



PONY CLUB
AUSTRALIA

PERSONAL GRIEVANCE
POLICY
1 JULY 2022

Policy review: 1st March 2023

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Australian Government
Sport Integrity Australia



SPORT INTEGRITY
AUSTRALIA



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1 DEFINITIONS

Defined terms not otherwise defined in this Policy have been defined in and have the meaning given to them in the Pony Club Australia National Integrity Framework. In this Policy the following words have the corresponding meaning:

- 1.1 **Board** means the Board of Pony Club Australia.
- 1.2 **Personal Grievance** means any type of interpersonal conflict or dispute between Relevant Persons and/or Relevant Organisations that falls short of the threshold for abuse, bullying, harassment, or sexual misconduct under the Pony Club Australia Member Protection Policy.
- 1.3 **Policy** means this Personal Grievances Policy including any schedules and annexures.
- 1.4 **Relevant Organisation** means any of the following organisations:
 - (a) Pony Club Australia;
 - (b) Pony Club® Organisations, which includes:
 - (i) Member Organisations;
 - (ii) Clubs; and
 - (iii) Authorised Providers, which means any non-Member organisations authorised to conduct Activities sanctioned by Pony Club Australia or a Member Organisation;
 - (c) Team, which means any collection or squad of athletes who compete and/or train in Pony Club®; and
 - (d) Any other organisation who has agreed to be bound by this Policy.
- 1.5 **Relevant Person** means any of the following persons:
 - (a) Individual Member;
 - (b) Participant;
 - (c) Employee;
 - (d) Contractor;
 - (e) Volunteer; and
 - (f) Any other individual who has agreed to be bound by this Policy.

2 PURPOSE

- 2.1 Purpose of this Policy
 - (a) This Policy has been adopted alongside the Pony Club Australia National Integrity Framework to establish a formal process for people and organisations engaging with the sport of Pony Club® to resolve interpersonal conflicts and disputes that arise in the context of their involvement in Pony Club®, but do not involve a breach of an Integrity Policy or other Pony Club Australia policy.

3 JURISDICTION

- 3.1 Who the Policy applies to:
 - (a) This Policy applies to Relevant Persons and Relevant Organisations.
- 3.2 When the Policy applies:
 - (a) This Policy applies to interactions between Relevant Persons and Relevant Organisations in their capacity as Relevant Persons or Relevant Organisations relating to their involvement in the sport of Pony Club®.
 - (b) The Policy does not apply to the following:

- (i) a breach of an Integrity Policy under the Pony Club Australia National Integrity Framework;
- (ii) a breach of another Pony Club Australia or Pony Club® Organisation policy;
- (iii) disputes relating to the employment of a Relevant Person;
- (iv) interactions between Relevant Persons and Relevant Organisations that are not related to the sport of Pony Club® and/or are not in their capacity as Relevant Persons or Relevant Organisations.

4 DEALING WITH PERSONAL GRIEVANCES

4.1 Steps for resolving Personal Grievances under this Policy

- (a) Relevant Persons and Relevant Organisations are encouraged to attempt to resolve any disagreement or dispute that is subject to this Policy amongst themselves in the first instance.
- (b) Where a disagreement is unable to be resolved directly through discussion, or one of the parties to the disagreement is uncomfortable with approaching the other party directly or is otherwise unable to do so, the matter may then be referred to the management of the Pony Club® Organisation of the level at which the dispute occurred. For example, if the subject of the disagreement relates to interactions at local club level and the parties to the disagreement are unable to resolve it amongst themselves, it may then be referred to the management of that club.
- (c) Where the relevant Pony Club® Organisation or a member of the administration of the relevant Pony Club® Organisation is a party to a Personal Grievance, the matter should instead be referred to the management of the Pony Club® Organisation of the next level up. For example, if a dispute at local club level involves an individual involved in the running of the club, it should instead be referred to the relevant state-level organisation.
- (d) If a dispute is referred to a Pony Club Organisation under this Policy, it may, in its absolute discretion, decide:
 - (i) to manage the dispute under this Policy; or
 - (ii) to manage the dispute internally in accordance with such other policies or procedures as determined by the board in its complete discretion; or
 - (iii) that it is not appropriate for the dispute to be dealt with under this Policy or internally at the Pony Club Organisation (in which case the matter will be considered closed).
- (e) If Pony Club Australia or a member of the administration of Pony Club Australia is a party to a Personal Grievance, the Board may, in its complete discretion:
 - (i) refer the matter to the National Sports Tribunal to be managed in accordance with the processes of the National Sports Tribunal; or
 - (ii) decide to manage the dispute internally in accordance with such policies or procedures as determined by the Board in its complete discretion; or
 - (iii) decide that it is not appropriate for the dispute to be dealt with under this Policy or internally at Pony Club Australia (in which case the matter will be considered closed).
- (f) The Pony Club® Organisation may, in its absolute discretion, appoint an independent third party to help facilitate a resolution to the dispute.
- (g) Where a Personal Grievance is referred for facilitated resolution under this Policy, it will be considered closed under this Policy once the facilitation process has concluded. Any ongoing issues between the parties to the disagreement must be dealt with by them in their personal capacity, unless either party engages in conduct that would amount to a breach of an Integrity Policy, which should then be handled under the Pony Club Australia Complaints, Disputes and

Discipline Policy, or any other Pony Club Australia policy, which should be handled in accordance with the relevant policy.

5 PROCESS FOR FACILITATED RESOLUTION OF PERSONAL GRIEVANCES

- 5.1 Where a Personal Grievance is referred for facilitated resolution, the relevant Pony Club® Organisation will appoint an independent third party to assist in resolving the matter.
- 5.2 Where any fees or costs are charged by the facilitator, these must be borne by the parties as agreed prior to commencement of the service. If the parties do not agree to pay fees/costs an external facilitator may not be provided.
- 5.3 The individual appointed as a facilitator does not require formal qualifications as a mediator or conciliator but must have no connection with the parties or the issues involved in the disagreement and be a person who the Pony Club® Organisation considers to be capable of facilitating a discussion to resolve Personal Grievances.
- 5.4 The facilitator to the discussion may make suggestions about possible ways of resolving the grievance but cannot impose a resolution. The facilitation process will be concluded either when the parties agree on an outcome, or after 14 days or such longer period as agreed by all parties involved if a resolution cannot be reached.
- 5.5 The parties must participate in the facilitated discussion in good faith.

6 ROLE OF MEMBER PROTECTION INFORMATION OFFICERS

- 6.1 Relevant Persons are encouraged to contact a Member Protection Information Officer (MPIO) if they require advice about the options open to them or support while going through the Personal Grievance resolution process.
- 6.2 For the avoidance of doubt, MPIOs cannot be appointed to facilitate discussions under section 5, as they are not considered to be independent.

7 NATIONAL INTEGRITY FRAMEWORK

- 7.1 The Pony Club Australia National Integrity Framework does not apply to this Personal Grievances Policy but sits alongside it. When interpreting this Policy, any provisions inconsistent with the Pony Club Australia National Integrity Framework apply only to the extent of that inconsistency.



VERSION TABLE

Version	Date	Description of changes
V1.0	JUL 2022	Original version of policy