious nature, the Panel may at their sole discretion temporarily suspend the respondent while the complaint is investigated.

The Panel should determine whether the incident occurred on the basis of "the balance of the facts". If, in the opinion of the Panel, there is reasonable doubt about the details, the complaint should be rejected.

All decisions must be unanimous. A split decision indicates there is reasonable doubt.

Less serious matters

Matters of a less serious nature, such as dress code violations, are expected to be dealt with by issuing written warnings.

Reporting

Subject to considerations of confidentiality (see above), the Panel will submit a report to next Committee meeting summarising all complaints received and actions taken.

As a general guide, the Panel's report will contain the following information for each complaint:

- Date of complaint;
- Respondent's name;
- Nature of the breach;
- Action taken (rejected, warning, investigated, referred); and
- Date of action.



Actions

The Panel is authorised by the Committee to take the following actions with regard to a complaint:

- Reject the complaint.
- Issue a warning by email (from the Chair).
 - Warnings should only be issued where it is a first breach and not of a serious nature.
 - For repeated or more serious breaches, the Panel can only reject the complaint or recommend suspension or expulsion.
- Temporary suspension.
 - When the alleged breach is serious, the respondent may be suspended temporarily while the complaint is investigated.
 - While suspended, the respondent must not attend the Club premises and must avoid all contact with the complainant. If the respondent ignores these instructions, they will be immediately referred to the Committee for suspension or expulsion.
- Refer to the Committee recommending suspension.
 - The Panel can recommend a period of suspension between 1 to 12 months.
 - Made in any case where the member repeatedly flouts and disregards the Rules or the member's behaviour is considered to be unacceptable and has the potential to cause harm to the Club or bring the sport into disrepute.
 - While suspended, the respondent can only attend the Club premises at the invitation of the Committee. If the respondent ignores these instructions, they will be referred to the Committee for expulsion.
 - A suspended member is charged their normal monthly membership fee and is expected to maintain their account in good order. A member suspended by the Panel can resign but cannot change their membership class while they are suspended.
- Refer to the Committee recommending expulsion.
 - Made in cases where the member has either been previously suspended (for any reason) or, in the first instance, the breach is of such a serious nature that, in the opinion of the Committee, the member fails the test of being of "good character".
- Refer to Tasmania Police.
 - Where a potential criminal act has occurred.

Record-keeping

The Committee must provide the Panel with the means to permanently and securely store the details of all complaints, including rejected complaints. Only the Panel are permitted to have access to this information. Provision should be made to create regular backups of the stored information.



Hobart Real Tennis Club

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