

Grievance Policy



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Notes	<p>This policy only applies to grievances by a Member who feels aggrieved by a decision or action of AusCycling (as required under clause 7.2(a)(i)(A) of the AusCycling constitution).</p> <p>Part (B) of that clause requires the board to adopt a policy for disputes between Members relating to the conduct or administration of Cycling. The NIF and the MPP cover the policy required under clause 7.2(i)(B).</p>		



Definitions

In this Policy, the following words have the corresponding meaning:

AusCycling means AusCycling Limited.

Board means the board of AusCycling.

CEO means the Chief Executive Officer of AusCycling.

Club Member means a club or association admitted as a Member to AusCycling under its constitution.

Cycling means the sport of Cycling in all its forms and disciplines including road cycling, mountain bike, BMX Racing, BMX Freestyle, track cycling, observed trails, para-cycling, cyclo-cross, ESport Cycling and/or other disciplines, as governed by AusCycling and regulated by Union Cycliste Internationale (UCI) from time to time.

Grievance means a grievance of a Member who feels aggrieved by a decision or action of AusCycling.

Individual Member means a person admitted to AusCycling as an individual member under its constitution.

Life Member means a person admitted to AusCycling as a life member under its constitution.

Member means a member of AusCycling, including Club Members, Life Members and Individual Members.

NIF means the AusCycling National Integrity Framework.

Policy means this Grievances Policy including any schedules and annexures.

Purpose

This Policy has been adopted to establish a formal process for the management of a Grievance that does not involve a breach of the NIF or other AusCycling policy.

The NIF does not apply to this Grievances Policy but sits alongside it. When interpreting this Policy, any provisions inconsistent with the NIF apply only to the extent of that inconsistency.

Jurisdiction

This Policy applies to Members and AusCycling.



The Policy does not apply to the following:

- a breach of an Integrity Policy under the NIF;
- a breach of another AusCycling policy; or
- grievances relating to employment.

If a Grievance is referred to AusCycling under this Policy, the CEO (or their delegate) or the Board may, in their absolute discretion, decide:

to manage the dispute under this Policy;

to manage the dispute internally in accordance with such other policies or procedures as determined to be appropriate; or

that it is not appropriate for the dispute to be dealt with under this Policy or by any person at AusCycling, in which case the matter will be considered closed.

Process for resolution of Grievances

Where a Member feels aggrieved by a decision or action of AusCycling, the Member may make a complaint to the management of AusCycling by notifying AusCycling of their Grievance in writing.

Following receipt of a Grievance the CEO (or their delegate) must provide a written response to the Member addressing the issues raised in their Grievance. Unless the CEO or the Board determines otherwise, following the provision of a written response, the matter will be considered closed.

The CEO may consult the Board or refer a Grievance to the Board for the Board to provide a written response to the Member.

A Grievance may be referred for facilitated resolution. Where a Grievance is referred for facilitated resolution, AusCycling may appoint an independent third party to assist in resolving the matter.

Any costs associated with appointing an independent third party to help facilitate a resolution to a Grievance will be apportioned as agreed between AusCycling and the Member. If agreement cannot be reached, the session shall not proceed.

The individual appointed as a facilitator does not require formal qualifications as a mediator or conciliator but must have no direct connection with the Member or AusCycling and be a person who AusCycling considers to be capable of facilitating a discussion to resolve a Grievance.

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.

Where a Grievance is referred for facilitated resolution under this Policy, it will be considered closed under this Policy once the facilitation process has concluded.