



The Mandurah Volleyball Association Inc.

***Member Goods and Services Policy***

**VERSION 2.0 March 2021**

IMPORTANT NOTE:

For this policy and other policies to be binding on clubs, their members and other relevant persons, they must be:

- formally incorporated or adopted into a club's constituent documents (being the Memorandum and Articles of Association; Constitution of a company; or the rules of an incorporated association) or the rules, regulations or by-Laws made under the constituent documents;
- be agreed to as part of a membership application, agreement, form, other

## **Member Goods and Services Policy**

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### **1 INTRODUCTION**

The Mandurah Volleyball Association Inc. (MVA) provides its members with access to participation and social activities in all forms of volleyball. Our members include non-playing, social, junior, senior and life members.

### **2 PURPOSE OF OUR POLICY**

The main objective of this Policy is to provide a responsible and reasonable outcome and the making of informed decisions by members and other participants in this club. It outlines our commitment to a person's right to be provided with merchandise and member services that reflect good quality at affordable and reasonable cost. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards which are covered under consumer law in the state of Western Australia.

### **3 WHO OUR POLICY APPLIES TO**

This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including:

- club committee members, administrators and other club officials;
- coaches and assistant **coaches** and other personnel participating in events and activities, including camps and training sessions;
- support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- referees, umpires and other officials;
- athletes;
- members, including any life members;
- parents;
- spectators; and
- any other person *who acts on behalf of the Mandurah Volleyball Association.*

### **4 EXTENT OF OUR POLICY**

Our policy covers all matters directly and indirectly related to the Association and its activities. In particular, the policy governs unfair or unreasonable fees, charges or of any other financial matter such as payment for services.

### **5 CLUB RESPONSIBILITIES**

We will:

- adopt, implement and comply with this policy;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- review this policy every 12-18 months; and
- seek advice from and refer serious issues to our state association.

Serious issues include unlawful behaviour in relation to the financial management of the Association as outlined in the Constitution.

## 6 INDIVIDUAL RESPONSIBILITIES

Everyone associated with our club must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy and the relevant legislation;
- be responsible and accountable for their behaviour; and
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about financial management or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

## 7 GOODS AND SERVICES

Our members are provided with various goods and services including merchandise, and memberships as well as other services such as online and face-to-face courses and paid coaching and officiating. These can be purchased through our online shop or directly paid for at point of sale. Note that The Mandurah Volleyball Association is not registered for GST.

### 7.1 Refunds

A service or merchandise can be refunded in certain circumstances, e.g., paid for twice or a cancelled service or faulty goods. MVA does not provide refunds for a choosing an incorrect product or change of mind, however, in the case of an incorrect selection, we may swap to the correct product.

### 7.2 Cancellation

Where an event is cancelled by MVA or others, and payment has been received for a service, then a full refund will be provided.

## 8 PROTECTION OF MEMBERS

### 8.1 Member Protection

The Mandurah Volleyball Association is committed to the safety and wellbeing of all people who participate in our club's activities or use our services. We support the rights of the member and will act at all times to ensure that a membership status is maintained, provided they are financial with the Association and relevant affiliates, e.g., Volleyball WA. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a financially secure and equitable environment for all participants.

Mandurah Volleyball Association acknowledges the valuable contribution made by our staff, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants, regardless of a members' financial situation.

#### 7.1.1 *Identifying and Analysing Risks of Harm*

The Mandurah Volleyball Association will develop and implement a risk management strategy, which includes a review of our existing financial practices, to determine how financial our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to its' members because of the action of an employee, volunteer or another person.

#### 7.1.2 *Legislated Protection*

It is noted that members are provided with first-in protection from litigation in relation to financial matters as the Association is an incorporated body in the state of Western Australia.

Members are also protected under consumer law as per following, where a refund may be due to:

- Any service that is cancelled by MVA; or
- A product is faulty, does not do what it is supposed to, or it is unsafe.

For further details, consult the relevant section under consumer protection in Western Australia.

## **9 RESPONDING TO COMPLAINTS**

### **9.1 Complaints**

Our club takes all complaints seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

More serious complaints may be escalated to our state association.

The Constitution outlines the formal process for complaints handling in relation to members.

With regards to member financial complaints, this will be dealt with by the executive committee as per the following process. This may include, but not limited to, fees, merchandise sales and payments in kind for services by a member to the Association, e.g., coaching or officiating.

### **9.2 Complaint Handling Process**

When a complaint is received by our club, the person receiving the complaint (e.g. President, Member Protection Information Officer) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask what the complainant how they would like their concern to be resolved and if they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

- supporting the person complaining to talk to the person being complained about;
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g., from other people that may have seen the behaviour);
- seeking advice from our district, regional, state and/or national body or from an external agency;
- referring the complaint to our state association; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-corruption agency.

In situations where a complaint is referred to our state association and an investigation is conducted, the club will:

- co-operate fully with the investigation;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on our state association's recommendations.

At any stage of the process, a person can seek advice from Department of Consumer Protection or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the Department of Consumer Protection or other external agency.

### 9.3 **Disciplinary Sanctions**

Our club may take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- be applied consistent with any contractual and employment rules and requirements;
- be fair and reasonable;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined by our constituent documents, by Laws and the rules of the game.

Possible sanctions that may be taken include:

- a direction that the individual make verbal and/or written apology;
- counselling of the individual to address behaviour;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

### 9.4 **Appeals**

The complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to our state association. Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

**Attachment 1: MEMBER DECLARATION**

The Mandurah Volleyball Association has a duty of care to all those associated with our club and to the individuals and organisations to whom this policy applies. As a requirement of our Member Goods and Services Policy, we must enquire into the background of those who undertake any work, where it involves a financial transaction or other handling of Association funds.

I ..... (name) of .....  
..... (address) born ...../...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for fraud offences, offences related to misappropriation of moneys or of any other financial nature.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving fraud offences, offences related to misappropriation of moneys or of any other financial nature.
4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the *State/Territory of* .....  
on ...../...../.....(date) Signature .....

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**Parent/Guardian Consent (in respect of a person under the age of 18 years)**

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:.....

Signature:.....

Date: .....

**Attachment 2: DUTY STATEMENTS**

All committee duty statements can be source from the Secretary of the Mandurah Volleyball Association Inc.

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<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Personality clash                      <input type="checkbox"/> Verbal abuse</p> <p><input type="checkbox"/> Bullying                                      <input type="checkbox"/> Physical abuse</p> <p><input type="checkbox"/> Disability                                      <input type="checkbox"/> Victimization</p> <p><input type="checkbox"/> Unfair decision</p> <p><input type="checkbox"/> Other .....</p>
<p>What they want to happen to fix issue</p>	
<p>Information provided to them</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	