

Notice of Complaint- Prohibited Conduct

What is a Notice of Complaint?

A **Policy Breach- Prohibited Conduct** occurs when a Party violates the National Community Football Policy Handbook- Section 10 Vilification and Discrimination (Peek Rule). A Notice of Complaint is the form submitted by the offended against Party to notify the Controlling Body of the alleged incident and allowing them to take action and investigate the complaint in line with the Policy requirements.

Prohibited Conduct complaints are managed by AFL NSW/ACT at a state level, in conjunction with the Vilification Management Team. The point of contact for these matters is the AFL NSW/ACT Football Operations team, however, your League Manager can also provide you with information and advice on submitting a complaint.

A **Party** can be a:

- Club, Coach, Official, Player
- Club Member, Parent/Guardian
- Match Spectator or any person involved in Australian Football

Complaint Submission

- **If against a Club, Official, Player, Parent/Guardian, or Supporter:** Submit to the **Controlling Body**.
- **If against a League or League Official:** Submit to the **Executive Officer of AFL NSW/ACT** or their representative.
- A vilification complaint can also be submitted via the **AFL Integrity Portal**
- **Deadline:** 3rd calendar day after the occurrence of the alleged breach. Complaints may be accepted up to 30 days after the alleged incident, but it is *best practice* for the Controlling Body to be notified as soon as possible of the Club's *intent* to submit a Notice of Complaint.
 - This allows the Controlling Body to provide appropriate support and resources to the Club both in submitting the Notice of Complaint and ensuring the vilified person is appropriately supported.
 - It is also important for the alleged offending party to be notified as soon as possible of the incident.
- **Extensions:** Allowed only for **exceptional and compelling circumstances** (lack of evidence is **not** a valid reason).

Umpire Incident Referral and/or Notice of Report

- Where an Umpire has provided a Notice of Report or Umpire Incident Referral in relation to an alleged vilification incident, the following will apply:
 - If the umpire was a direct witness to the conduct, the offended against Party will be notified of the Report, and (if applicable) additional witness statements may be requested to support the Umpire Report/Referral
 - If the umpire was *not* a direct witness, but has provided an Umpire Incident Referral after being notified by a Party that vilifying conduct allegedly occurred, the offended against Party will be conducted, and the Club or Individual will be required to submit a Notice of Complaint for the matter to proceed.

Complaint Review & Actions

Once received, the **Controlling Body** will, in conjunction with **Vilification Management Team** review:

1. **Notify** the offending Club.
2. **Review all evidence** submitted.
3. Take one or more of the following actions:
 - a. **Initiate an investigation** (issue a Notice for Response).
 - b. **Dismiss the complaint** or reach out to the complainant if the evidence provided is not satisfactory to proceed with a Notice for Response.
- The alleged offending party will always be provided with an opportunity to respond to a Prohibited Conduct complaint (opposed to a standard Notice of Complaint where the Controlling Body can proceed directly to a Notice of Breach if satisfied on the evidence submitted that the Breach occurred).

Obligations

- All **parties must cooperate** with the investigation.