



Complaints Policy



Commitment to Te Tiriti o Waitangi

Ice Speed Skating New Zealand recognises Te Tiriti o Waitangi as Aotearoa New Zealand's founding document.

Ice Speed Skating New Zealand is committed to upholding the mana of Te Tiriti o Waitangi and the principles of partnership, protection, and participation.

Values

Everyone involved in play, active recreation, and sport joins with good intentions, and we are all expected to do our best to treat each other with respect and comply with our policies and rules. Despite this, problems sometimes arise.

Children and young people in particular must be cared for, treated with respect and their welfare placed at the centre of everything we do in the sport.

Ice Speed Skating New Zealand knows everyone involved in the activity/sport is here because of a shared passion for ice speed skating and care for the people involved.

When people involved in activity/sport get into disagreements it can become a serious issue.

Ice Speed Skating New Zealand is committed to supporting everyone, including skaters, coaches, volunteers, parents, caregivers, whānau, and supporters, to participate in an environment that is respectful, safe, and fair.

Ice Speed Skating New Zealand acknowledges it is important to everyone involved to respond quickly, fairly, and thoughtfully to address issues. People are entitled to

raise concerns or complaints and to have those addressed promptly and fairly. No one should be punished or victimised for raising a concern or a complaint in good faith.

This policy is centred on equity, dignity, respect, and on maximising the potential of all people in ice speed skating.

The following principles should be kept in mind when applying it:

- Respect for the culture(s) of the people involved including culturally appropriate processes being enabled to resolve complaints and restore relationships.
- Addressing problems informally and face to face, wherever possible.
- Treating others fairly, equally, and in a way that keeps their mana intact.
- Maintaining relationships and keeping each other safe.

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

Who can make a complaint?

Complaints can be made by, or about, anyone involved in Ice Speed Skating New Zealand, both at the regional (club) or national level. This includes: volunteers, skaters, supporters, club members, employees, service providers, and families/whānau of skaters.

What can complaints be about?

Complaints may be made about things such as actions or decisions of Ice Speed Skating New Zealand members or officials, processes not being managed well (or at all), low level disputes or disagreements between members, unprofessional or upsetting behaviour, or delays/failure to communicate about matters affecting a person.

Complaints may involve:

- organisation management issues
- conflicts of interest (including favouritism)
- off-field unsporting behaviour
- disrespectful behaviour
- low-level bullying
- low-level sexual harassment
- discrimination
- abuse of power
- health and safety risks
- offensive/insulting language or behaviour.

This complaints process does not apply to on-field misconduct, or selection, or eligibility decisions.

Serious complaints for example, unethical, dishonest, or illegal behaviour, harassment (sexual, racial, or otherwise) bullying, health and safety risks, unlawful discrimination, and offensive/insulting language or behaviour may be breaches of Ice Speed Skating New Zealand policies. These will be assessed and may be dealt with under the Ice Speed Skating New Zealand Disciplinary Procedure and Appeals Policy.

If you are unsure whether the Complaints Policy and Process applies to your situation, the President of Ice Speed Skating New Zealand can provide guidance.

Informal resolution first

People are always encouraged to raise concerns directly with the person who has behaved in a way causing concern, unless there are safety reasons, or the issue is too serious to try to resolve it this way. If you do not feel

comfortable raising the complaint yourself, a support person can raise it with the person on your behalf.

Both parties involved should have a chance to be heard respectfully and feel safe to be able to say what they want to say, keeping in mind the need to find ways to resolve issues and be able to work with one another in future.

If self-managed informal resolution is not successful or appropriate, it should be raised with the relevant organisation committee, which, in consultation with the people involved, will put in place a culturally appropriate process to try to resolve it. This may include holding a facilitated meeting in a place, and following a process, that meets the needs of the people involved.

Formal complaints procedure

What do I need to do?

Formal complaints should ideally be made in writing, as soon as possible after the event(s). Where this is not possible, the complainant should be helped by the person receiving the verbal complaint to put it in writing. The attached Complaints Form may be helpful.

Who do I make the complaint to?

