



New Zealand Lacrosse

Complaints Policy

1. Commitment to Te Tiriti o Waitangi

- a. New Zealand Lacrosse (NZL) recognises Te Tiriti o Waitangi as Aotearoa New Zealand's founding document.
- b. NZL is committed to upholding the mana of Te Tiriti o Waitangi and the principles of Partnership, Protection and Participation.

2. Principles and Values

- a. 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.
- b. Children and young people in particular must be cared for, treated with respect and their welfare placed at the centre of everything we do.
- c. NZL knows everyone involved in the sport is here because of a shared passion for the sport and care for the people involved.
- d. When people involved in sport get into disagreements it can become a serious issue.
- e. NZL is committed to supporting everyone, including participants, coaches, volunteers, whānau and supporters to participate in an environment that is respectful, safe, and fair.
- f. NZL 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 them addressed promptly and fairly. No one should be punished or victimised for raising a concern or a complaint in good faith.
- g. This policy is centred on equity, dignity, respect and maximising the potential of all people involved with lacrosse in New Zealand.
- h. The following principles should be kept in mind when applying it:
 - i. Respect for the culture(s) of the people involved including having culturally appropriate processes to resolve complaints and restore relationships.
 - ii. Addressing problems informally and face to face, wherever possible.
 - iii. Treating others fairly, equally and in a way that keeps their mana intact.
 - iv. Maintaining relationships and keeping each other safe.

3. Purpose

- a. This policy sets out the steps for raising and dealing with concerns and complaints. It aims to:
 - i. support people to resolve minor issues on their own;
 - ii. give clear guidance for making, dealing with and resolving complaints;
 - iii. make sure the approach taken to dealing with complaints is fair and consistent including enabling culturally appropriate responses and processes.

4. Application

Who can make a complaint?

- a. Complaints can be made by or about anyone involved in lacrosse in New Zealand. This includes, but is not limited to:
 - i. volunteers;
 - ii. participants;
 - iii. supporters;
 - iv. club members;
 - v. employees;
 - vi. service providers;
 - vii. NZL Board; and
 - viii. families/whānau of participants.

What can complaints be about?

- a. Complaints may be made about things such as actions or decisions of organisation members or officials, processes not being managed well (or at all), disagreements between members, unprofessional or upsetting behaviour, or delays or failure to communicate about matters affecting a person
- b. Complaints may involve:
 - i. organisation management issues;
 - ii. conflicts of interest (including favouritism);
 - iii. off-field unsporting behaviour;
 - iv. disrespectful behaviour;
 - v. bullying (see below);
 - vi. sexual harassment (see below);
 - vii. discrimination;
 - viii. abuse of power;
 - ix. health and safety risks;
 - x. offensive/insulting language or behaviour.
- c. This complaints process does not apply to code-specific in-play decisions, or selection or eligibility decisions.
- d. Serious complaints (e.g. unethical, dishonest or illegal behavior, harassment (sexual, racial or otherwise) bullying, health and safety risks, unlawful discrimination, and offensive/insulting language or behaviour) may be breaches of other NZL policies, e.g. Disciplinary Procedure and Appeals Policy or similar. These will be assessed and may

be dealt with under those other policies.

- e. If you are unsure whether the Complaints Policy and Process applies to your situation, the NZL Board or Complaints Officer can provide guidance.

5. Informal Resolution First

- a. People are encouraged where possible to raise concerns directly with the person who has behaved in a way causing concern.
- b. It can be helpful to discuss the issue with a trusted friend or family member for another point of view and support before raising the concern directly with the person.
- c. Self-managed informal resolution needs to be approached respectfully. The parties involved should have a chance to be heard 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 is open to any party to have a support person involved. A support person might assist, for example, in raising the complaint with the person initially or joining a conversation between the parties.
- d. If self-managed informal resolution has not resolved the issue, it should next be raised with:
 - i. the NZL Board or Complaints Officer who, in consultation with those involved, will suggest a culturally appropriate process to try to resolve it. This may include holding a facilitated meeting or following a process that meets the needs of the people involved.

