



Complaint and Dispute Resolution Policy

Where SPAAL receives a written complaint either from a Member or from the public in relation to the conduct of a Member or an officer of the Association, that complaint shall be dealt with in accordance with the Association's Complaint and Dispute Resolution Policy and Procedures.

In the event that a Member wishes to make a written notification of a dispute with another Member (in its capacity as Member) an officer of the Association or the Association itself, that dispute shall be dealt with in accordance with the Association's Complaint and Dispute Resolution Policy and Procedures.

The Complaints Management policy of SPAAL is to ensure proper response to complaints laid in the manner set out in this Procedure and treat each complainant with respect and undertake the investigation of the complaint in a timely manner and provide natural justice. Each complaint will be dealt with on its merits and proceeded with as set out in this Procedure.

Not every complaint received will be able to be dealt with by SPAAL due to a variety of reasons. When necessary, the advice of SPAAL Legal Officer will be obtained to determine the correct and legal response to a complaint which requires such advice.

This Procedure is subject to constant review and assessment of its practical, reasonable and efficient methodologies and practices to assist in mediating wherever possible, a reasonable solution between complainant and member concerned.

SPAAL models its Compliant Policy and Procedures on Complaints Standard SA 3806.

Complaint and Dispute Resolution Policy and Procedures Member against Member

- 1.1 Complaint must be in writing and signed, etc. by the complainant or if emailed, identity of email source confirmed.
- 1.2 Complaint to be put to Member Services Manager for evaluation and submission of memo to General Manager with recommended course of action.
- 1.3 Agreed course of action to be determined.
- 1.4 SPAAL internal complaint folder will be created
- 1.5 SPAAL Secretary, President and Legal Officer to be informed by internal memo of the complaint received and allegations contained therein
- 1.6 Response options:
 - 1.6.1 SPAAL may not accept the complaint for a range of reasons.
 - 1.6.2 SPAAL may recommend the member visit his/her legal options and/or relevant government authority to pursue the complaint. If the complaint is determined to be an SPAAL matter the following will apply.



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- 1.6.3 The exact wording of the actual complaint content will be forwarded by registered letter to the SPAAL member concerned for prompt reply in writing with the option to engage the SPAAL appointed compliance inspector at the member's own cost to review the records of the member to assist in responding to the complaint allegations.
- 1.7 SPAAL will monitor member's response timing and chase up as necessary.
- 1.8 Response will be reviewed and compared to complainant allegations.
- 1.9 Report forwarded to the President for complaint subcommittee decision on further instruction as follows;
- 1) Whether the allegations are true or not, or
 - 2) Whether the allegations are seen to be in breach of the SPAAL Constitution, Code of Practice and Ethics or respective State or Territory Security Industry Code of Practice or other attendant legislation.
 - 3) Complainant may be informed in writing of response content, or
 - 4) Complainant may be asked for additional supporting evidence relating to allegations, or
 - 5) Complaint may be forwarded to the relevant licensing or governmental authority for further action.
- 1.10 Complainant may respond in writing to the respondent's claims when advised by SPAAL which may necessitate further investigation.
- 1.11 SPAAL will, where practicable, endeavour to mediate a resolution between parties when a reasonable solution can be found to a complaint, or
- 1.12 SPAAL will advise the complainant to pursue separate and independent legal recourse to unresolved and rejection of allegations by the respondent, or
- 1.13 SPAAL will, when proven beyond reasonable doubt, advise the complainant that the complaint will no longer be pursued by the institute, or
- 1.14 SPAAL will, when a breach of the Constitution has been identified and proved beyond reasonable doubt in the opinion of the Board take appropriate action in respect to the SPAAL member against whom the complaint has been laid using the powers set out in the Constitution.
- 1.15 In the event of 1.14, action being taken, then the member concerned will have the right to appeal as per the process set out in the SPAAL Constitution.



