



COMPLAINTS POLICY

Policy	Complaints Policy
Policy Type	Operational
Policy Function	Personnel
Personnel Responsible	Board
Date in Force	20/10/2024
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PURPOSE

- This policy sets out the steps for raising and dealing with concerns and complaints. It aims to:
 - support people to resolve minor issues on their own
 - give clear guidance for making, dealing with and resolving complaints
 - make sure the approach taken to dealing with complaints is fair and consistent, including enabling culturally appropriate responses and processes

APPLICATION

- Complaints or concerns can be raised by or about anybody involved in or connected with SNZ

SCOPE

- Concerns may be brought forward regarding any subject not already addressed by an existing SNZ Policy. This includes but is not limited to actions or decisions taken by members or officials of the organisation, poor or non-existent process management, disputes among members, unprofessional or distressing conduct, or communication lapses or omissions on matters impacting an individual. A (non-exhaustive) list of examples is as follows:

- Organisation management issues
 - Conflicts of interest (including favouritism or bias)
 - Offensive/insulting language or behaviour
 - Health and safety risks
 - Abuse of power
 - Discrimination
- This complaints process does not apply to code-specific in-play decisions, or selection and eligibility decisions. Serious complaints (e.g. unethical, dishonest or illegal behavior, harassment (sexual, racial or otherwise) bullying, health and safety risks, unlawful discrimination, and offensive/insulting language or behaviour) may be breaches of other SNZ policies

PRINCIPLES

- This policy has been designed with the following principles in mind:
 - Wherever possible, issues, disputes or concerns should be addressed informally first by the parties involved, provided it is reasonable and safe to do so. This is the preference
 - There should be multiple avenues available for people to raise concerns, including an independent channel for those not comfortable raising concerns direct with SNZ
 - Matters should be addressed with a view to keeping the mana of all parties intact and maintaining relationships wherever possible
 - It should be easy to raise any concern or complaint with SNZ
 - SNZ will address matters raised with us quickly, without unnecessary delay
 - Any process for addressing complaints or concerns should be fair, transparent and respectful to all parties
 - SNZ will communicate with all parties regularly and clearly about the progress and/or resolution of any matter
 - SNZ will respect the privacy of complainants and will not disclose information without their consent, except under certain serious circumstances

RAISING CONCERNS AND MAKING COMPLAINTS

1. How to Raise Concerns and Make Complaints:

- Anybody who wishes to raise a concern or make a complaint should observe the following guidelines:
 - First, consider whether it is possible to resolve the matter informally with the person or people involved

2. If you are unable to resolve the matter informally, there are three options:

- You may raise your concern or complaint via email to complaints@softball.org.nz
- You may raise your concern or complaint via an online form which can be accessed [HERE](#)
- If you do not feel comfortable raising an issue direct with SNZ, you may lay a complaint with the Sport Integrity Commission via their website at [\[Make a complaint | Sport Integrity Commission Te Kahu Rauenui\]](#).

SNZ's DECISION-MAKING PROCESS

1. Treat Serious Matters with Urgency

- If there is an immediate threat of harm, the matter should be referred to the NZ Police

2. Receiving The Concern or Complaint

- When approached with a concern or complaint, a SNZ staff member or coach will do the following:
 - Acknowledge receipt of the concern or complaint with 48 hours
 - Determine who within SNZ is most appropriate to address the concern or complaint
 - SNZ will contact the complainant to discuss the next steps, any support required and a timeline to progress the investigation

3. Addressing the Concern or Complaint

- In most instances, the matter will be investigated by the CEO. In exceptional circumstances, or should the complaint be made against the CEO, it may be necessary to refer the matter to the SNZ Board. In addressing the matter, the CEO will:
 - Enter the details of the complaint into the complaints register
 - Inform the complainant of all relevant information and discuss a process for resolving the complaint. If the person is under 18, their parent/guardian must also be notified
 - If the complaint is about a specific person, notify the person that the complaint is about. If the complainant is not willing to have their complaint or identity shared with the person or organisation concerned, other ways to address the complaint will have to be considered
 - When considering the complaint, the CEO will consider:
 - What the complaint is about
 - Whether the matter can be resolved informally
 - How serious or urgent the complaint is
 - Whether there is a set process for the type of complaint
 - Culturally appropriate processes depending on the parties involved
 - Whether the complaint might indicate a broader problem
 - What risks the complaint raises for SNZ
 - What outcome the complainant is seeking
 - Any other relevant information
 - The CEO will then decide whether:
 - There is no clear basis for complaint and no action can be taken
 - The complaint can be resolved informally; or
 - A formal process is needed
 - If a formal process is needed, the CEO will
 - Appoint a decisionmaker for the matter. It may be appropriate for the CEO to act as decisionmaker, but in serious cases or where there is potential for an actual or perceived conflict of interest to arise, it may be necessary to appoint an independent decision-maker
 - Raise the matter with the person complained about in a way that preserves the dignity and mana of that person, their whānau and wider community. If the person complained about is a SNZ staff member, SNZ must meet our obligations to the person under employment law
 - The decision maker will:
 - Meet separately with the person making the complaint and the person complained about. These meetings will be at a time and place and run according to a protocol/agenda that suits everyone, to the extent possible. People may be accompanied by chosen family/whānau and/or other support people

- Meetings should take place as soon as possible and ideally within two weeks of the complaint being received. Where it is not possible to meet face to face, the meeting can be held by phone or videocall if people agree and have access to technology
- Interview witnesses if necessary

4. SNZ Referral:

- At any stage of the process SNZ may refer the matter to an appropriate external organisation to investigate, for example the Sport Integrity Commission, the Police or Oranga Tamariki

5. Decisions and/or resolutions

- The decision maker will make and communicate decisions as follows:
 - Decisions should be made in a careful, reasoned way that is justified on the facts and is consistent with any rules that apply
 - The decision should be communicated to the people involved as soon as possible in writing, with a simple explanation of:
 - the issue
 - any applicable policy or rule
 - the process followed
 - the facts and any evidence relied on
 - any submissions or explanations by anyone involved
 - the decision (complaint upheld or not upheld)
 - the reason for the decision
 - any penalty or outcome, and the options that either party has to appeal or seek revision of the outcome
 - any recommendations for repairing relationships