



PERTH MAGIC ALL STARS

COMPLAINT & BEHAVIOUR POLICY

REVISION / CHANGES	DATE	AUTHORISED
01.00 DOCUMENT CREATION	8/10/23	N.GUGLIELMINO R.MUNT
02.00 POLICY RENAMED TO COMPLAINT & BEHAVIOUR POLICY: MERGING MEMBER PROTECTION POLICY. ADDED BMP SECTION & COMPLIANCE LANGUAGE, MERGED DUTY OF CARE AND COOPERATION INTO MISLEADING CLAIMS. ADDED SAFEGUARDING SECTION.	30/10/2025	N.GUGLIELMINO

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DEFINITIONS + ACRONYMS

Company	Perth Magic Pty Ltd
Individual	Athletes, staff, directors, parents, guardians, administrators, volunteers, coaches and judges
Owners	Rachael Guglielmino & Nick Guglielmino
Employee	Employed by Perth Magic Pty Ltd having signed a contract of employment
Volunteer	A volunteer is an individual who may freely offers their time, skills, and services without financial compensation or contractual obligation
Bullying	Repeated, unreasonable behaviour that creates a risk to health and safety. This includes verbal, physical, social, or cyber actions intended to humiliate, intimidate, or harm another individual.
Harassment	Any unwelcome behaviour that offends, humiliates, or intimidates another person, regardless of intent.
Discrimination	Unfair treatment because of personal characteristics such as gender, race, age, disability, religion, or sexual orientation
Behaviour Management Plan (BMP)	A structured plan designed to support individuals exhibiting inappropriate, unsafe, or disruptive behaviour – outlining expectations, strategies, and consequences.

Table 1 - Definitions / Acronyms

0.0 PURPOSE

The purpose of this policy is to ensure that all members, staff, and volunteers of Perth Magic Pty Ltd uphold the highest standards of behaviour, integrity, and safety. This policy provides a clear process for raising and managing complaints, resolving disputes, and addressing behavioural concerns in a fair and transparent manner.

1.0 COMPANY STANDARDS

Perth Magic Pty Ltd is committed to maintaining a positive and respectful environment for all members. Concerns and complaints will be addressed promptly, fairly, and confidentially. Harassment, discrimination, unsafe behaviour, bullying, or misconduct will not be tolerated.

This document outlines the procedure for lodging and resolving complaints within Company premises, events, and activities. Individuals are encouraged to raise all concerns directly with the Company to ensure a safe and welcoming environment.

1.1 Expected Conduct

All individuals are expected to:

- Act respectfully toward others at all times.
- Demonstrate honesty, fairness, and accountability.
- Follow all club and safety rules, as well as directions from coaches and officials.
- Represent the Company positively, both in person and online.
- Report unsafe, unethical, or concerning behaviour.
- Follow Perth Magic Social Media Policy
- Participate in behaviour, safety, and anti-bullying education sessions as required by the organisation

Parents and supporters must demonstrate respect toward all athletes, coaches, officials, and spectators. Aggressive, abusive, or unsportsmanlike behaviour (in person or online) will not be tolerated and may result in suspension of spectator privileges or removal from club events.

1.2 Unacceptable Conduct

The following behaviours are considered breaches of this policy:

- Harassment, bullying, intimidation, or discrimination.
- Aggressive, threatening, or abusive language or behaviour.
- Disrespect toward staff, coaches, volunteers, or other athletes.
- Damaging property or equipment.
- Refusal to comply with reasonable directions from staff or officials.
- Any behaviour that risks safety, wellbeing, or the reputation of the Company.

1.3 Legal Compliance

Perth Magic Pty Ltd complies with all relevant State and Federal anti-discrimination, harassment, and child protection legislation, including the *Equal Opportunity Act 1984* (WA), the *Sex Discrimination Act 1984* (Cth), and the *Fair Work Act 2009* (Cth).

Any behaviour that breaches these laws may be reported to external authorities in addition to internal disciplinary action.

1.4 Professional Boundaries and Relationships

Coaches, staff, and volunteers must always maintain appropriate professional boundaries with athletes to ensure a safe, respectful, and equitable environment.

