

Dispute Resolution Policy for Handball West



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1.0 Purpose

The purpose of this document is to define Handball West's (HW) position and policy relating to resolution of disputes. This policy will supplement the National Member Protection Policy created and endorsed by the Australian Handball Federation (AHF) in 2010 (as amended from time to time), and shall be relevant only to disputes arising as part of Handball West organised games, trainings and other events which do not warrant escalation to the AHF as outlined in their National Member Protection Policy.

2.0 Type of disputes

This policy will be relevant to the disputes arising during or otherwise in connection with trainings, games or events organised or sanctioned by Handball West (not including disputes arising during or otherwise in connection with National events hosted by Handball West which shall be handled as outlined by the AHF National Member Protection Policy).

If a dispute is considered of such severity that it cannot be resolved at the State level it shall immediately be escalated to the AHF and the procedures outlined in Clause 7 (Complaints Procedures) of the AHF National Member Protection Policy will be followed.

3.0 Dispute Resolution Committee

3.1 State, Club and School Based

For disputes at state, club, and school-based levels, the Dispute Resolution Committee (DRC) will consist of the four members of the Handball West Executive (HWE).

Should any member of the HWE be the subject of the dispute, they will be excluded from the DRC for the duration of the resolution process. If two or more of the HWE be unable to sit on the DRC, a Member of Handball West will be nominated by the Chair.

The Handball West President will act as Chairman for the DRC, in his/her absence the Vice President, Treasurer or Secretary will act as Chair.

3.2 National Competitions

For disputes at national competitions hosted by Handball West, the procedures outlined in in the AHF National Member Protection Policy will be followed.

4.0 Dispute Resolution Process

4.1 Dispute Procedure

The Dispute Resolution Process detailed below will be followed where disputes are raised and managed by the HWE. Where disputes or complaints warrant direct referral to the AHF, as per the National Member Protection Policy Clause 7.1, the dispute will be forward to the AHF.

4.1.1 Initial Response

Any disputes can be raised with a member of the HWE. If the dispute cannot be resolved between the person who raised the complaint (complainant) and the subject of the complaint at the time, the dispute will be referred to the DRC.

4.1.2 Further action

If the dispute was not resolved at the time of complaint, the DRC will arrange a meeting to discuss and make decisions on the outcome of the dispute. The timeframe of the resolution process will be determined based on the severity of the incident and potential impact on competition(s) (e.g. delay to further matches due to waiting on DRC outcome).

NOTE: The DRC will accept testimony from the complainant(s), the person(s) the subject of the dispute, any officials involved in the incident, and any relevant witnesses to the incident.

After accepting testimony, the DRC will decide on the outcome of the dispute. If the decision is not unanimous, a majority is required. Should there be a tie in the determination of the outcome, the Chairman shall decide on the outcome.

5.0 Powers of the Dispute Resolution Committee

The extent of the powers of the DRC will be based on membership of the subjects of the dispute (WA membership or otherwise), and the level of competition (school based, state based, or national).

5.1 School Based Competition

For school based competitions, the DRC will have the power to exclude the following participants from further matches in the competition:

- Players and Coaches
- Officials
- Spectators

Teachers (or guardians who have duty of care over the students) will not be able to be excluded from the competition.

5.2 State/Club Based Competition

For state-based competitions, the DRC will have the power to exclude players, officials, coaches and spectators from training sessions or matches.

In severe cases, memberships can be revoked as per Clause 9 of the Handball West Constitution.

If the DRC believes the misconduct is of such severity that a referral to the AHF is required, the complaint/dispute will be referred to the AHF as per Clause 7 of the National Member Protection Policy.

5.3 National Competitions

For disputes at national competitions hosted by Handball West, the procedures outlined in the AHF National Member Protection Policy will be followed.

6.0 Appeals

6.1 Timeframe

Once an outcome of a dispute is announced, a time frame will be established for appeal by the DRC depending on the type of training, game or event during which the dispute occurred, up to a maximum of 7 days.

6.2 Review

If the decision is appealed, the DRC will reconvene to discuss the matter again. Evidence provided during the first DRC meeting may be reconsidered, if available. At the end of this process, the dispute resolution outcome will either be upheld, or revised.

If the second review is appealed, the matter will be referred to AHF and the procedures outlined in Clause 7 of the AHF National Member Protection Policy will be followed.

7.0 Dictionary

This Dictionary sets out the meaning of words used in this policy without limiting the ordinary and natural meaning of the words.

AHF National Member Protection Policy refers to the policy created and endorsed by the AHF in 2010, as amended from time to time. The latest version was endorsed 15 May 2012 and can be found on the Handball Australia website:

http://www.handballaustralia.org.au/sites/default/files/Australian%20Handball_MP_P_v2.1%20May%202012_0.pdf

Australian Handball Federation is Australia's governing body for the sport of Handball – for both Beach Handball and the indoor Olympic Handball version.

Handball West is the governing body of the sport of Handball in Western Australia.

Handball West Executive is the core members of the Handball West Executive Committee, including the President, Vice President, Treasurer and Secretary.

Member in this policy refers to a member of Handball West, including all categories of members as outlined in the Handball West Constitution.

Misconduct will here be understood as behaviour which breaches the AHF Code of Behaviour set out in the AHF National Member Protection Policy (PART B - ATTACHEMENTS: CODE OF BEHAVIOUR)