

# Tri Star Gymnastics

## Complaints Policy

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### 1.0 Rationale

Complaints will be dealt with promptly in a fair and consistent manner in accordance with the relevant policies and codes of conduct.

The following policy outlines the steps that will be taken to address complaints and resolve concerns within *Tri Star Gymnastics*.

### 2.0 Purpose

1. To provide a procedure for complaints to be communicated to the appropriate person
2. To ensure that complaints are investigated fairly and in a timely manner
3. To make sure that complaints are, wherever possible, resolved
4. To maintain confidentiality and the rights of the individuals involved

### 3.0 Application and Scope

- 3.1 Depending on the nature of the complaint, this policy should be read in conjunction with the club Code of Ethics.
- 3.2 No formal action will be taken on vexatious complaints or complaints that lack a reasonable level of evidence-based support.
- 3.3 A complainant must be able to demonstrate that the complaint is based upon evidence that the complainant honestly and reasonably believes to be substantially true.
- 3.4 Those responsible for resolving complaints under this policy must take all reasonable steps to ensure that the complainant is treated with fairness, integrity and respect.
- 3.5 Committee and/or Club members involved in the consideration and resolution of a complaint must remain impartial and follow the procedures outlined in this policy.

### 4.0 Complaints Procedure

#### 4.1 Informal Resolution

- 4.1.1 Before making a formal written complaint, the complainant/or caregiver is encouraged to seek resolution to any concerns by raising and discussing them informally with the relevant staff member or volunteer who is most directly associated with the matter.
- 4.1.2 The individual with whom a concern is raised is expected to deal with the matter in an open and professional manner, and to take reasonable and prompt action to try to resolve it informally.
- 4.1.3 The complainant may feel uncomfortable to approach the staff member or volunteer directly, and therefore may seek the support of the Programme Coordinator, Programme Manager, General Manager, or Board Member to handle the situation informally.
- 4.1.4 If it is deemed inappropriate or the informal process does not satisfactorily resolve the complaint, the formal complaints process may need to be followed.

## 4.2 Formal Complaints Process

- 4.2.1 Where it has not been possible or is not appropriate to resolve a concern/complaint informally, a formal complaint may be made.
- 4.2.2 A complaint must be received by the *General Manager* in writing as soon as is practicable following the incident that has led to the complaint. (Template complaint form available.)
- 4.2.3 A complaint should be concise and specific. Only include key details, dates and substantiated evidence that are relevant to the complaint.
- 4.2.4 When a complaint is received this must be immediately referred to the Chairperson. This must then be referred to the designated Complaints Review Officer, or in lieu of this or in the case of conflict of interest to an agreed and appropriately qualified investigating individual who will act as the Complaints Review Officer. The Complaints Review Officer is responsible for ensuring that the correct procedures are followed in a timely manner.
- 4.2.5 The Complaints Review Officer will be documenting the complaints process throughout and will communicate with all parties regarding what and how this information will be shared.
- 4.2.6 The Complaints Review Officer will conduct an investigation into the complaint and determine the most appropriate course of action to take place. The following steps highlight the tools available to seek resolution:

- **Mediation**

The Complaints Review Officer can seek cooperation and agreement from both parties to enter mediation. If agreed, it is up to the Club to identify and appoint an independent mediator which is approved by both parties.

- **Judicial Hearing**

A judicial panel of up to three people (including at least one external to the Club) is appointed. It is the panel's responsibility to set a date, time and place for the judicial hearing to occur. This should be as soon as possible. The arrangements need to be provided to all parties in writing prior to the hearing, including the process that will be followed and how any reporting will be shared afterwards. For more serious or sensitive complaints, a representative of the panel will investigate and report back to the committee with recommendations before a decision is made. The result of the hearing could involve disciplinary sanctions including suspension or termination of membership, or referral to an external authority for further investigation.

- **Referral to External Agency**

Following the investigation, or earlier should this be appropriate, allegations which are deemed as very serious and requiring urgent action may be referred to the appropriate agency. These can include but are not limited to the NZ Police, Oranga Tamariki and anti-discrimination agencies.

- **Escalate to Gymnastics New Zealand (NSO)**

In the case that the complaint is more serious than initially recognised, or the complaint cannot be resolved at Club level, the Club can contact the relevant Regional Relationship Manager at Gymnastics New Zealand for further support. Depending on the nature of the complaint, this may be

an automatic requirement as referenced by Gymnastics NZ Judicial Regulations.

## **5.0 Resolution of Complaint**

- 5.1 Informal complaints must be handled and resolved in a timely manner. If a resolution cannot be reached, the complaint should be escalated to the formal complaint procedure.
- 5.2 Formal complaints that are handled internally; the Complaints Review Officer must either make a decision in relation to the complaint or confirm the process and timeline, and notify all parties concerned, in writing, within 14 days.
- 5.3 Complaints that are handled externally fall under the jurisdiction of the respective agencies to progress as deemed appropriate.
- 5.4 Following the resolution of the complaint, the Committee/Board may review its policies and must communicate any changes to Club Members and personnel.

## **6.0 Confidentiality**

- 6.1 All processes, findings and decisions under this policy must remain strictly confidential to the parties, staff and external agencies directly involved.
- 6.2 The Complaints Review Officer will be responsible for ensuring that formal complaint processes are fully documented and retained in a confidential file within the Club records.