Due to the inherent power imbalance in coach–athlete relationships, any romantic or sexual relationship between a coach (or person in authority) and an athlete is strongly discouraged, even between consenting adults.

Any relationship involving a minor is **strictly prohibited** and will be reported to the relevant authorities in accordance with the organisation's safeguarding obligations and applicable legislation.

Behaviour that blurs professional boundaries (including social, emotional, or online interactions that could be perceived as grooming or favouritism) will be reviewed under this policy.

Staff and volunteers are expected to conduct themselves in accordance with the Sport Integrity Australia Safeguarding Framework and relevant Child Safe Standards.

Reference: Sport Integrity Australia Safeguarding in Sport Framework.

2.0 RAISING COMPLAINTS & DISPUTES

Promptly raising disputes is a fundamental aspect of Perth Magic Pty Ltd culture, and its importance cannot be overstated. Timely resolution of disputes plays a pivotal role in maintaining a healthy and productive work environment, fostering positive relationships, and upholding the principles of **fairness** and **accountability**.

Prompt resolution also demonstrates Perth Magic Pty Ltd commitment to transparency and a willingness to resolve problems constructively. It allows us to learn from challenges, adapt, and continuously improve our processes, policies, and practices.

Moreover, prompt dispute resolution underscores our commitment to treating all individuals with respect and dignity, irrespective of their role within the organization. It ensures that everyone's voice is heard, and their concerns are taken seriously, promoting a culture of inclusivity and trust. In essence, raising disputes promptly is not only about addressing specific issues but also about preserving the core values and integrity of our organization.

No concern is ever too small to be raised. We encourage all individuals within our organization to speak up about any issue, no matter how minor it may seem. Your feedback and concerns are valued, and by bringing them to our attention, you contribute to our collective growth and improvement.

3.0 PROCESS OF RAISING DISPUTES

3.1 INFORMAL COMPLAINTS & DISPUTES

If a complaint arises, individuals are encouraged to first attempt an informal resolution by discussing the issue with the relevant person(s) involved or their immediate supervisor, if applicable.

3.2 FORMAL COMPLAINTS & DISPUTES

If an informal resolution is not possible, unsuccessful or requires escalation - the complainant should submit a formal written complaint (email or letter) to the **Owner** (rachael@perthmagicalstars.com.au) within 7 days. The complaint should include:

- details of the issue,

- date,
- location,
- names of individuals involved and
- any supporting evidence.

3.3 FORMAL INVESTIGATION

The Company will initiate an investigation within 48-72 hours. The investigation will be conducted impartially, and all parties involved will be interviewed as necessary. Confidentiality will be maintained to the extent possible.

3.4 RESOLUTION

Following the investigation, the Company will take appropriate actions to address the complaint. This may include mediation, disciplinary actions, coaching changes, or other measures as deemed necessary to resolve the issue. Actions may be discussed with the Individual whom raised the complaint.

The availability of evidence is paramount in the context of dispute resolution as it serves as the foundation upon which fair and just outcomes are built. Evidence provides clarity, objectivity, and credibility to the resolution process, ensuring that decisions are based on facts rather than conjecture or subjective interpretation. It offers all parties involved a transparent and equitable platform to present their case, promoting accountability and preventing misjudgements or biases.

Having evidence readily accessible not only expedites the resolution process but also enhances its efficacy by enabling a thorough examination of the issue at hand. Ultimately, the presence of evidence upholds the principles of fairness and justice in dispute resolution, fostering trust, and ensuring that resolutions are well-informed, equitable, and conducive to a harmonious environment.

As such, disputes submitted without evidence, based on conjecture, word of mouth or otherwise may be unable to be formally actioned by the Company.

3.5 APPEAL

If the complainant or the accused party is not satisfied with the resolution, they may appeal the decision within 48 hours to the Owner.

The appeal committee/person will conduct a secondary review and provide a final decision.

4.0 CONFIDENTIALITY

All parties involved in the complaint process, including the complainant and the accused, must maintain confidentiality regarding the details of the complaint to protect the privacy and reputation of all individuals. The Company will take reasonable steps to maintain confidentiality for all parties, except where disclosure is necessary to manage the complaint, protect safety, or comply with legal obligations.

