



CABOOLTURE AERO CLUB

COMPLAINTS AND DISCIPLINARY PROCEDURE

**A Manual for Caboolture Aero Club members regarding
complaint handling and disciplinary procedures**

The complaint handling and disciplinary procedures are binding on all Members of the CAC.

CAC COMPLAINTS AND DISCIPLINARY PROCEDURE

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1. INTRODUCTION

1.1 The Caboolture Aero Club Inc. (CAC) is an incorporated association and the Lessee and Operator of the Caboolture Airfield (YCAB), and the CAC (or Club) is managed by an elected Management Committee.

1.2 Non-compliance with the CAC Rules of Association, the City of Moreton Bay (CMB) Head Lease, Operations Manual, Flight Procedures, Code of Conduct and any other published operational requirements can impact negatively on the tenure of the lease of the Caboolture airfield, on the reputation of the CAC and on General Aviation activity more broadly.

1.3 The CAC Complaints and Disciplinary Procedure applies to any person or organisation that is a member of the Club or affiliated with the Club or has an Access Licence Agreement (ALA) with the Club

4. Reporting of Regulatory Breaches or Criminal Activity

The CAC Committee as the operator of the Caboolture Airfield will report all serious breaches of Aviation Regulation or criminal activity to the ATSB, CASA, AirServices, the relevant CASA approved self-administering aviation organisation, and/or the Queensland Police Service.

2.0 DISCIPLINE and PENALTIES

2.1 Powers of the Committee

2.1.1 The CAC Committee, to the fullest extent permitted by law and the powers of the Committee, may investigate and impose penalties pursuant to Clause 3. (1), Clause 4. (2) (d) and Clause 9. of the CAC Rules of the Association. The Committee shall complete the investigation and disciplinary process as soon as reasonably practicable but generally within 14 days of the reported incident or breach.

2.2 The disciplinary process requires the Committee to apply the principles of natural justice such as espoused in Rule Clause 9. (4) by:

- a) Identifying, receiving and/or gathering relevant evidence of the alleged breach/es.
- b) Properly informing people of the case against them or their interests.
- c) Providing a full & fair opportunity to make any submissions, call any evidence and present their case; and
- d) based on evidence to the standard of reasonable satisfaction in a “Briginshaw Principle” sense.

2.2.1 Despite the above, the Committee is not required a formal or public hearing with appearances and the Committee is not restricted or prevented from determining the case on the papers having regard to written evidence or submissions or otherwise conducting the matter in a form and manner which may be determined in their discretion, acting reasonably and consistent with the principles of natural justice.

2.3 The relevant Committee person (President, Vice President or Chair of the Flight Safety Advisory Group Sub Committee (FSAG) will notify the individual or organisation of the breach or contravention and explain the relevant disciplinary process to be applied.

2.4 Where an alleged breach is established, the form of discipline to be imposed will depend on such factors as:

- a) The nature and seriousness of the breach.
- b) If the behaviour was a negligent or wilful breach.
- c) If there have been relevant prior warnings or disciplinary action.
- d) Any other relevant circumstances.

2.5 The form of discipline or penalty imposed is at the discretion of the Committee but without limitation may include:

- a) A requirement to make a verbal or written apology; and/or
- b) Undergo a further Instructor proficiency check where that is relevant to promoting future compliance and preventing further non-compliances
- c) Immediate rectification of the specific unlawful breach or action
- d) Terminate, Suspend and/or vary the member's Access Licence Agreement (ALA) or organisation's privileges and/or
- e) Any other form of reasonable disciplinary action.

2.6 Suspension pending final decision

2.6.1 Where an airfield user or member continues to operate in contravention of any of the above actions, or where contraventions are serious in nature or number, the CAC may act to immediately suspend or vary whichever of the member's or ALA privileges or approvals are appropriate and report the matter to the relevant Authority. Notification to the member or organisation under these provisions shall be served in writing.

2.6.2 Where variation or suspension occurs under the above provision, the matter will be finally resolved in accordance with the standard disciplinary process.

2.7 Right to Appeal

2.7.1 A member or organisation may appeal the decision which led to the penalty or direction, or termination of membership, the CAC committee will convene a review panel of three (3) independent CAC members with suitable knowledge and experience to hear the appeal and make recommendation to the CAC committee. The committee will use its best endeavours to convene the review panel within 7 days from the receipt of a formal appeal against a decision.

2.7.2 The appeal panel will review the evidence, and any penalty imposed and may then recommend to the CAC committee in writing within 14 days that the penalty be upheld, varied, or withdrawn.

2.7.3 The appeal process for a respondent in relation to club membership will be conducted in accordance with the CAC Rules of Association at an Extraordinary General Meeting (EGM) as set out in Clause 10 and 11 of the Rules of the Association.

3.0 COMPLAINTS

3.1 Any person may make a complaint (complainant) about a person/s or organisation if they reasonably believe that a person/s, organisation or group has contravened the operational rules or policies of the CAC.

3.2 A member or affiliated organisation may make a complaint about specific actions or apparent unlawful, unjust or abusive behaviour of another member, a committee person of a club or affiliated organisation, an Access Licence Agreement Holder, a Hangar Owner, a CAC Committee Person or a contractor or third-party service provider.

3.3 The Committee will not accept or arbitrate disputes between Club members.

3.4 **Incident or complaint process**

3.4.1 A CAC incident form can be submitted to the FSAG or Committee member. A formal complaint must be in writing addressed to the Secretary Caboolture Aero Club Inc. at secretary@cacq.com.au. The complaint must detail the name, date, signature and contact details of the complainant.

3.4.2 The complaint will be reviewed by the CAC committee and if an Operational nature will be referred to the Chair of the FSAG for follow-up. If the complaint is of an administrative, financial, governance, staff or membership related nature the CAC Executive, in consultation with the full committee, will appoint an investigating Committee person – usually a neutral, non-executive committee person.

3.4.3 Whilst a complainant may request anonymity or de-identification, due to natural justice requirements, it may be necessary to disclose the identify of the complainant to the subject member and/or otherwise identification or re-identification may be possible. Whilst the Committee will manage privacy to the extent possible, for reasons, including the above reasons, it may not be possible and no warranty or representation is made in this regard.

4.0 **CONFLICTS OF INTEREST**

4.1 To the extent possible, any person with an actual or perceived conflict of interest should be excluded for the disciplinary process, unless it is disclosed AND can be satisfactorily managed.

5.0 **DOCUMENTATION**

5.1 The CAC Secretary will document the complaint, the process followed and the outcome. This document will be stored in a confidential and secure place.

Caboolture Aero Club Committee

21st September 2024