

## Complaints Policy

### **Policy Statement**

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, consistent including enabling cultural appropriate responses and processes.

### **Who can make a complaint?**

Complaints can be made by or about anyone involved in Mid Island Gym Sports (MIGS) and its regional and national organisations.

This includes: volunteers, participants, supporters, club members, employees, service providers, and families/ whānau of participants.

### **What can complaints be about?**

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

### **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 isn't 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.

#### **Who do I make the complaint to?**

If the complaint is about a MIGS issue or about a member of MIGS, the complaint can be raised with the MIGS [e.g. Coach, Centre Manager or MIGS committee]. Complaints about a club committee or official can be raised with any of these people. If the complaint is not able to be resolved, it can be escalated to the national organisation, Gymnastics NZ. If the committee or official 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. If the issue is not resolved at organisation level or the organisation is involved in the issue, it should be referred to Gymnastics NZ.

#### **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 particular 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 (the decision maker) 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 parent/guardian 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, videocall 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 and wider community. The decision maker will usually 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. These 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. 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 recorded 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
- any recommendations for repairing relationships.

Note, that although most people involved in activity/ sport are volunteers, some are employees. If someone 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 the sport