If the complaint is about an organisation issue or about a member of Ice Speed Skating New Zealand at the club level, the complaint should be raised with an appropriate person in the club (e.g., club Chair or club Secretary. If the complaint is not able to be resolved at a club level, it can be escalated to Ice Speed Skating New Zealand at the national level. If the complaint is about a member of another club or is about an organisational issue or member of Ice Speed Skating New Zealand at the national level, the complaint should be raised with Ice Speed Skating New Zealand (e.g., the President at president@icespeedskating.org.nz or the General Secretary at generalsecretary@speedskating.org.nz).

If the person that the complaint would usually be made to is involved in the issue or has a conflict of interest, the complaint should be made or passed to another suitable person in authority.

How will I be treated?

A person making a formal complaint can expect to be treated in line with the following principles:

Fairness: Every person dealing with a complaint will remain neutral and listen to both sides of the story. Any action arising from a complaint will be reasonable in proportion to the seriousness of the complaint.

Respect: Every person involved in a complaint will be treated and is expected to act towards others with respect, dignity, and in a culturally appropriate way. Complaints will be raised and handled sensitively, with a goal to preserve relationships by acknowledging each other's role and contribution to the sport.

Communication: Every person involved in a complaint will be regularly kept up to date on progress and the outcome.

Confidentiality: Information relating to a complaint will not be shared with any other person without consent unless fair process or the law require the information to be shared with a person or an authority. This will be discussed with the person providing the information.

Restoration: The goals of the complaints process are to resolve the complaint, restore people's mana, and maintain positive relationships within the organisation and across the sporting and wider community.

Acknowledgement: Every person involved in a complaint will be asked to recognise the importance of acknowledging any fault or mistakes, the hurt this has done, and, if necessary, give a genuine apology.

Support: Both the person making the complaint and person complained about should have access to support throughout a complaint process. Everyone involved in a process may be accompanied by chosen family/whānau and/or other support people.

What is the process for resolving my complaint?

The person or body responsible for dealing with the complaint must acknowledge receipt of the complaint as soon as it is received. It is always best to send a written acknowledgement to the person making the complaint, so they know their complaint has been received and is being taken seriously.

An initial contact should be made to discuss the next steps, support, and any child welfare or safety concerns the complainant has. The complainant should be asked how they would like their complaint addressed, the process they would prefer, and what outcome they are seeking.

It is important that the person who receives the complaint explains to the complainant that to resolve the complaint fairly to everyone involved, they will usually need to tell the person or organisation of the complaint made against them, give them all relevant information, and discuss a process for resolving the complaint. If the person is under 18, their parents/caregivers must also be notified. If the complainant is not willing to have their complaint or identity shared with the person or organisation

concerned, other ways to resolve the complaint will have to be discussed.

The person who made the complaint and any other relevant people may be asked to give further information in a way that is comfortable to them (face-to-face, with support person or people if desired, by phone, Zoom, or email).

Complaints should be raised with the person who is complained about in a way that preserves the dignity and mana of that person, their whānau, Ice Speed Skating New Zealand, and wider community.

The decision maker will usually meet separately with the person making the complaint and the person complained about. Where possible these meetings will be held at a time and place that suits both parties and will be run according to a protocol/agenda that suits everyone involved. Either party may be accompanied by chosen family/whānau and/or other support people.

These meetings should take place as soon as possible. Where it is not possible to meet face to face, the meeting can be held by phone or Zoom (or equivalent) if people agree and have access to technology.

Decisions should be made in a careful, reasoned way that is justified on the facts and is consistent with relevant, applicable Ice Speed Skating New Zealand's Constitution, Rules and Regulations, and policies.

The decision should be recorded in writing with a simple explanation of:

- the issue
- any applicable regulation, rule, or policy
- 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
- any recommendations for repairing relationships.

Note, that although most people involved in Ice Speed Skating New Zealand are volunteers, there may be an instance where someone is an employee. If the person is an employee, they need to have a written employment agreement, and must be treated fairly under New Zealand employment law if any decision is being made about their employment. Contractors (who are not employees) need to be treated fairly and reasonably, and consistent with the terms of their contract. Volunteers should be treated fairly, reasonably, and respectfully in making any decisions

about their conduct or participation in ice speed skating in New Zealand.

