

ALBANY BASKETBALL ASSOCIATION

COMPLAINTS PROCESS



INTRODUCTION AND FOREWORD

It is recommended that all involved with the Albany Basketball Association (ABA) are familiar with the Association Complaints process.

ABA reserves all right to make amendments or inclusions at any time, should it become necessary as determined by the ABA Committee.

For clarification, please direct your enquiry in writing to the ABA Administration Manager or ABA Complaints Officer.

1. Purpose

1.1 To ensure that complaints raised by members of the Albany Basketball Association (ABA) (including members of the Committee and Office), Volunteers, Stakeholders or Community members are dealt with, in a prompt and equitable manner.

1.2 A complaint is a general expression of dissatisfaction with a situation or the behaviors of a person(s) within the Association.

2. Procedure

It is recognized that people associated with Albany Basketball Association will from time to time have complaints that need to be resolved in the interest of maintaining good relationships within the Association, ABA believes that:

2.1 People have the right to have their concerns receive careful consideration through established processes that are timely and based on fairness and respect.

2.2 The best resolution is one that is reached cooperatively and informally where possible, prior to a formal complaint being lodged in writing.

2.3 A person making a complaint will not be disadvantaged in any way as a direct result of the complaint.

2.4 Where a formal complaint is received by the Complaints Officer, it will be considered in a timely and confidential manner and documented together with the steps towards resolution.

Albany Basketball Associations' Constitution and By-Law's together with Basketball Western Australia Member Protection Policy & Tribunal Rules provide appropriate guidance on how incidents that arise during games are to be dealt with.

2.5 Incident: An incident may occur before, during or after a fixtured activity, within the confines of the Stadium or its surrounds, or elsewhere if directly related to the fixtured activity.

2.6 Reports: Can only be made by an ABA Official, through the lodgment of an Official Report Form. For the avoidance of doubt, ABA Officials include:

2.6.1 Rostered ABA Games Controllers

2.6.2 Rostered Referee Representative

2.6.6 ABA Committee Members

2.7 A report can be lodged in relation to any person, team, or club, as may be required. Following receipt of a report, a Tribunal may be scheduled to hear the matter. In some instances, an Administration Tribunal may be appropriate to address the matter –at the discretion of the ABA Committee.

3. Seeking Resolution

3.1 All parties shall always seek to resolve any issue in good faith. This complaints process will be adopted based on the principles of open discussion, confidentiality, fairness and respect, and timeliness.

4. Member Feedback:

A member has three options available to provide feedback, to complain about areas of concern, or to report incidents.

4.1 Option 1: Discuss your concerns at the time, on game day, with the Games Controller/Referee Supervisor (whichever is most appropriate).

4.1.1 The Games Controller / Referee Supervisor will advise if any further action will be taken, in their complete discretion, or advise you to proceed with Options 2 or 3.

4.2 Option 2: Speak with your Club, to seek a formal complaint which is to be lodged via the Complaints Compliance Form on the ABA Website

4.3 Option 3: Complete a feedback form found at the game controllers' room or by using the feedback JotForm on the ABA Website

4.3.1 *Member Feedback directly to the Association is welcomed, ABA will review your feedback and refer items as appropriate. However please note:

4.3.2 Member Feedback should be utilized to bring matters to the attention of ABA, not to seek a formal response.

4.3.3 ABA will review Member Feedback, but ABA policy is that ABA will not directly respond to Member Feedback received. As such, Members must be aware that an email reply may not be received.

4.4 A formal complaint should be lodged should a member desire a formal response. Please be assured that all Member Feedback that is received is given due consideration by ABA with actions taken where required.

5. Formal Complaints

5.1 A formal complaint can be lodged by any Domestic Club President or Association Member via the Complaints Compliance JotForm on the ABA Website. All complaints must be lodged with 48hrs.

5.2 A formal complaint will be considered in the following manner:

5.2.1 Has the Complaint been addressed correctly by the Complainant? (e.g., referenced breaches of Code of Conduct, By-Laws, or Constitution).

