

Netball Queensland Limited

How to deal with Complaints... an overview

This overview relates to the Complaints Handling Procedure issued by Netball Queensland Limited, October 2016



- Incident or alleged incident occurs
- Complaint lodged to relevant Netball Entity's Complaints Officer
- Determine whether complaint has been raised with the correct, relevant Netball Entity
- If "NO", refer to relevant Netball Entity, then advise Complainant
- If "YES", choose optimum path for investigation/resolution

V V V V V V

Informal resolution					
Hear both parties					
Seek corroboration					
Assess the claims and facts					
Devise a solution					
Advise both parties					
Agreeable outcome? No ----->>>	Choose from....				
Yes?	Investigate	Mediate	Refer to external body (e.g. police; child welfare etc.)	Dismiss/No further action	
Stop	Refer Attachment 1 for process	Refer Attachment 2 for process	Removes from Netball Entity control.	This decision is based on facts	
	More-detailed than during the informal resolution	Only if parties are willing to collaborate	Co-operate in response to investigator requests	This decision is based on Constitution	
	Devise a solution			This decision is based on competition rules	
	Advise both parties		Stop	If so, stop .	
Agreeable outcome? No ----->>>	Agreeable outcome? No ----->>>	Agreeable outcome? No ----->>>	-	-	Tribunal (at least 3 people)
Yes?	Yes?	Yes?			Acts on instruction from Committee
Stop	Stop	Stop			Refer Attachment 3 for process
					Highly structured review and process
					Select carefully, based on skills (not necessary to 'know' netball)
					Decision is final, no appeals.

Best-practice for compliance

Actions by your Committee:

- annually, designate one or two Committee members as 'Complaints Officer'
- annually, appoint 3-4 suitable people as Hearings Tribunal (*hopefully, never needed!*)
- provide policy documents to those people
- seek training, or opportunities to practice skills, esp. for Complaints Officers

Mindset and process

- select the resolution or path which is most-likely to achieve a fair and acceptable outcome (judgement call)
- act promptly but not rushed, bearing in mind any potential harm arising from delays
- follow the processes outlined, to ensure natural justice and equitable treatment
- collect facts, ideally supported by multiple impartial witnesses
- seek a fair and agreeable solution as early as possible and with as few steps as possible

Record-keeping

- document each incident... file confidentially after resolution
- look for patterns in the complaints... could indicate loose policies or the need for broader action or education



COMPLAINTS HANDLING PROCEDURE FOR NETBALL QUEENSLAND AND ITS MEMBER ASSOCIATIONS

Handling complaints

Netball Queensland (**NQ**) and its affiliated Associations and their Clubs (each, a **Netball Entity**) aim to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness. The below procedures apply to all Member Associations, other members of NQ and to NQ.

Who may lodge a complaint

Any person (**Complainant**) may report a complaint (**Complaint**) about a person, people or organisation bound by this policy (**Respondent**) if they feel they have been discriminated against, harassed, bullied or there has been any other serious breach of a netball organisation's policies.

Tribunal appointment

We recommend that each year, each Netball Entity appoints a Tribunal to be comprised of at least three people (suggested to be a member of the Netball Entity's Committee, plus two other people who possess a particularly useful skill -such as human resources management, business management, corporate governance or like skills), to convene if and as required during the year. This Tribunal can investigate and/or determine Complaints referred to it by the Netball Entity; or conduct appeals requested by a Complainant or a Respondent to a Complaint.

Improper complaints and victimisation

Each Netball Entity should ensure that their complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a Complaint.

All necessary steps should be taken to make sure that people involved in a Complaint are not victimised. Disciplinary measures may be implemented in respect of a person who harasses or victimises another person for making a Complaint or supporting another person's Complaint.

If at any point in the Complaint handling process the Member Protection Information Officer or a senior member of the applicable Netball Entity (**Complaints Officer**) considers that a Complainant has knowingly made an untrue Complaint, or the Complaint is malicious or inappropriately intended to cause distress to the Respondent, the matter may be referred in writing to the Netball Entity's Tribunal for review and appropriate action, including possible disciplinary action against the Complainant.

Complaints handling process

In the first instance, Complaints should be reported to the relevant Netball Entity's Complaints Officer. Complaints are preferred in writing but this is not essential.