6. Formal Complaints Resolution – Advice to Those With a Complaint What do I need to do?

- a. Formal complaints should be made in writing, as soon as possible after the event(s), using the attached Complaints Form. Where this is not possible, you can make a verbal complaint and NZL will assist you to put it in writing.

Who do I make the complaint to?

- b. You have a choice. Complaints may be made to the NZL Board through the Chair, or to the Complaints Officer.
- c. The Complaints Officer is appointed by the Board and the current incumbent can be found on the NZ Lacrosse website www.nzlacrosse.co.nz
- d. Complaints (including the completed Complaints Form) should be emailed to chair@nzlacrosse.nz or complaintsofficer@nzlacrosse.nz

7. How Will I Be Treated?

- a. A person making a formal complaint to NZL can expect to be treated in line with the following principles:
 - i. **Fairness:** Every person dealing with a complaint will remain neutral and listen to both sides of the story.
 - ii. **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.
 - iii. **Communication:** Every person involved in a complaint will be regularly kept

- up to date on progress and the outcome.
- iv. **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.
 - v. **Restoration:** The goal is to resolve as far as possible the particular complaint to the satisfaction of all parties, restore people's mana and maintain positive relationships within the organisation and across the sporting and wider community.
 - vi. **Acknowledgement:** Every person admitting fault or found to be at fault after a fair process will be asked to acknowledge their fault to those harmed, acknowledge the harm and provide an apology.
 - vii. **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. Any person may obtain independent legal advice or representation at any stage (at their expense).

8. What is the Process for NZL Resolving a Complaint?

- a. For complaints made directly to it, NZL will promptly acknowledge receipt.
- b. Depending on the nature of the complaint, NZL will contact the complainant to discuss the next steps, support and any child welfare, wellbeing or safety concerns the complainant has.
- c. NZL will inform the complainant that the complaint (and relevant information) will be shared with:
 - i. individuals within the organisation who are responsible for addressing the complaint; and
 - ii. the person or organisation complained about.
- d. Complaints will be raised with the person complained about in a way that preserves the dignity and mana of that person, their whānau and their wider community.
- e. If the complainant is not willing to have their complaint or identity shared with the person complained about, NZL will advise that the complaint may not be capable of resolution to the complainant's satisfaction.
- f. If the complainant is under 18, NZL will generally encourage the complainant to notify their parent/guardian and have a parent/guardian involved in the complaint resolution process.
- g. If the person complained of is under 18, their parent/guardian must be notified and must be present at any discussion about the complaint.
- h. An appropriate person from NZL will ask the complainant how they would like their complaint addressed, the process they would prefer and what outcome they are seeking.
- i. NZL will, in light of the principles of this policy, determine a process that can accommodate the parties to the extent reasonably practicable.
- j. NZL will:
 - i. identify and clearly communicate to the complainant what resolution process it proposes to use; and
 - ii. talk with the complainant to seek their agreement to that process before it is

put in place.

- k. Possible resolution processes that NZL may put in place include:
 - i. consideration of the issues raised by the person or organisation complained of and provision of a written explanation for their or its actions;
 - ii. dialogue between the parties, facilitated by the organisation;
 - iii. use of a decision-making process by NZL.