5.0 NON-RETALIATION POLICY

Perth Magic Pty Ltd has a commitment to creating a safe and respectful workplace extends to our strong stance against retaliation. We firmly prohibit any form of retaliation against individuals who have filed a complaint or participated in the complaint resolution process. This non-retaliation policy is integral to our values of fairness, transparency, and accountability.

Retaliation can take various forms, including but not limited to:

- direct harassment,
- subtle acts of intimidation,
- social isolation,
- unwarranted changes in job responsibilities, or
- any behaviour that adversely affects an individual's employment conditions.

It is crucial to emphasize that retaliation in any form is **unacceptable** and **strictly against Company policy**.

Our dedication to upholding this policy is resolute. In the event that retaliation is observed or reported, it will be treated as a separate violation and subject to appropriate disciplinary actions, which may include counselling, retraining, suspension, or, in severe cases, termination of employment or enrolment.

6.0 DOCUMENTATION

Records of all complaints, investigations, and resolutions will be maintained securely by the Company for a minimum of 12 months or as required by applicable laws.

7.0 MISLEADING CLAIMS, DUTY OF CARE & COOPERATION

All individuals must act honestly, respectfully, and in good faith when raising or responding to complaints.

- Individuals must cooperate fully and truthfully with any investigation.
- False, misleading, frivolous, or exaggerated complaints are considered a serious breach of this policy.
- Failure to cooperate or providing dishonest information may also result in disciplinary action.
- Consequences may include counselling, retraining, suspension, or, in severe cases, termination of employment or enrolment.

Maintaining honesty and cooperation preserves trust, fairness, and the integrity of the complaint process.

8.0 DISCIPLINARY ACTION

The disciplinary action will depend on the severity of the case and may involve any of the below. These will be assessed by the Company on a case-by-case basis.

- **Apology:** A written or verbal mediated and meaningful apology due to a minor incident, or behavioural issue,
- **Verbal Warning:** A formal verbal admonishment to address minor non compliances or behavioural issues.
- **Written Warning:** A documented written notice specifying the issue and potential consequences if the behaviour or violation persists.
- **Suspension:** Temporary removal from participating in team activities, practices, or training for a specified period due to more serious violations.
- **Probation:** A designated period during which the individual's conduct is closely monitored, and further violations may lead to more severe consequences.

- **Loss of Event Time:** A reduction in an individual's team time during games as a result of disciplinary measures.
- **Expulsion:** Permanent removal from the individual, team or organisation for severe or repeated misconduct.
- **Counselling or Education:** Mandatory participation in counselling, educational programs, or workshops to address specific behavioural or personal development issues.
- **Reporting to Authorities:** In cases of illegal activities, reporting the individual to appropriate legal authorities.
- Any other form of action that the Company deems appropriate.

The specific disciplinary actions may vary depending on the nature and severity of the offense and is subject to the Company's discretion. Disciplinary actions will be applied proportionately and consistently, taking into account the severity, intent, and impact of the behaviour

9.0 BEHAVIOUR MANAGEMENT PLAN

A Behaviour Management Plan (BMP) may be implemented to support individuals exhibiting inappropriate, unsafe, or disruptive behaviour. The BMP is designed as a **supportive tool**, not as a form of punishment, and aims to:

- Identify the behaviours of concern
- Outline clear expectations for improvement, and agreed consequences for non-compliance, while maintaining a focus on support and development.
- Provide strategies and support to assist the individual in meeting expectations
- Encourage positive participation and engagement within the Club

The BMP is developed collaboratively with the individual, their parents/guardians (where applicable), and relevant staff or coaches. Compliance with a BMP may be mandatory, and refusal to engage with or adhere to the BMP may result in the athlete being unable to participate at Perth Magic.

The BMP focuses on constructive guidance, skill development, and fostering a safe and respectful environment for all members.

10.0 CHILD PROTECTION & SAFETY

Perth Magic Pty Ltd is committed to the safety and wellbeing of all children.

All employees, coaches, and volunteers working with children must hold a current *Working with Children Check (WWC)*.

Any concerns or allegations of child abuse, grooming, or inappropriate behaviour must be immediately reported to the Owners and, where appropriate, to relevant authorities in accordance with WA mandatory reporting laws.

Recruitment, screening, and disciplinary processes will prioritise child safety at all times.