

PARNELL CRICKET CLUB – CODE OF CONDUCT COMPLAINTS PROCESS

“The **Spirit of Cricket. Cricket** is a game that owes much of its unique appeal to the fact that it should be played not only within its Laws but also within the **Spirit** of the Game. Any action which is seen to abuse this **spirit** causes injury to the game itself.”

- MCC – Laws of Cricket

<p>Key Principles - This section explains the key principles to be applied in addressing any Code of Conduct complaint about a Member.</p>	<ol style="list-style-type: none"> 1. Parnell Cricket Club (“PCC”) will apply the following principles in addressing any complaint under the Club Code of Conduct (“Code of Conduct”) about playing members, representatives, contractors and other persons associated with Parnell Cricket Club (“Member”) – <ol style="list-style-type: none"> 1.1. Swift resolution; 1.2. Protecting the best interests of Members PCC; and 1.3. Upholding the Spirit of Cricket. 2. PCC will uphold and apply the principles of natural justice in addressing any complaint about a Member.
JUNIOR CLUB COMPLAINTS	
<p>Junior Club Complaints – This section applies to any complaint or allegation about a Code of Conduct breach by a Junior Club Member.</p>	<ol style="list-style-type: none"> 3. Any complaint that a Junior Club Member has breached the Code of Conduct (“Junior Complaint”) should be reported to the PCC Director of Cricket, or most senior ranking PCC executive officer. 4. The Junior Complaint recipient will refer the Junior Complaint to the PCC Junior Chair, who will consult with involved Members about the Junior Complaint as he/she considers appropriate. 5. The Junior Chair will have discretion to take steps he/she considers appropriate to address the Junior Complaint, including rejecting the complaint, issuing censure or requiring temporary or permanent stand-down. 6. The Junior Chair may also form a sub-committee comprising members of the Board and/or Junior Committee to review and address the Junior Complaint, before taking further steps. 7. To the extent he/she considers appropriate, the Junior Chair will inform the complainant, the subject of the Junior Complaint and any other Member about the outcome of the Junior Complaint. 8. At all times the Director of Cricket, executive complaint recipient, and/or Junior Chair may choose to communicate with the Board and/or Junior Committee about a Junior Complaint.
SENIOR CLUB CODE OF CONDUCT COMPLAINTS	
<p>Senior Club Complaints – This section explains the process for making a formal complaint or allegation about a Senior Club Member for a Code of Conduct breach.</p>	<ol style="list-style-type: none"> 9. Any complaint that a Senior Club Member has breached the Code of Conduct (“Senior Complaint”) should be reported to the PCC Director of Cricket, or most senior ranking PCC executive officer. 10. The Senior Complaint recipient, will refer the Senior Complaint to the chair of the Senior Code of Conduct Committee (“Senior Conduct Chair”). 11. The Senior Conduct Chair will have discretion to take steps he/she considers appropriate, including rejecting the Senior Complaint, instigating the Senior Complaint Review Process, issuing censure and/or requiring temporary or permanent stand-down. 12. At all times the Director of Cricket, executive complaint recipient, and/or Senior Conduct Chair may choose to communicate with the Board, Senior Committee and/or Senior Code of Conduct Committee

	about a Senior Complaint.
<p>Senior Complaint Review Process – This section explains the steps that the Senior Conduct Chair will take to address a Senior Complaint.</p>	<p>13. If the Senior Conduct Chair chooses to instigate a review process, he/she will attempt to notify the subject of the Senior Complaint (“Complainee”) about the Senior Complaint by phone, in person, or by email.</p> <p>14. After the Senior Conduct Chair has spoken with the Complainee, the Senior Conduct Chair will have discretion to take such steps as he/she considers appropriate to address the Senior Complaint and may do so in consultation with the Senior Code of Conduct Committee, including:</p> <p>14.1. Take no further action and close the Senior Complaint;</p> <p>14.2. Issue a formal warning and close the Senior Complaint;</p> <p>14.3. Convene a committee comprised of three Code of Conduct Committee members (“Hearing Committee”) and schedule a hearing to gather further information about the Senior Complaint (“Hearing”); and/or</p> <p>14.4. Take any step he/she considers reasonably necessary, including issuing censure and/or requiring temporary or permanent stand-down.</p>
<p>Code of Conduct Committee Hearing – This section explains the process for a Code of Conduct Committee hearing to review a Senior Complaint.</p> <p>Clauses 15 to 21 are the “Hearing Process”.</p>	<p>15. If the Senior Conduct Chair decides to go ahead with a Hearing, he/she will notify the Complainee about the Hearing.</p> <p>16. The Senior Conduct Chair will work with the Complainee to schedule the Hearing for the earliest practical date. If the parties cannot agree a hearing date within 10 working days, the Senior Conduct Chair may choose to cancel the Hearing and take such steps as he/she considers appropriate to address the Senior Complaint on the information available.</p> <p>17. The Complainee may elect not to attend the Hearing in person and must notify the Senior Conduct Chair of their decision not to attend prior to the Hearing date.</p> <p>18. The Complainee may submit information relevant to the Senior Complaint to the Senior Conduct Chair, prior to the Hearing date.</p> <p>19. The Complainee may invite a person(s) to attend the Hearing in a support capacity and relevant witnesses to provide further information and must notify the Chair in advance of the Hearing about the attendance of such persons.</p> <p>20. During the Hearing the Complainee may provide information relevant to the Senior Complaint, to help assist the Hearing Committee.</p> <p>21. Following the Hearing, the Hearing Committee will promptly determine the outcome of the Senior Complaint and any action to be taken, which may include:</p> <p>21.1. no further action and close the Senior Complaint;</p> <p>21.2. issue a formal warning and close the Senior Complaint; and/or</p> <p>21.3. Take any step the Hearing Committee considers reasonably necessary, including issuing censure and/or requiring temporary or permanent stand-down.</p>

