

National Integrity Framework

Complaints, Disputes and Discipline Policy

PIPE BANDS AUSTRALIA

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	Name	Position	Date
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Definitions

Capitalised terms used in this Policy have the meanings assigned to them in the Pipe Bands Australia National Integrity Framework unless otherwise specified.

Purpose & Commitment

Pipe Bands Australia (PBA) is committed to addressing complaints, disputes, and allegations of misconduct in a manner that is fair, timely, transparent, and proportionate.

This Policy establishes the framework for receiving, assessing, resolving, and determining complaints and disciplinary matters arising under the PBA National Integrity Framework.

In administering this Policy, PBA is guided by the following principles:

- **Safety first**, particularly in matters involving Children and Young People
- **Procedural fairness** for all parties
- **Impartiality and absence of bias**
- **Confidentiality**, subject to legal obligations
- **Proportionality**, ensuring responses are appropriate to the nature and seriousness of the matter
- **Consistency**, while recognising the diversity of local contexts

Relationship to the National Integrity Framework

This Policy forms part of the Pipe Bands Australia National Integrity Framework and operates in conjunction with:

- the PBA Code of Conduct
- the PBA
- National Communications and Online Conduct Policy
- the PBA Member Protection Policy
- the PBA Safeguarding Children and Young People

Where behaviour may constitute a criminal offence, this Policy operates alongside, and does not replace, obligations under applicable child protection and criminal legislation.

This Policy must be read in conjunction with the Pipe Bands Australia National Integrity Framework, including the definitions and interpretation provisions contained within that Framework.

Scope and Application

Matters covered

This policy applies to complaints, disputes, or allegations relating to breaches of:

- the PBA Code of Conduct
- the PBA Member Protection Policy
- the PBA Child Safeguarding and Protection Policy
- the National Communications Framework
- any other integrity policy adopted under the PBA National Integrity Framework

Persons covered

This Policy applies to Relevant Persons and Relevant Organisations as defined in the Pipe Bands Australia National Integrity Framework.

Making a Complaint

Who may make a complaint

A complaint may be made by:

- a member or participant
- a parent or guardian
- a branch, band, or official
- any person affected by conduct connected to PBA activities

Where complaints are made

Complaints should ordinarily be made to the relevant Branch, unless:

- the complaint involves a senior branch office holder
- a conflict of interest exists
- the matter spans multiple branches
- the matter is serious or systemic
- the complainant reasonably believes the Branch cannot manage the matter

In these circumstances, a complaint may be made directly to Pipe Bands Australia at national level.

Upon receipt of a complaint, Pipe Bands Australia or the relevant Branch should acknowledge receipt as soon as practicable and, where appropriate, provide information regarding the next steps in the assessment process.

Immediate and Serious Matters

Child safety and criminal conduct

Where a complaint involves :

- Suspected child abuse or neglect
- Sexual misconduct
- Serious physical harm
- Threats to safety
- Criminal conduct

The matter must be reported immediately to the relevant police or statutory authority in accordance with law.

PBA processes do not replace or delay external reporting obligations.

Interim measures

Where necessary to protect individuals or the integrity of the organisation, interim measures may be imposed, including temporary suspension from duties, roles, or accreditation, pending further assessment.

Interim measures are not disciplinary findings.

Assessment and Resolution Pathways

All complaints received under this Policy must be assessed to determine the appropriate response.

Possible pathways include:

- early or informal resolution, where appropriate
- formal investigation
- referral to an external authority
- no further action, where a complaint is outside scope or unsupported

The pathway chosen must reflect the seriousness of the matter, the risk involved, and the interests of fairness.

Complainants should be provided with reasonable updates regarding the progress of a matter where an assessment, investigation or resolution process is ongoing.

Detailed complaint intake, assessment, investigation and case management processes may be prescribed in a Complaints Handling Procedure adopted under the Pipe Bands Australia National Integrity Framework.

Disputes (Non-Disciplinary Matters)

Purpose

This section sets out the process for resolving disputes that arise in connection with Pipe Bands Australia (PBA) activities where no alleged breach of an integrity policy or disciplinary matters is involved.

The objective of dispute resolution is to resolve issues promptly, fairly and respectfully, with a focus on maintaining constructive relationships where possible.

Scope of disputes

This section applies to disputes between:

- a member and another member;
- a member and a Branch;
- a member and Pipe Bands Australia; or
- a Branch and Pipe Bands Australia,

where the dispute relates to the interpretation or application of rules, decisions, processes, or interactions and does not involve alleged misconduct or a potential breach of an integrity policy.

Exclusions

This section does **not** apply to:

- matters involving alleged breaches of the Code of Conduct or other integrity policies;
- disciplinary matters or sanctions;
- complaints involving child safety, discrimination, harassment, or criminal conduct; or
- matters that are the subject of an active disciplinary process.
- administrative decisions, appeals, protests, or reviews governed by contest rules, regulations, accreditation frameworks, or event-specific conditions, except in relation to the process followed or fairness applied after those mechanisms have been exhausted.

