

PERSONAL GRIEVANCES POLICY

Olympic Winter Institute of Australia

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1. DEFINITIONS

Defined terms not otherwise defined in this Policy have been defined in and have the meaning given to them in the Olympic Winter Institute of Australia (**OWIA**) National Integrity Framework (**NIF**). In this Policy the following words have the corresponding meaning:

Participant means:

- (a) Athletes who are registered with OWIA or entitled to participate in an Activity;
- (b) Coaches appointed to train an athlete or team in an Activity;
- (c) Administrators who have a role in the administration or operation of a Sport Organisation, including owners, directors, committee members or other persons;
- (d) Officials including referees, umpires, technical officials, or other officials appointed by OWIA or any league, competition, series, club or team sanctioned by OWIA;
- (e) Support personnel who are appointed in a professional or voluntary capacity by OWIA or any league, competition, series, club or team sanctioned by OWIA including sports science sport medicine personnel, team managers, agents, selectors, and team staff members; and
- (f) Parents/carers and spectators who are subject to registration conditions or venue conditions of entry that requires compliance with this Code.

Personal Grievance means any type of interpersonal conflict or dispute between Relevant Persons and/or Relevant Organisations that falls short of the threshold for abuse, bullying, harassment or sexual misconduct under the OWIA Member Protection Policy.

Policy means this Personal Grievances Policy including any schedules and annexures.

Relevant Organisation means any of the following organisations:

- (g) OWIA;
- (h) Authorised Providers, which means any organisations authorised to conduct Activities sanctioned by OWIA;
- (i) Teams, which means any collection or squad of athletes who compete and/or train in Winter Sports under the jurisdiction of OWIA; and
- (j) Any other organisation who has agreed to be bound by this Policy.

Relevant Person means any of the following persons:

- (a) Participant;
- (b) Employee;
- (c) Contractor;
- (d) Volunteer; and

- (e) Any other individual who has agreed to be bound by this Policy.

Winter Sports means those disciplines that are supported by OWIA programs at any given point in time.

2. PURPOSE

2.1 *Purpose of this Policy*

This Policy has been adopted alongside the NIF to establish a formal process for people and organisations engaging with OWIA to resolve interpersonal conflicts and disputes that arise in the context of their involvement in Winter Sports under the jurisdiction of OWIA, but do not involve a breach of an Integrity Policy in the NIF or other OWIA policy.

3. JURISDICTION

3.1 *Who the Policy applies to:*

This Policy applies to Relevant Persons and Relevant Organisations.

3.2 *When the Policy applies*

- (a) This Policy applies to interactions between Relevant Persons and Relevant Organisations in their capacity as Relevant Persons or Relevant Organisations relating to their involvement in Winter Sports under the jurisdiction of OWIA.
- (b) The Policy does not apply to the following:
 - (i) a breach of an Integrity Policy under the NIF;
 - (ii) a breach of another OWIA policy;
 - (iii) disputes relating to the employment of a Relevant Person;
 - (iv) interactions between Relevant Persons and Relevant Organisations that are not related to Winter Sports and/or are not in their capacity as Relevant Persons or Relevant Organisations.
- (c) If a Relevant Person or Relevant Organisation is also bound by the by-laws, agreements or policies of the AOC, such by-laws, agreements or policies will prevail to the extent of any inconsistency with this Policy.

4. DEALING WITH PERSONAL GRIEVANCES

4.1 *Steps for resolving Personal Grievances under this Policy*

- (a) Relevant Persons and Relevant Organisations are encouraged to attempt to resolve any disagreement or dispute that is subject to this Policy amongst themselves in the first instance.
- (b) Where a disagreement is unable to be resolved directly through discussion, or one of the parties to the disagreement is uncomfortable with approaching the other party directly or is otherwise unable to do so, the matter may then be referred to the management of the Relevant Organisation.



- (c) If OWIA or a member of the administration of OWIA is a party to a Personal Grievance, the matter, may with the agreement of the parties, be referred to the National Sports Tribunal (**NST**) and managed in accordance with the processes of the NST.
- (d) The Relevant Organisation may appoint an independent third party to help facilitate a resolution to the dispute.
- (e) The matter will be considered closed under this Policy once the facilitation process has concluded. Any ongoing issues between the parties to the disagreement must be dealt with by them in their personal capacity, unless either party engages in conduct that would amount to a breach of an Integrity Policy under the NIF, which should then be handled under the relevant OWIA Policy.

5. PROCESS FOR FACILITATED RESOLUTION OF PERSONAL GRIEVANCES

- (a) Where a Personal Grievance is referred for facilitated resolution, the Relevant Organisation will appoint an independent third party to assist in resolving the matter.
- (b) The individual appointed as a facilitator does not require formal qualifications as a mediator or conciliator but must have no connection with the parties or the issues involved in the disagreement and be a person who the Relevant Organisation considers to be capable of facilitating a discussion to resolve Personal Grievances.
- (c) The facilitator to the discussion may make suggestions about possible ways of resolving the grievance but cannot impose a resolution. The facilitation process will be concluded either when the parties agree on an outcome, or after 14 days or such longer period as agreed by all parties involved if a resolution cannot be reached.
- (d) The parties must participate in the facilitated discussion in good faith.

6. ROLE OF MEMBER PROTECTION INFORMATION OFFICERS

- (a) Relevant Persons are encouraged to contact a Member Protection Information Officer (**MPIO**) from the national sporting organisation if they require advice about the options open to them or support while going through the Personal Grievance resolution process.
- (b) For the avoidance of doubt, MPIOs cannot be appointed to facilitate discussions under section 5, as they are not considered to be independent.

7. NATIONAL INTEGRITY FRAMEWORK

The NIF does not apply to this Policy but sits alongside it. When interpreting this Policy, any provisions inconsistent with the NIF apply only to the extent of that inconsistency.