9. NZL Decision-Making Process

- a. The following steps or considerations will apply to any decision-making process used by NZL to resolve a complaint:
 - i. We will provide the complainant and the person or organisation complained of, in advance of the process, with an overview of the structure of the process, the identity of the decision maker(s) and expected timeframe.
 - ii. We may ask the complainant and any other relevant people, including the person or organisation complained of, to give further information in a way that is comfortable to them.
 - iii. 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 will be 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.
 - iv. NZL will try to schedule these meetings as soon as possible and ideally within four weeks of the complaint being received. Where it is not possible to meet face to face, the meeting can be held by phone or video conferencing if people agree and have access to technology.
 - v. 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-maker will make their findings on the balance of probabilities.
 - vi. The decision will be recorded in writing and state, in plain language:
 - 1. the issue;
 - 2. any applicable policy or rule;
 - 3. the process followed;
 - 4. the decision (complaint upheld or not upheld);
 - 5. the facts and any evidence relied on, including any submissions or explanations by anyone involved;
 - 6. the reason for the decision;
 - 7. any penalty or outcome on any party.
 - vii. Where the decision-maker considers that the concerns raised by the complaint and/or the outcome of the decision affect or are likely to affect the interests of other parties, NZL will make best endeavours to obtain the views of such parties or a representative sample of them so that the full context of the issue can be considered.
 - viii. NZL will promptly provide a copy of the decision to the person or organisation complained of and the complainant, and outline any appeal process. The outcome should be discussed so that the parties understand the decision, why it was made, and what will happen next.

Consequences of Decisions

- b. Where any complaints involve employees, should any decision relate to their employment, NZL will treat them in accordance with their employment contracts and employment law.
- c. NZL will treat contractors (who are not employees) fairly, reasonably, and consistent with the terms of their contract.
- d. NZL will treat volunteers fairly, reasonably and respectfully in making any decisions about their future conduct or participation in the sport or activity.
- e. 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. NZL will hold a discussion about what steps can reasonably be taken to restore relationships and mana of everyone involved. It will explore the need to provide support, especially if there are any concerns about health, wellbeing or safety.
- f. All matters relating to a complaint will be recorded in writing and placed on a confidential complaint file including the formal complaint itself, any response to the complaint, notes of any meetings or conversations, relevant documents, committee minutes, the decision and any outcome.

Notifying Other Parties

- g. NZL will share the details of complaints with other parties involved in NZL and agencies (e.g. NZ Police or Oranga Tamariki) only in accordance with Information Sharing and Confidentiality best practice and after discussion with the complainant. This applies to complaints both before and after they have been resolved.

10. Reporting a Breach

- a. Individuals who wish to report an alleged breach of any NZL policy should follow the complaints procedure outlined in the NZL Complaints Policy and Procedure.

Complaints Form

Complainant contact details

Name	
Phone	
Email	
Address	

Affiliation

Club Organisation				
Regional Organisation				
Age	Under 18		18 years or over	

Complainant's role/status (select all that apply)

	Participant		Coach/Assistant Coach		Manager
	Employee (paid)		Administrator (volunteer)		Official
	Other volunteer (provide details)		Parent		Supporter
	Support Person		Other (provide details)		

Details of Person complained about (Respondent)

Name				
Club Organisation				
Regional Organisation				
Age	Under 18		18 Years or over	

Respondent's role/status (select all that apply)

<input type="checkbox"/>	Participant	<input type="checkbox"/>	Coach/Assistant Coach	<input type="checkbox"/>	Manager
<input type="checkbox"/>	Employee (paid)	<input type="checkbox"/>	Administrator (volunteer)	<input type="checkbox"/>	Official
<input type="checkbox"/>	Other volunteer (provide details)	<input type="checkbox"/>	Parent	<input type="checkbox"/>	Supporter
<input type="checkbox"/>	Support Person	<input type="checkbox"/>	Other (provide details)		

Nature of complaint (select 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 (provide details)				

Date(s) of incident(s)

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Location of incident

<input type="checkbox"/>	Competition	<input type="checkbox"/>	Training	<input type="checkbox"/>	Other (provide details)
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Description of incident/complaint:

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Details of any witnesses

Name	
Contact Details	
Name	
Contact Details	
Name	
Contact Details	
Name	
Contact Details	

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

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

Who	
When	
Advice provided	

Complainant Confirmation

Name	
Signature	
Date	

Document Management

Document Approval

Date	Author Action
March 2023	Approved by NZL Board

Document History

Date	Author Changes
November 2022	Marina Samountry - First Draft
March 2023	Nicole Goode - Ammendments based on Board feedback