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- 1.16 All SPAAL correspondence will incorporate appropriate notice to the complaint respondent that all correspondence between the parties may be subject to subpoena in the event of civil or criminal litigation arising from the complaint investigation
- 1.17 The General Manager will maintain a reporting status with the complainant and the complaint respondent regarding progress and outcome of the complaint management process.
- 1.18 SPAAL will, where necessary, report matters to relevant authorities regarding breaches of the security industry legislation, criminal legislation and other instances where compliance and other legal requirements have been transgressed by an SPAAL member and the facts obtained during the complaint investigation process can support same.
- 1.19 Complaint file will be signed off by the General Manager and a record note kept in member main file.

2. Complaint against a SPAAL member from other parties

- 2.1 Complaint must be in writing and signed and dated by the complainant or if emailed, identity of email source confirmed. Providing full detail of the alleged incident and including copies of any documentation
- 2.2 The member against whom the complaint allegation(s) are directed should be checked by the Office Administrator against the Complaints Register and member's financial status.
- 2.3 Complaint to be referred to Member Services Manager for evaluation and submission of memo to General Manager with recommended course of action.
- 2.4 Agreed course of action to be determined.
- 2.5 SPAAL internal complaint folder will be created.
- 2.6 SPAAL Secretary, President and/or Legal Officer informed by internal memo of the complaint received and allegations contained therein.
- 2.7 Content and context of complaint to be reviewed to ascertain how SPAAL will respond.
 - 2.7.1 Not a complaint matter that SPAAL can properly deal with, or
 - 2.7.2 Complainant should exhaust all available legal sources such as the Office of Fair Trading Tribunal, ACCC, Police, Local Court, Fair Work Australia or other relevant authority.
 - 2.7.3 If the Complainant and Member resolve the matter to notify SPAAL in writing in order to cease the complaint process.



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- 2.8 If SPAAL resolve that the complaint should be investigated internally, then the following should apply;
 - 2.8.1 The exact wording of the actual complaint content will be forwarded by registered letter to the member concerned for prompt reply in writing with the option to engage the SPAAL compliance inspector at the member's own cost to review the records of the member to assist in responding to the complaint allegations.
- 2.9 SPAAL will monitor respondent's timing and follow up as necessary.
- 2.10 Response will be reviewed and compared to complainant allegations.
- 2.11 Complainant will be informed in writing of response content.
- 2.12 Complainant may respond in writing to the respondent's claims
- 2.13 SPAAL will, where practicable, endeavour to mediate a resolution between parties when reasonable solution can be found to a complaint, or
- 2.14 SPAAL will advise the complainant to pursue separate and independent legal recourse to unresolved and rejection of allegations by the respondent, or
- 2.15 SPAAL will, when proven beyond reasonable doubt, advise the complainant that the complaint will no longer be pursued by SPAAL, or
- 2.16 SPAAL will, when a breach of the constitution rules and regulations have been identified and proved beyond reasonable doubt, take appropriate action in respect to the SPAAL member against whom the complaint has been laid using the powers set out in the Constitution, Rules and Regulations.
- 2.17 All SPAAL correspondence will incorporate appropriate notice to the complaint respondent that all correspondence between the parties may be subject to subpoena in the event of civil or criminal litigation arising from the complaint investigation
- 2.18 The General Manager will maintain a reporting status with the complainant and the complaint respondent regarding progress and outcome of the complaint management process
- 2.19 SPAAL will, where required and allowed legally, report matters to relevant authorities regarding breaches of the security industry legislation, criminal legislation and other instances where compliance and other legal requirements have been transgressed by a member and the facts obtained during the complaint investigation process can support same.
- 2.20 Complaint file will be signed off by General Manager and a record note kept in member main file.



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3. Complaints Management Register

A complaint memo is included in complaint filing system with file number, date and year number sequence.

The Complaint register will be updated with new entry details.

Sign off of register detail when complaint process is finalised.

Where a member has been expelled then the register will be up dated.

The respective State/Territory licensing regulator will be notified of the membership termination.
