



NEW ZEALAND SECONDARY SCHOOLS ATHLETICS ASSOCIATION Inc.

Concerns and Complaints Processes

INTRODUCTION

NZSSAA Executive has established the following guideline process as a means for fielding any concerns or complaints in respect to any activities under its jurisdiction. The executive will follow its constitutional governance under clause 8 (c), “The Executive Committee shall have the power to co-opt members for special purposes” and clause 10 (e), “to adjudicate in any disputes that may arise.”

All complaints or protests relating to the events will be dealt with under NZSSAA technical rules of the competition. These guidelines are primarily to deal with relational conflict or concerns relating to activities of NZSSAA championships or representative teams.

Complaints will be viewed as informal and formal, and it is hoped that in many cases resolution will be achieved following the guidelines in the accompanying Matrix

FORMAL COMPLAINT

A formal Complaint process is enacted when a complaint is **lodged in writing through** the chairman of the Association or designate, then following process outlined will occur.

COMPLAINTS REVIEW PROCESS

Dependent upon the nature of any Complaint, a Complaints Review Panel will be empanelled by the Chairman or an independent member of NZSSAA Executive not involved in the complaint for determination of the complaint. and whether a formal hearing is required or if the complaint can be processed further through the NZSSAA Concerns & Complaints Process Matrix.

COMPLAINTS REVIEW PANEL [CRP]

The **CRP** shall consist of a minimum of three people from any number of the following:

- a) The NZSSAA Executive Chair or in the case of any conflict, the deputy chair or a delegated Executive member who will chair the panel.
- b) Any other person(s) NZSSAA deem appropriate such as,
 - i. NZSSAA Executive members
 - ii. an appointee of any event LOC involved.
 - iii. Head of Sport or TIC of Athletics from a member school.
 - iv. A designated member on behalf of Athletics NZ or School Sport NZ
- c) If considered appropriate by NZSSAA legal counsel.

COMPLAINTS HEARINGS

If determined necessary to stage a formal hearing the following shall occur

Pre-Hearing

- a. the complaints review panel *and any interested parties involved* will be informed of the nature of the complaint, time, date of such incident, and then the place of the hearing and advised of the appeal process at least seven [7] working days prior to the hearing.

[The hearing maybe conducted via Zoom/teleconference]
- b. all parties will be asked to supply any formal submission in response to the complaint to the chairman at least three [3] working days prior to the hearing.



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- c. all written material will be supplied to all parties above at least two **working days** prior to the hearing.

The Hearing

- a) the chair will present the complaint and the responses received from the complainant, the defendant and any other relevant evidence provided.
- b) the complainant and/or representative will be invited to speak if they desire to the **CRP**
- c) the defendant and/or representative will be invited to speak.
- d) any other interested party will be invited to speak at the discretion of the Chair
- e) the panel can ask questions of any party
- f) if appropriate and agreed to by the Chair, either party may seek leave to confidentially speak to the panel

Finding and Sanction

- a. the panel will then deliberate and may give an oral finding or more likely will reserve its decision to be conveyed in writing to the parties along with any sanction within **two [2] working days** of the hearing
- b. Sanctions may include:
 - i. no further action
 - ii. offer to arrange mediation to attempt to resolve the complaint via NZSSAA Matrix
 - iii. present a resolution to the complaint.
 - iv. written warnings with or without conditions.
 - v. sanctions against the complaint
 - vi. notification to higher authority if deemed appropriate.

APPEALS

On all occasions any party sanctioned as a result would be given the right of appeal



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NZSSAA CONCERNS & COMPLAINT PROCESS Matrix					
	Informal Initiation (Concern)	Relational Meeting (Concern)	Relational Conference (Formal Concern)	FORMAL COMPLAINT	Involving Outside Authorities or Bodies (Complaint)
Purpose	NZSSAA informally made aware. Direct communication between the two parties concerned.	Member raising concern with a third party for suggestions to aid in a resolution. School may invoke relevant policies if they become involved at this point. NZSSAA to assist school if this is the case.	Formally raising the behaviour as a concern with NZSSAA. Chairperson may act as a facilitator of a meeting between the parties, or another mutually agreed 3rd party member may facilitate a meeting.	NZSSAA receives a formal written complaint outlining the nature of the behaviour, dates and times. Chairperson arranges a complaints panel to investigate.	To ensure the safety of the NZSSAA community as a whole, upholding lawful obligations to parties involved.
Outcome	Informal process to assist in awareness of personal behaviours, and the impact behaviour has on others. Seeking resolution in the form of understanding and changed behaviour.	The third party may suggest options for resolving the behaviours concerned. The third party may assist in finding a resolution.	Desirable outcome is reached, and matter resolved.	Panel follow the investigation and resolution process to reach an outcome, and/or impose restrictions and/or, conditions on offending member and behaviour.	Eliminate serious potential risk and immediate or future harm.
Next Steps	Where a resolution cannot be reached or direct communication not possible, move to Relational Meeting. NZSSAA advised of outcome.	Where a resolution cannot be reached, move to Relational Conference. NZSSAA advised of outcome.	If a desirable resolution cannot be reached, or if behaviour has resurfaced or repeated, a Formal Complaint may be made. NZSSAA advised of outcome.	If the offending is deemed of such severity, and poses a safety risk, NZSSAA in consultation with the complainant may seek to involve the local authorities, Police or other organisational bodies. The complainant may want to take this step themselves.	Review NZSSAA processes and recommend any amendments based on group review with each case.