

Escalation Pathway & Penalty System

This document outlines the escalation pathway and penalty system for any complaint made in relation to misconduct outlined in The MULSS Internal Competitions Code of Conduct

I COMPLAINT CATEGORY

A Direct Complaint

1. When a Direct Complaint is submitted, if identifiable, the Internal Competitions Directors will contact the person of interest.
2. Depending on the category of alleged misconduct, we will outline the nature of the complaint to the person of interest and ask them to comment, without identifying the affected person.
3. If the affected person has requested an investigation of their complaint they will be kept informed about all correspondence with the person of interest.
4. If the affected person consents, their identity will be revealed to the person of interest.
5. Depending on the category of alleged misconduct, an apology may be issued, either directly or via the Internal Competitions Directors and no further action will be taken.
6. Following this, judges may be notified to identify similar behaviours in any round in which the person of interest participates, without directly identifying the person of interest.
7. If an apology is not issued and accepted, the complaint will be escalated in accordance with the Response & Mediation protocol.
8. In the case of extreme circumstances a Direct Complaint may be immediately escalated in accordance with the relevant MLS or University of Melbourne misconduct policies.

B Observation Complaint

1. In most cases when an Observation Complaint is submitted, the Internal Competitions Directors will note the complaint but will not investigate unless there is one cross-complaint against the person of interest.
2. If identifiable, the Internal Competitions Directors may contact the person who submitted the Observation Complaint.
3. If identifiable, the Internal Competitions Directors will endeavour to contact the affected person without revealing any details of the complaint, unless said person consents to it.

They will be notified that a complaint has been submitted on their behalf and will be given the opportunity to request an investigation.

4. If identifiable, the Internal Competitions Directors may contact the person of interest and follow steps 2 - 7 in *Part A*.
5. The affected person will also be given access to any report regarding them in order to confirm or dispute the veracity of the report.
6. In the case of extreme circumstances an Observation Complaint may be investigated and escalated without a further cross-complaint, in accordance with the relevant MLS or University of Melbourne misconduct policies.

C Multiple Occurrences

1. If a complaint received via the Complaint & Feedback Form specifies that the alleged misconduct has happened multiple times (that is, more than once), the Internal Competitions Directors will endeavour to contact the affected person, if identifiable, to discuss the incidents in private. The affected person does not need to re-discuss the details - this can just be a discussion regarding the investigation and escalation process.
2. If identifiable, the Internal Competitions Directors may contact the person of interest and follow steps 2 - 7 in *Part A*.
3. In the case of extreme circumstances any complaint may be investigated and escalated, in accordance with the relevant MLS or University of Melbourne misconduct policies.

II RESPONSE & MEDIATION

1. Depending on the outcome of an investigation, if an apology is not issued and accepted, the escalation pathway will follow this Response & Mediation protocol.
2. Depending on the category of the complaint, if the person of interest wishes to make a comment/response/counter-complaint, the affected person will be notified.
3. If both parties agree to discuss the complaint, the Internal Competitions Directors and the judges present at the event (if applicable) may attend the discussion at the discretion and agreement of both parties.
4. If an appropriate resolution is reached, no further action is taken.
5. If both parties do not wish to discuss the complaint, an outcome may be determined in accordance with the Consequences protocol.
6. If the person of interest makes a counter-complaint it will follow the same escalation pathway outlined in this document.
7. In the case of extreme circumstances any complaint may be investigated and escalated in accordance with the relevant MLS or University of Melbourne misconduct policies.

III CONSEQUENCES

1. If no resolution is reached by both parties, the Internal Competitions Directors may determine an outcome for the parties involved.
2. The Directors may consult with relevant LSS portfolios, the LSS Leadership Team, and MLS Faculty to determine an appropriate outcome.
3. Outcomes may include, but are not limited to, points being deducted, suspension from the competition, and/or black-listing from future competitions.
4. If more than one complaint is submitted against the person of interest there will be a two-strike policy that follows the same escalation pathway, potentially resulting in faculty involvement.
5. In the case of extreme circumstances the person of interest may face consequences in accordance with the relevant MLS or University of Melbourne misconduct policies.

Appendix A: Definitions

Person of interest

Here, ‘person of interest’ shall refer to the person who has perpetrated the alleged misconduct. . Their conduct will be considered ‘alleged misconduct’ until an investigation confirms otherwise.

Affected person(s)

Here, ‘affected person(s)’ shall refer to the person(s) who have been affected by a person of interest’s alleged misconduct. It does not include a person who has submitted an Observation Complaint.

Observer

Here, ‘observer(s)’ shall refer to the person(s) who has submitted an Observation Complaint as an observer of alleged misconduct.