Complaints should not be automatically made to NQ. Complaints should at first be made to the relevant Netball Entity. If a Complaint relates to behaviour or an incident that occurred at the:

- state level, or involves people operating at the state level, then the Complaint should be reported to the General Manager at NQ who is responsible for support of Member Associations (currently General Manager – Community and Sport Development), to be handled by NQ in the first instance. This could relate to incidents which happen at an event or competition organised by NQ;
- Regional Branch Committee level, or involves people operating at that level, then the Complaint should be reported to and handled by the relevant Regional Branch Committee in the first instance. This could relate to incidents which happen at an event or competition organised by a Regional Branch Committee;
- Association level, or involves people operating at the Association level, then the Complaint should be reported to and handled by the relevant Association in the first instance; This could include examples involving players from different Clubs during an Association-sponsored match or event; or
- club level, or involves people operating at the club level, then the Complaint should be reported to and handled by the relevant club in the first instance. This could include disputes among team members or between two teams within a Club.

A Complaint may be handled informally or formally. Informal resolution could be possible by a low-key conversation where both parties accept the basic facts of a situation; the person 'in the wrong' can be instructed about a better way to have acted.

The Complainant may indicate his or her preference and the Complaints Officer should consider whether that is an appropriate way to handle the particular Complaint. For example, the law may require that the Complaint/allegation be reported to an appropriate authority.

All Netball Entities should aim to resolve Complaints quickly (given the nature of the complaint and the nature of potential harm) and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

If a Complaint is not resolved to the Complainant's satisfaction through an informal process, the Complainant may make a formal Complaint in writing to the relevant Netball Entity. Individuals and organisations may alternatively seek to have their Complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

Where a formal Complaint is made, the Netball Entity that receives the Complaint will determine what, if any, further action to take. This action may include:

- A. appointing a person to investigate the Complaint;
- B. referring the Complaint to an informal or a formal mediation session or investigation;
- C. disciplinary action (eg suspension of an individual from any netball-related activity; issuing letters or warning or reprimand; etc);



D. referring the Complaint to the police or other appropriate authority; and/or

E. taking no further action and dismissing the Complaint.

Investigation

Possible procedure for the investigation of Complaints is outlined in **Attachment 1**. Where a Netball Entity decides that a Complaint should be the subject of an investigation process, it should take place in accordance with Attachment 1.

Once a Netball Entity receives a written report from the investigator (in accordance with Attachment 1), the Netball Entity will determine what, if any, further action to take. This action may include:

- (a) a direction to the investigator to make further enquiries and obtain additional information;
- (b) disciplinary action; or
- (c) referring the Complaint to an informal or a formal mediation session, a hearings tribunal and/or the police or other appropriate authority.

The Netball Entity may also determine to take no further action and dismiss the Complaint.

Mediation

Mediation is a confidential process that allows those involved in a Complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before, after or instead of the investigation of a Complaint. Mediation might not be a suitable method for resolution of a Complaint in all cases.

If a Complainant wishes to resolve the Complaint with the help of a mediator, the Complaints Officer will, in consultation with the Complainant, arrange for an independent mediator where possible. Lawyers will not be permitted to participate in the mediation process. The Complaints Officer will determine which party or parties (eg the Netball Entity, the Complainant or the Respondent) are responsible to pay any costs of the mediation process.

Where a Netball Entity refers a Complaint to mediation, the mediation should proceed in accordance with the process in **Attachment 2**.

Tribunals

The Tribunal may be convened to hear a proceeding referred to it by the Complaints Officer or a Netball Entity.

Where a Netball Entity refers a Complaint to a Tribunal, the Tribunal should proceed in accordance with **Attachment 3**.

Every Netball Entity bound by this policy will recognise and enforce any decision of a Tribunal.



ATTACHMENT 1 - INVESTIGATION PROCEDURE

There will be times when a Complaint will need to be investigated and evidence gathered. An investigation helps determine the facts relating to the incident, as well as produce findings and recommendations. Any investigation that a Netball Entity conducts should be fair to all parties involved.