5.2.2 Has the Complaint specifically detailed the incident and their concerns (facts must be presented rather than opinions).

5.2.3 Reviewed by the ABA Committee.

5.2.4 If another party is involved, they will be fully informed of the full details of the complaint and asked to respond to the complaint.

5.2.5 ABA may also contact other witnesses, the Games Controller, Referee Supervisor or any other relevant personnel for clarity or confirmation of the complaint.

5.3 Your complaint will not relate directly to the outcome of a game and this procedure shall not be used to determine a specific game outcome. For this purpose, the proper conduct of a protest will be undertaken as outlined in the FIBA rules (outlined below).

5.4 A formal complaint will be dealt with promptly, seriously, sensitively, and confidentially. This response will include:

5.4.1 Acknowledge receipt of the complaint with 48hrs.

5.4.2 Advise complainant as to which Staff or other ABA appointed personnel have given due consideration to the complaint.

5.4.3 Provide a direct response to any specific matters outlined in the Complaint.

5.4.4 Advise if the matter is to be Referred to a Tribunal or Judiciary Panel.

5.4.5 If the complainant does not agree with this resolution or outcome, or there is dissatisfaction with the handling of the complaint, they can appeal this response in writing to admin@albany.basketball

5.4.6 If the complaint remains unresolved, either party can refer the matter to Basketball Western Australia or other body dependent on the nature of the complaint.

5.4.7 Any party may seek the assistance of an agent throughout this process.

5.4.8 If the complaint is substantiated and the ABA Committee believe disciplinary action is required, this will be determined in accordance with Section 19 of the Competition By- Laws-2.

5.4.9 If the complaint is unsubstantiated or of a general nature ABA will provide a response acknowledging the concern and outlining the reasons behind the decision to unsubstantiate the claim.

6. Trivial/Persistent Matters:

6.1 The lodgment of persistent or trivial Formal Complaints or Reports is deemed to be against the Code of Conduct for Players, Coaches, Officials, Parents, Administrators and Volunteers,

and in some cases can be considered to bring the Association or the Competition into disrepute. Where such actions are identified, it will be presented to the ABA Committee for consideration and to determine whether the matter will be referred to a Tribunal or Judiciary Panel for consideration.

7. Protest

All protests will be dealt with in accordance with the Protest Procedure outlined in the FIBA rules.

7.1 A team may file a protest if its interests have been adversely affected by:

7.1.1 a. An error in scorekeeping, timekeeping which was not corrected by the referees.

7.1.2 b. A decision to forfeit, cancel, postpone, suspend, or not play the game.

7.1.3 c. A violation of the applicable eligibility rules.

7.2 To be admissible, a protest shall comply with the following procedure:

7.2.1 A fee of \$100.00 shall be applied to each protest and shall be paid in case the protest is rejected.

7.2.2 The Team Manager or senior referee shall, no later than 15 minutes following the end of the game, must inform the ABA game controller or an ABA committee member that their team is protesting the result of the game.

7.2.3 The team/club shall submit the protest reasons to the ABA games controller or umpire coordinator in writing no later than 1 hour following the end of the game. Protests to be submitted to admin@albany.basketball

7.2.4 The umpire coordinator or ABA games controller shall, following receipt of the protest reasons, report in writing the incident which leads to the protest, to the FIBA representative or to the competent body.

7.2.4 The competent body shall issue any procedural requests which it deems appropriate and shall decide on the protest as soon as possible, and in any event no later than 24 hours following the end of the game. The competent body shall use any reliable evidence and can take any appropriate decision, including without limitation

8. Correctable Errors

In accordance with the FIBA rules (Art. 44), the following are the only correctable errors during a game of

basketball. The procedure for dealing with correctable errors is outline in the FIBA rules.

8.1 Referees may correct an error if a rule is inadvertently disregarded in the following situations only:

8.1.1 Awarding an unmerited free throw(s).

8.1.2 Failing to award a merited free throw(s).

8.1.3 Erroneous awarding or cancelling of a point(s).

8.1.4 Permitting the wrong player to attempt a free throw(s).