Where a matter initially raised as a dispute is assessed as involving potential misconduct, it must be managed under the disciplinary provisions of this Policy.

Early resolution

The parties to a dispute are encouraged to attempt to resolve the matter between themselves in good faith as soon as practicable.

Early resolution may include:

- direct discussion between the parties;
- informal assistance from a Branch or PBA representative; or
- clarification of policies, rules, or decisions.

Participation in early resolution is voluntary and does not prevent a party from accessing mediation if the dispute remains unresolved.

Referral for mediation

If a dispute is not resolved through early resolution, any party may request mediation.

Mediation may be facilitated by:

- a person agreed upon by the parties; or
- where agreement cannot be reached:
 - a person appointed by the Branch (for disputes at branch level); or
 - a person appointed or engaged by Pipe Bands Australia (for disputes involving the Association or where independence is required).

A mediator must:

- be impartial and free from conflicts of interest; and
- not determine the dispute.

Mediation under this section is voluntary and may be declined where it would be unreasonable, disproportionate, or impractical having regard to the nature of the dispute, the cost involved, or the availability of appropriate services.

Mediation may include the use of community or statutory dispute resolution services where available

Unless otherwise agreed, the costs of mediation (if any) are the responsibility of the parties to the dispute.

Mediation process

In conducting mediation, the mediator must:

- give each party a reasonable opportunity to be heard;
- allow consideration of any written material submitted by the parties; and
- ensure that natural justice and procedural fairness are accorded to all parties.

The role of the mediator is to assist the parties to reach a mutually acceptable resolution.

Outcomes of mediation

Any resolution reached through mediation:

- is voluntary;
- does not involve disciplinary sanctions; and
- may be recorded in writing if agreed by the parties.

If mediation does not resolve the dispute, the parties may pursue resolution in accordance with applicable law.

Confidentiality

Dispute resolution processes under this section must be conducted confidentially, except where disclosure is required by law or agreed by the parties.

Interaction with disciplinary

A dispute resolution process under this section must not be initiated or continued in relation to a matter that is the subject of a disciplinary process under this Policy until that disciplinary process has been completed.

Investigations with Disciplinary Processes

Where an investigation is required:

- the respondent must be informed of the substance of the allegations
- the respondent must be given a reasonable opportunity to respond
- investigators must be impartial and free from conflicts of interest
- investigations must be conducted confidentially and respectfully

Investigations may be conducted by:

- a branch-appointed investigator
- a national investigator
- an external investigator, where appropriate

Decision-Making and Sanctions

Determination

Following investigation or assessment, a determination may be made as to whether a breach of policy has occurred.

Decisions must be based on evidence and made without bias.

Sanctions

Where a breach is substantiated, sanctions may be imposed that are proportionate to the conduct and may include:

- education or training requirements
- warnings or reprimands
- suspension or removal from roles or office
- suspension or termination of membership
- suspension or withdrawal of accreditation

Sanctions must be consistent with PBA Rules, Regulations, and contractual or accreditation arrangements.

Appeals

A right of appeal may be available on limited grounds, including:

- denial of procedural fairness
- new and relevant information not reasonably available at the time
- manifestly disproportionate sanction

Appeals must not be used to re-argue matters already determined.

Confidentiality and Records

All complaints and associated processes must be handled confidentially, except where disclosure is required by law or necessary to protect safety.

Records must be maintained securely and in accordance with applicable privacy requirements.

Review and Continuous Improvement

PBA will periodically review complaints, disputes, investigations and outcomes to:

- identify systemic issues;
- improve education, prevention and dispute resolution practices;
- monitor trends and emerging integrity risks; and
- ensure this Policy remains effective and aligned with the National Integrity Framework and contemporary best practice.

Legislative Compliance

Pipe Bands Australia recognises that legal obligations relating to child safeguarding, child protection, privacy and Working With Children requirements may differ between jurisdictions and may change over time.

This Policy is intended to operate consistently with applicable legislation and should be read in conjunction with any relevant legal obligations.

Where a provision of this Policy is inconsistent with an applicable legal requirement, the legal requirement prevails to the extent of the inconsistency.

Acknowledgement and Acceptance of Responsibilities

By:

- accepting nomination or appointment to any office-bearing position; or
- being granted membership; or
- participating in a Pipe Bands Australia Activity in a capacity to which this Policy applies,

Relevant Persons and Relevant Organisations agree to uphold and comply with the requirements of this Policy.

Non-compliance may result in education, corrective action, removal of access, disciplinary action, or other outcomes authorised under the Pipe Bands Australia National Integrity Framework.

The background of the entire page is composed of several overlapping, wavy, horizontal bands of different shades of blue. The colors range from a very light, almost white-blue at the top to a dark, navy blue at the bottom. The waves are smooth and fluid, creating a sense of movement and depth.

PIPE BANDS AUSTRALIA

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