If a Netball Entity decides that a Complaint should be investigated the following steps should be followed:

1. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
2. The Complainant will be interviewed by the investigator and the Complaint documented in writing.
3. The details of the Complaint will be conveyed to the person/people complained about (Respondent(s)) in full. The Respondent(s) will be given sufficient information to enable them to properly respond to the Complaint.
4. The Respondent(s) will be interviewed by the investigator and given the opportunity to respond. The Respondent'(s)' response to the Complaint will be documented in writing.
5. If there is a dispute over the facts, statements from witnesses and other relevant evidence will be obtained to assist in a determination.
6. The investigator will determine whether the Complaint is:
 - (a) substantiated (there is sufficient evidence to support the Complaint);
 - (b) inconclusive (there is insufficient evidence either way);
 - (c) unsubstantiated (there is sufficient evidence to show that the Complaint is unfounded); and/or
 - (d) mischievous, vexatious or knowingly untrue.
7. The investigator will produce a report documenting the Complaint, investigation process, evidence, and findings and, if requested, recommendations. This report will be given to the relevant Netball Entity.
8. The relevant Netball Entity will provide a report documenting the Complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the parties.
9. Both parties are entitled to support throughout this process from their chosen support person.
10. The parties may have the right to appeal against any decision based on the investigation. Any appeal should be in accordance with the appeals process provided in this Complaints Procedure.



ATTACHMENT 2 - MEDIATION PROCEDURE

Mediation is a process that allows all people involved in a Complaint to talk through the issues with an impartial person – the mediator – and work out a mutual solution.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved talk through the issues making sure that the process is as fair as possible for all concerned.

The following is the general procedure for the conduct of mediations under this policy.

1. The people involved in a formal Complaint (Complainant and Respondent(s)) may work out their own resolution of the Complaint or seek the assistance of a neutral third person or a mediator. Mediation may occur at any time.
2. Mediation will only be recommended:
 - (a) after the Complainant and Respondent have had their chance to tell their version of events to the relevant Netball Entity; and
 - (b) the relevant Netball Entity does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated, no matter what the Complainant desires; and
 - (c) mediation looks like it will work (i.e. the versions given by the Complainant and Respondent align or almost align and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).
3. Mediation will **not** be recommended if:
 - (a) the Respondent has a completely different version of the events and they won't deviate from these;
 - (b) the Complainant or Respondent are unwilling to attempt mediation;
 - (c) when the issues raised are sensitive in nature;
 - (d) when there is a real or perceived power imbalance between the people involved;
 - (e) matters that involve serious, proven allegations; or
 - (f) the Complaint is not suitable for mediation due to the nature of the Complaint, the relationship between the Complainant and the Respondents and any other relevant factors.
4. If mediation is chosen to try and resolve the Complaint the relevant Netball Entity will, in consultation with the parties arrange for a mediator to mediate the Complaint.
5. The relevant Netball Entity will notify the Respondent(s) that a formal Complaint has been made, provide them with details of the Complaint, and advise them that it has decided to refer the matter to mediation.



6. The mediator's role is to assist the parties reach an agreement on how to resolve the issues between them. The mediator, in consultation with the parties, will determine the procedures to be followed during the mediation. An agenda of issues for discussion will be prepared by the mediator.
7. The mediation will be conducted confidentially and without prejudice. The rights of the parties to pursue an alternative process if the Complaint is not resolved will be preserved.
8. If the Complaint is resolved by mediation, the mediator will prepare a document that sets out the agreement reached between the parties and it will be signed by them as their agreement. The relevant Netball Entity will be advised of the resolution of the matter. NQ expects parties involved to respect and comply with the terms of the agreement executed.
9. If the formal Complaint is not resolved by mediation, the Complainant may:
 - (a) write to the relevant Netball Entity within 14 days of the mediation to request that they reconsider the Complaint, particularly whether they refer the Complaint to a resolution process other than mediation; or
 - (b) approach an external agency such as an anti-discrimination or equal opportunity commission to resolve the matter.



ATTACHMENT 3 - HEARINGS & APPEALS TRIBUNALS PROCEDURE

The following hearing procedure will be followed where a Netball Entity convenes a hearings tribunal (**Hearings Tribunal**) in Queensland.