<p>Senior Complaint Decision – This section explains the factors the Senior Conduct Chair and/or Code of Conduct Committee will take into account when considering a Senior Complaint.</p>	<p>22. The Senior Conduct Chair and/or Hearing Committee may consider any information it considers relevant to reach its decision.</p> <p>23. The Senior Conduct Chair and/or Hearing Committee has full discretion in reaching any decision, but may take into account the following (“Factors”) -</p> <p>23.1. The Complainee’s history at PCC, including any prior Code of Conduct complaints;</p> <p>23.2. Actions previously taken in response to similar complaints;</p> <p>23.3. Steps already taken by the Complainee to address or resolve the Senior Complaint, including an apology; and</p> <p>23.4. The interests of Members, PCC and the wider community.</p>
<p>Closing a Senior Complaint – This section explains the process for closing a Senior Complaint, once a Senior Complaint Action or Decision has been reached.</p>	<p>24. To the extent he/she considers appropriate, the Senior Conduct Chair will inform the complainant, the Complainee, and any other Member, about the outcome of a Senior Complaint.</p> <p>25. If the Complainee has not made an Appeal Request and refuses to comply with any decision or steps required by the Senior Conduct Chair, the Senior Conduct Chair and/or Code of Conduct Committee has full discretion to take any steps it considers necessary to protect the interests of PCC and Members.</p> <p>Clauses 24 - 25 are the “Closing Process”.</p>
<p>Appeals – This section explains the process for a Complainee to appeal a decision on a Senior Complaint.</p>	<p>26. The Complainee has the right to appeal a disciplinary decision, subject to giving written notice to the Senior Conduct Chair of the appeal and reasons for the appeal within 7 working days of having been informed of any decision (“Appeal Request”).</p> <p>27. Upon receipt of an Appeal Request, the Senior Conduct Chair will form an Appeal Committee comprised at least two Club Officers who were not part of the Hearing Committee (“Appeal Committee”).</p> <p>28. The Appeal Committee will have full discretion to take steps as it considers appropriate to address the Appeal Request, including:</p> <p>28.1. Take no further action and close the Appeal Request;</p> <p>28.2. Reassess the Senior Complaint on the facts available; or</p> <p>28.3. Schedule a hearing to gather further information about the Senior Complaint and Appeal Request (“Appeal Hearing”); and/or</p> <p>28.4. Take any other step he/she considers reasonably necessary.</p> <p>29. If the Appeal Committee decides to proceed with an Appeal Hearing, the Appeal Committee will adopt the Hearing Process.</p> <p>30. Following the Appeal Hearing, the Appeal Committee will promptly determine the outcome of the Appeal Request and any action to be taken, which may include:</p> <p>30.1. no further action and close the Senior Complaint;</p> <p>30.2. issue a formal warning and close the Senior Complaint; and/or</p> <p>30.3. any step the Appeal Committee considers reasonably necessary, including issuing censure and/or requiring temporary or permanent stand-down.</p> <p>31. The Appeal Committee has full discretion in reaching any decision, but</p>

	<p>may take into account the Factors.</p> <p>32. Once an appeal decision is reached, the Closing Process will apply and the appeal decision is final.</p> <p>33. If the Complainee refuses to comply with the appeal decision, the Senior Code of Conduct Committee has full discretion to take steps it considers necessary.</p>
INTERPRETATION	
<p>Interpretation – This section explains the meaning of capitalised terms used in the Code of Conduct, which are not explained elsewhere.</p>	<p>Senior Code of Conduct Committee means a committee to address Code of Conduct by Senior Club Members and is comprised of:</p> <ul style="list-style-type: none"> • the Senior Conduct Chair; and • Club Officers and/or other Senior Club representatives. <p>Unless specifically stated elsewhere, capitalised terms will be determined in accordance with the PCC Constitution and the reasonable discretion of the PCC Board.</p> <p>Any other term which is not defined will have its ordinary meaning.</p>