

20. Complaints & Grievances

Why is this important?

This section will provide you with guidance with how to deal with any complaints or grievances that your Club receives. A good understanding of this will allow the Executive to have a clear procedure to utilise if a complaint or grievance is raised and increase the chance of a positive outcome.

The Details

Any Club member, Arc member or member of the UNSW community may make complaints about an Arc-affiliated Club.

Those involved are encouraged to work together informally to resolve grievances (see Clubs Handbook Section 20.1 – Resolving Disputes Internally), but where that’s just not possible, complaints can be referred to Arc for action. That action may be in the form of mediation, investigation or (in some cases) dismissal of the complaint.

Arc won’t get involved in disagreements over the general running of the Club or clashes of personality (i.e. the dispute is between individual Club members, or between a member and an Executive, where the Executive is not acting on behalf of the Club), **but** Arc can intervene where the Club (through its Executive team) is not following Club Procedures.

How do I manage conflicts?

One of the biggest challenges for a Club and its Executives can be facing conflicts, which can be internal or external.

Involved parties should first attempt to sort out the matter amongst themselves where possible and appropriate as formal grievances may potentially have detrimental effects. If other options have been exhausted and one or both parties wish to raise a formal grievance (or where at least one of the parties does not feel comfortable addressing the grievance with the other parties), then the Club’s Grievance Officer is tasked with receiving official reports of grievances.

A Grievance Officer Executive member whose role is to receive and handle formal grievances (as specified in your Club's constitution). If this is not practicable or appropriate, another member of your Clubs' Executive will act as the Grievance Officer on the complaint/grievance. This role is responsible for maintenance and review of policies & procedures of the Club.

Any Club member or person who has interacted with the Club is able to report a grievance, however, not all grievances will be the responsibility of the Grievance Officer to handle. Student Grievance Officers are not trained in responding to sexual crimes or other serious crimes and therefore are not expected to respond to allegations of this severity.

The Grievance Officer responsibilities that will assist in managing conflicts include: acting in a fair, ethical, and confidential manner, receiving club-related complaints and grievances, investigate (where necessary) grievances, and resolve or make recommendations to the Club Executive on the resolution of grievances.

For a detailed insight on what the Grievance Officer responsibilities, policies and procedures entail, please refer to our [Club Grievance Resolution Policy & Procedure Requirements](#) and [Grievance Officer Position Guide](#) found on our Forms & Files Page.

Internal Conflicts

Internal conflicts can be between two (2) Executives or a group of Executives. It can also be between a Club member with a Club Executive or another Club member. A significant number of conflicts are due to miscommunication.

The best and easiest way to approach a conflict is to talk to the person/people personally and try to figure out and resolve the issue early on. Talking to the individual/s also helps as they may not be aware that there is an issue.

There is more information in Clubs Handbook Section 20.1 (Resolving Disputes Internally) to help Executives resolve disputes internally.

If dispute resolution is unsuccessful, and all Grievance Officer avenues have been exhausted, Executives can get in touch with the Arc Clubs team. Depending on the nature of the conflict, the Clubs team may give advice on a mediation process for the parties or another appropriate course of action.

External Conflicts

External conflicts can be between the Club and external parties (sponsors, venues management, UNSW departments, other Clubs). These kinds of conflicts can be due to non-fulfillment of contracts on either side. To avoid such conflicts, it is strongly recommended that Clubs talk to the Arc Clubs team before signing contracts involving large sums of money.

If a conflict occurs with any external parties, Clubs should get in touch with the Clubs team for any advice before taking any action or before the situation escalates.

The Clubs handbook has important information about signing contracts and approaching sponsors, see Clubs Handbook Section 13 (Legal Help) for more info. If you need general advice or help with a particular issue (e.g. there's a section of a contract that you don't understand, or a sponsor is threatening legal action), you can contact the Arc Clubs team about getting legal advice from Arc's Legal & Advocacy team.

FAQs

What outcome may occur after an investigation?

The complaint could be dismissed. If a penalty is required, it may include but not limited to recommendations to the Club, a formal warning, suspension, or in extreme circumstances disaffiliation of the Club.

What are some examples of when Arc may intervene if a Club (through its Executive team) is not following Club Procedures?

Some examples include:

- Failing to uphold the Club's Constitution
- Breaching members' voting rights
- Misuse of Club funds or resources
- Abuse of Executive privileges
- Criminal or illegal activity
- Failure to comply with Arc's WHS policy
- Bullying, harassment, or discrimination
- Behaviour which harms Arc's reputation

How can a Club member make a complaint or signal a grievance?

Complaints can be made in writing to clubs@arc.unsw.edu.au.

Where can I find out more information?

Not-for-profit Law – Fact Sheet: Dealing with disputes and grievances with members

<https://www.nfplaw.org.au/disputes>

Mindtools: Conflict Resolution

www.mindtools.com/pages/article/newLDR_81.htm

Need Help?			
Call Us	Email Us	Visit us	Office Hours
02 9065 0930 <i>(during office hours)</i>	clubs@arc.unsw.edu.au	Level 2, Basser College <i>(just off the Basser steps past the Quadrangle)</i>	During Term: 10am - 4pm Outside Term: By appointment only
Files and Forms: www.arc.unsw.edu.au/clubforms		Clubs Handbook: www.arc.unsw.edu.au/clubs/clubshandbook	