1 - HEARINGS

Where NQ or a Member Association receives a Complaint referred to it under the above procedure(s) the procedure set out below shall be followed:

1. Upon receipt of the Complaint the relevant Netball Entity shall appoint a Hearings Officer. It is preferable that the Hearings Officer is fresh to the details of the complaint and the resolution steps already taken, though this may not be possible in all situations. The Hearings Officer shall, as soon as possible, do the following:
 - (a) determine the composition of the Hearings Tribunal, as set out in clause 1(2) below; and
 - (b) send to the Complainant(s) and Respondent(s) a notice setting out the alleged breach (collectively referred to as **Notice of Alleged Breach**) in accordance with clauses 1(4) and 1(5) of this Attachment; and
 - (c) send a copy of the Notice of Alleged Breach to the chairperson of the Hearings Tribunal.
2. The Hearings Tribunal for each hearing shall be appointed by the relevant Netball Entity and shall be comprised of the following persons:
 - (a) a barrister or solicitor (who shall be the chairperson) or if after reasonable attempts have been made to obtain such person without success, then a person with considerable previous experience in the legal aspects of a disciplinary/hearings tribunal;
 - (b) a person with a thorough knowledge of Netball; and
 - (c) a person of experience and skills suitable to the function of the Hearings Tribunal, provided that such persons do not include:
 - (i) a person who is a member of the board (however described) of the relevant Netball Entity which appoints the Hearings Tribunal; or
 - (ii) a person, who would, by reason of their relationship with any of the parties, be reasonably considered to be other than impartial.
3. Frivolous, vexatious or malicious Complaints
 - (a) If within 48 hours of receiving the Notice of Alleged Breach, the Respondent alleges in writing to the Hearings Officer that the Complaint is frivolous, vexatious or malicious, the chairperson of the relevant Netball Entity shall as a preliminary issue, determine whether or not such Complaint is frivolous, vexatious or malicious and advise the parties of his or her determination.



- (b) The Hearings Officer shall provide to the other parties to the hearing (see clause 6) a copy of the written allegation made by the Respondent that the Complaint is frivolous, vexatious or malicious.
 - (c) The chairperson shall determine the preliminary issue of whether the Complaint is frivolous, vexatious or malicious as soon as practicable and in whatever manner the chairperson considers appropriate in the circumstances provided that he or she does so in accordance with the principles of natural justice.
 - (d) If the Complaint is determined to be frivolous, vexatious or malicious by the chairperson, then the Complaint will be dismissed.
 - (e) The decision of the chairperson under this clause 1(3) is not subject to appeal.
4. The Hearings Tribunal will send a Notice of Alleged Breach to the Respondent(s) in writing informing them that a Hearings Tribunal hearing will take place. The notice will outline:
- a) that the Respondent has a right to appear at the Hearings Tribunal to defend the Complaint/allegations;
 - b) the details of the Complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached;
 - c) the date, time and venue of the Hearings Tribunal hearing;
 - d) that verbal and/or written submissions can be presented at the Hearings Tribunal;
 - e) that witnesses may attend the Hearings Tribunal to support the position of the Respondent/s;
 - f) an outline of any possible sanctions that may be imposed if the Complaint is found to be substantiated;
 - g) that legal representation will not be allowed.
 - h) that the respondent may be assisted by a support person at a Hearings Tribunal. For example, where the respondent is a minor, he or she should have a parent or guardian present. However a person cannot be a support person if he or she has been admitted to practise as a lawyer or worked as a trainee lawyer.

A copy of any information/documents that have been given to the Hearings Tribunal (e.g. investigation report findings) will be provided to the Respondent(s).

5. The Hearings Tribunal will send a Notice of Alleged Breach to the Complainant(s) in writing informing them that a Hearings Tribunal hearing will take place. The notice will outline:
- a) that the Complainant has a right to appear at the Hearings Tribunal to support their Complaint/allegations;
 - b) the details of the Complaint, including any relevant rules or regulations the Respondent is accused of breaching;
 - c) the date, time and venue of the Hearings Tribunal hearing;
 - d) that verbal and/or written submissions can be presented at the Hearings Tribunal hearing;



- e) that witnesses may attend the Hearings Tribunal hearing to support the Complainant's position; and
- f) that legal representation will not be allowed.

A copy of any information/documents that have been given to the Hearings Tribunal (e.g. investigation report findings) will be provided to the Complainant.