Communicating the outcome

The decision maker(s) will promptly provide a copy of the decision to the person or part of the organisation the complaint is about, and the complainant, and outline any appeal process. The outcome should be discussed so the parties understand the decision and why it was made, and what will happen next.

The people affected by the decision (the complainant, the person or people complained about, family/whānau and wider community) may have strong feelings about the outcome and the impact on their reputation, rights, or mana. There should be a discussion about what steps can be taken to restore relationships and mana of everyone involved. Support should be explored, especially if there are any concerns about health, wellbeing, or safety.

All matters related to a complaint should be recorded in writing and placed on a confidential complaint file including the complaint, any response to the complaint, notes of any meetings or conversations, relevant documents, committee minutes, the decision, and any outcome. The details of all complaints will be kept confidential unless otherwise agreed between the parties.

National Organisation complaints process

Where a formal complaint is made to Ice Speed Skating New Zealand, that a member has (1) breached, failed, refused or neglected to comply with any provision of the Ice Speed Skating New Zealand Constitution, or any Rules, Regulations or Policies of Ice Speed Skating New Zealand; (2) Acted in a manner unbecoming of a member or prejudicial to the objectives and interests of Ice Speed Skating New Zealand; or (3) Brings Ice Speed Skating New Zealand into disrepute, the complaint will be referred to a Disciplinary Committee who will review it and make a decision about the complaint as per the Ice Speed Skating New Zealand Constitution.

What other policies might apply?

If the complaint involves the safety of children in any way, the Ice Speed Skating New Zealand Child Safeguarding Policy must be followed.

If complaints involve alleged serious breaches of the Ice Speed Skating New Zealand Code of Conduct or Ice Speed Skating New Zealand policies, the matter should be addressed under the Ice Speed Skating New Zealand Constitution.

If there is an immediate threat of harm, or the complaint is a mandatory reporting situation, the complaint should be reported to the Police and/or relevant agency.

Complaint Form

Contact details:

Phone:

Email:

Address:

Affiliation (Club)

Age: Under 18 18 Years or over

If you are making a complaint for someone else:

Name of person complaining on behalf of:

Contact details of person complaining on behalf of:

Complainant's role/status (highlight which applies):

- Skater Coach
 Committee member Employee (paid) Official
 Other volunteer – provide details:
 Parent/Caregiver Supporter Support person
 Other – provide details:
-

Details of person complained about:

Name:

Club/Organisation:

Age: Under 18 18 Years or over

Complainant's role/status (highlight which applies):

- Skater Coach Employee (paid)
 Committee member Official
 Other volunteer – provide details:
 Parent/ Caregiver Spectator Support person
 Other – provide details:
-

Nature of complaint:

Formal Informal

Nature of complaint (tick as many as relevant):

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Club/Organisation management issue | <input type="checkbox"/> Unfair decision | <input type="checkbox"/> Coaching issue | <input type="checkbox"/> Verbal abuse |
| <input type="checkbox"/> Bullying | <input type="checkbox"/> Sexual harassment | <input type="checkbox"/> Racism | <input type="checkbox"/> Discrimination |
| <input type="checkbox"/> Physical abuse/Assault | | | |
| <input type="checkbox"/> Other Volunteer – provide details: | | | |
| <input type="checkbox"/> Parent/ Caregiver | <input type="checkbox"/> Supporter | <input type="checkbox"/> Support person | |
| <input type="checkbox"/> Other – provide details: | | | |
-

Date(s) of incident(s):

Location of incident:

Competition Training Other – provide details:

Description of incident/Complaint (use additional sheets if required):

Details of any witnesses:

Name:

Contact details:

Name:

Contact details:

Name:

Contact details:

Action taken so far (if any) to attempt to resolve matter, or ensure safety (Use additional sheets if required):

***If relevant: Agency contacted (including the Police):**

Who:

When:

Advice provided:

Complainant Name:

Signature:

Date:

This record and any other documentation must be kept in a confidential and safe place.
