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## **Snow Sports New Zealand Member Protection Policy**

### **INTRODUCTION:**

SSNZ has developed a Membership Protection Policy to reinforce its commitment to providing an environment for athletes, staff, administrators, volunteers, coaches, and contractors that is safe, free from harassment and abuse, and promotes respectful and positive behaviour and values.

### **COMPLAINTS POLICY:**

Everyone involved with Snow Sports joins with good intentions, and we are all expected to do our best to treat each other with respect and comply with SSNZ policies and procedures.

Despite this, problems sometimes arise. All people in Snow Sports NZ must be cared for, treated with respect and their welfare placed at the centre of everything we do.

SSNZ acknowledges it is important to everyone involved to respond quickly, fairly, and thoughtfully to address issues when they arise.

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 maximising the potential of all people in snow sports.

The following principles should be kept in mind when applying this policy:

- 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

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 cultural appropriate responses and processes

## **WHO CAN MAKE A COMPLAINT?**

Complaints can be made by or about anyone involved with SSNZ, this includes athletes, administrators, coaches, and contractors.

Complaints may involve:

- organisation management issues
- conflicts of interest (including favouritism)
- 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 selection or eligibility decisions.

This complaints process does not cover allegations covered by clause 27.3 of the Snow Sports Constitution whereby by a Club, Associate Member, Sport Committee (or Sport Committee Member), Individual Member or Life Member, has: i. breached, failed, refused or neglected to comply with a provision of this Constitution, the Regulations (other than the Snow Sports NZ Anti-Doping or Match-Fixing Regulations), any other policy, resolution or determination of the General Meeting, Board or any policy, regulation or determination of any committee of Snow Sports NZ, or any other event, competition or activity held by or under the auspices of Snow Sports NZ, or under any rules of, or in connection with, a Snow Sport Competitive Event.

Serious complaints involving illegal behaviour should be directed to the relevant authorities e.g., Police

## **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.

It can be useful to make a note/keep a record of when you raised the concern, with whom and what was discussed.

If self-managed informal resolution isn't successful or appropriate, it should be raised with the SSNZ Chief Executive, who, 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 - MEMBER**

### *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 a member or employee/contractor of SSNZ, the complaint can be raised with the Chief Executive. If the Chief Executive involved in the issue or has a conflict of interest, the complaint should be made or passed to another suitable person in authority, for example the Chair of the Board or Chair of any SSNZ relevant subcommittee (these contact details will be available on the SSNZ website and throughout SSNZ premises).

### *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.
- **Physiological Safety:** Every person dealing with a complaint will do so in a physiological safe environment where there are no repercussions or reprisals from their involvement.
- **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 Snow Sports
- **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 SSNZ 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.
- **Legal Statues:** if the complaint involves an employee, they 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.
- **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 persons 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 persons 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 persons 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 person handling the complaint 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.

Resolution of the complaint will be determined in a careful, reasoned way that is justified on the facts and is consistent with any rules that apply. The proposed resolution 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 /proposed resolution
- the reason for the decision /proposed resolution
- any restorative actions or outcome
- any recommendations to seek independent professional arbitration/mediation services to help repair relationships

If it is not possible to reach a resolution the person handling the complaint may pass the matter to the [Sport and Recreation Complaints and Mediation Service](#) (SRCMS) (refer below)

### *Communicating the outcome*

The person handling the complaint(s) will promptly provide a copy of the decision/proposed resolution to the person or 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 or required to be disclosed by law.

## **FORMAL COMPLAINTS PROCEDURE – SSNZ AS AN ORGANISATION**

Where a formal complaint is made or referred to SSNZ as an Organisation, the Chief Executive may refer you to [Sport and Recreation Complaints and Mediation Service](#) (SRCMS). This is a safe and independent way for anyone to lodge a complaint, issue or dispute and have it resolved in a timely manner.

The service is free and is open to anyone involved in community sport and recreation as well as elite sport. The service is operated by Immediation New Zealand Limited, an online dispute resolution company which has been contracted by Sport NZ. It is wholly independent of Sport NZ, High Performance Sport New Zealand and all other sporting bodies, clubs, and organisations.



**Snow Sports New Zealand Member Complaints Form**

**Contact Details**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Age: \_\_\_\_\_

If you are making a complaint for someone else

Name of person complaining on behalf of \_\_\_\_\_

Contact details of person complaining on behalf of \_\_\_\_\_

**Complainants Role in Snowsports**

Athlete     Administrator     Coach     Contractor     Volunteer

Parent     Guardian     Support person

**Details of person complained about**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Age (If known): \_\_\_\_\_

**Nature of complaint**

Formal     Informal

Nature of complaint

Management Issue     Coaching Issue     Verbal abuse     Bullying

Sexual harassment     Racism     Discrimination     Physical abuse/Assault

**Details**

*Please continue on a separate page if required*

**Location**

Competition

Training

Other (provide details)

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**Description of incident/Complaint**

*Please continue on a separate page if required*

**Details of witnesses**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Age: \_\_\_\_\_

**Action taken so far (if any) to attempt to resolve matter, or ensure safety**

*Please continue on a separate page if required*

**Complainant**

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_