6. The Hearings Tribunal shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the Respondent has committed a breach of any relevant rule, regulation or policy of NQ or any other Netball Entity. If the Hearings Tribunal considers that the Respondent has committed such a breach of this Policy, it may impose any one or more of the sanctions set out in clause 3 below.
7. The parties to the hearing shall include the Complainant, the Respondent, the relevant Netball Entity and any relevant witnesses which the Hearings Tribunal considers necessary.
8. If upon receipt of the Notice of Alleged Breach the Hearings Tribunal considers that pending the determination of the matter the Respondent may put at risk the safety and welfare of the Complainant or others it may order that the Respondent be:
 - (a) suspended from any role they hold with Netball;
 - (b) banned from any event or activities held by or sanctioned by Netball Queensland; and/or
 - (c) required not to contact or in any way associate with the Complainant or other person about whom the alleged breach relates, pending the determination of the hearing.
9. There is no right of appeal of the decision by a Hearings Tribunal under clause 1(8).
10. No party to the hearing may be legally represented. The chairperson of the Hearings Tribunal may grant leave for a party to the hearing to be legally represented where their livelihood or a proprietary right is at risk. The onus is on the party seeking representation to prove that livelihood or a proprietary right is at risk. A party may be represented by an advocate who is not legally qualified at the hearing.
11. Each party to the hearing shall bear their own costs in relation to the hearing.
12. The Hearings Tribunal shall give its decision as soon as practicable after the hearing and the Hearings Officer will deliver to the following a statement of the written reasons:
 - (a) the Complainant;
 - (b) the Respondent; and
 - (c) any other party represented in the hearing.



13. Each member of each Hearings Tribunal established under this Policy shall be indemnified by the Netball Entity which appointed them from any claim or action for loss, damages, or costs made against them arising out of, or in connection with, their function as a member of the Hearings Tribunal. Each party appearing before a Hearings Tribunal shall release each member of that tribunal from any claim or action for loss, damages, or costs made against them arising out of, or in connection with, their function as a member of the Hearings Tribunal. If required by the tribunal each party will sign a document giving effect to such release.
14. All members of the Hearings Tribunal shall keep all matters relating to the hearing (including but not limited to the nature of the Complaint, information obtained before and during the hearing, and the decision of the Hearings Tribunal) confidential.

2 - APPEALS

A party represented at a Hearings Tribunal may appeal a decision of that Hearings Tribunal on the sole ground that natural justice has not been provided at the hearing of the Hearings Tribunal.

1. An appeal against a decision of a Hearings Tribunal established by a Netball Entity, shall be made to the appeals tribunal established by NQ (**Appeals Tribunal**). Subject to the discretion of the chairperson of the Appeals Tribunal all appeals shall be heard at the principal place of business of NQ.
2. There is only one right of appeal following the decision of the initial Hearings Tribunal. Any appeal must be solely and exclusively resolved by the Appeals Tribunal and the decision of such Appeals Tribunal is final and binding on the parties. There is no further right of appeal. It is agreed that no party to such appeal may institute or maintain proceedings in any external court or tribunal until they have exhausted their appeal rights under these procedures.
3. The process for such appeal is as follows:
 - (a) the party wishing to appeal ("Appellant") shall within 72 hours of a Hearings Tribunal delivering its decision advise, in writing, the Hearings Officer of NQ of their intention to appeal (**Notice of Intention to Appeal**);
 - (b) as soon as possible after receipt of the Notice of Intention to Appeal, the Hearings Officer of NQ shall appoint an Appeals Tribunal to hear and determine the appeal (which shall comprise of persons in accordance with clause 1(2) above but not the same persons who were part of the Hearings Tribunal that made the decision to which the appeal relates); and
 - (c) within 5 days of lodging the Notice of Intention to Appeal, (or such shorter time as determined by the Appeals Tribunal if there is urgency) the Appellant shall:
 - (i) pay a non-refundable appeal fee of \$550.00 (including GST) to the Hearings Officer of NQ; and
 - (ii) submit to the Hearings Officer of NQ, four written copies of the grounds of appeal. The Hearings Officer of NQ shall provide a copy of the grounds of appeal to the other party, to the chairperson of the



Hearings Tribunal who made the decision which is the subject of the appeal and the chairperson of the Appeals Tribunal. If either of the requirements in this sub-clause are not met by the required time the appeal shall be deemed to be withdrawn;

- (d) Upon completion of the procedures in clauses 2(3)(a)-(c) above, the Hearings Officer of NQ (as the case may be) shall determine a time and date for the hearing of the appeal and as soon as possible thereafter notify all parties to the appeal in writing of such details; and
 - (d) The procedure for the appeal shall be the same as the procedure for the Hearings Tribunal as set out in clause 1 of the Hearings section of this Attachment provided above.
4. An Appeals Tribunal may reject an appeal on the basis that the grounds of appeal are not satisfied.
 5. Upon hearing the appeal the Appeals Tribunal may do any one or more of the following:
 - (a) dismiss the appeal;
 - (b) uphold the appeal;
 - (c) impose any of the sanctions set out in clause 3 below; and/or
 - (d) reduce, increase or otherwise vary any sanction imposed by the initial Hearings Tribunal.
 6. If the penalty imposed by the appeal body affects any other Netball organisations, the Hearings Officer of NQ shall as soon as possible notify in writing the relevant Netball Entity of the penalty. Notification of such penalty shall be deemed to be notification to all members of the relevant Netball Entity. Every Netball Entity shall recognise and enforce any decision and penalty imposed by an Appeals Tribunal under this policy.
 7. The Appeals Tribunal has no power to award costs and each party shall bear their own costs in relation to any appeal.
 8. The hearing and appeal procedures set out above prevail over any other rules, regulations and policies of NQ or any Member Association.

3 - SANCTIONS

1. Any disciplinary measure imposed by a Hearings Tribunal or Appeals Tribunal must:
 - (a) conform to the principles of natural justice;
 - (b) be fair and reasonable;
 - (c) be based on the evidence and information presented; and
 - (d) be within the powers of the Hearings Tribunal and Appeals Tribunal to impose the disciplinary measure.



2. If a Hearings Tribunal or Appeals Tribunal considers that a person or organisation has breached a rule, regulation or policy of NQ or any other relevant Netball Entity it may impose any one or more of the following penalties:

(a) For breaches committed by organisations:

If the Hearings Tribunal or Appeals Tribunal considers that any Netball Entity has breached a rule, regulation or policy of NQ or any other relevant Netball Entity, it may impose any one or more of the following penalties on such organisation:

- (i) direct that any funding granted or given to it by NQ cease from a specified date, or from a specified period;
- (ii) impose a monetary fine for an amount determined by the Hearings Tribunal or Appeals Tribunal;
- (iii) impose a warning;
- (iv) recommend to NQ that:
 - A. the organisation's membership be suspended or terminated in accordance with the applicable constitution;
 - B. any rights, privileges and benefits provided to that organisation by NQ be suspended for a specified period and/or terminated;
 - C. NQ cease to sanction events held by or under the auspices of that organisation;
- (v) any other such penalty as the Hearings Tribunal considers appropriate.

(b) For breaches committed by individual persons:

If the Hearings Tribunal or Appeals Tribunal considers that an individual person has breached a rule, regulation or policy of NQ or any other relevant Netball Entity, it may impose any one or more of the following penalties on such person:

- (i) direct that the offender attend counselling to address their conduct;
- (ii) recommend that NQ terminate the appointment of the role which the offender holds with such organisation;
- (iii) (where there has been damage to property) direct that the offender pay compensation to the relevant organisation which controls or has possession of the damaged property;
- (iv) impose a monetary fine for an amount determined by the Hearings Tribunal;
- (v) impose a warning;
- (vi) (in the case of a coach) direct the relevant organisation to de-register the accreditation of the coach for a period or indefinitely;
- (vii) withdraw any awards, placing, records won in any tournaments, activities or events held or sanctioned by NQ;



- (viii) direct the offender to repay all or part of any financial assistance (excluding any fee for service, wages or expenses) given to them by any Federal or State funding agency, NQ, or any other organisation which has provided funding; ad/or
 - (ix) any other such penalty as the Hearings Tribunal considers appropriate.
- 3. If the penalty imposed by the Hearings Tribunal or Appeals Tribunal affects any other Netball Entity, the Netball Entity from which the Hearings Tribunal is established shall as soon as possible notify the other relevant Netball Entity of the penalty. Notification of such penalty to a Member Organisation shall be deemed to be notification to all members of that Member Organisation.
- 4. Every Netball Entity in Queensland shall recognise and enforce any decision and penalty imposed by a Hearings Tribunal or Appeals Tribunal.
- 5. When imposing any form of discipline it will be accompanied by a warning that a similar breach of policy by that individual in the future may result in the imposition of a more serious form of discipline.