

AVON ROWING CLUB Incorporated

(Established 1881)
PO Box 13115, City East
Christchurch 8141



COMPLAINTS POLICY AND PROCEDURE

Purpose

To set out clear procedures for receiving and dealing with concerns.

To make sure any complaint received by Avon Rowing Club is carefully investigated and resolved where possible, to the satisfaction of the complainant.

To determine if the behaviour could be a criminal offence.

Definition of a Complaint

A complaint is defined as:

- Any written formal complaint from one or more members of the Club about the conduct of another member or members of the Club.
- Any written formal complaint made by a member of the public, another Club or Rowing New Zealand about the conduct of a member or members of the Club while they are representing the club (perceived or actual).
- Any conduct by a member or members of the Club which the Board considers brings the Club into disrepute, whether a formal complaint is received or not.

Advice of a Complaint

The Board will not consider any Complaint not made in writing, aside from any conduct by a member or members of the Club which the Board considers brings the Club into disrepute.

Reporting a Complaint to the Board

The President and/or Club Manager will report to the Board on the Complaint. If agreed to by the Board, the President will convene a Disciplinary Panel. This will consist of at least three members of the Club and investigate and report to the Board on the complaint. Panel members will have no Conflict of Interest with respect to the Complaint made.

If the complaint involves behaviour which may be a criminal offence, the Police will be contacted for advice.

Disciplinary Panel Terms of Reference

The President and/or Club Manager will contact the subject of the complaint as soon as practically possible and explain the process for handling the complaint.

Written Terms of Reference will be provided to the Disciplinary Panel with specific reference to the Complaint.

Disciplinary Panel Processes

Following receipt of the Terms of Reference regarding a Complaint provided by the Board, the Disciplinary Panel will independently review all matters, conduct interviews as required, seek advice from the Board on any matters as required, and then complete their draft recommendations.

Draft recommendations will be presented in writing and can be supported in person.

The Board is entitled to ask questions and if required, request further investigation, or reconsideration of draft recommendations. The Board will also advise concerns if and why they believe draft recommendations could be detrimental to the Club and its members. The Board can challenge the process undertaken by the Disciplinary Panel; their assessment of all relevant facts; consistency with historical processes; and the recommendations themselves.

The Disciplinary Panel will then complete a final review and assessment of comments received, and then submit their final recommendations for action by the Board.

The Board will then invoke Disciplinary Panel recommendations.

The Board will only apply a power of veto if it is the unanimous view of the Board that final Disciplinary Panel recommendations would be detrimental to the Club and its members. The intent is that the power of veto should only be applied in exceptional circumstances.

The Disciplinary Panel should be mobilised if:

- A Complaint is received about a Board Member - aside from attending a Disciplinary Panel interview, that Board Member will abstain from all matters affecting final Disciplinary Panel recommendations.
- A Complaint is made by a Board Member - it should be automatically forwarded to the Disciplinary Panel. Aside from attending a Disciplinary Panel interview, that Board Member will abstain from all matters affecting final Disciplinary Panel recommendations.
- The Complaint received is considered by the Board as minor or vexatious, and one which can be simply resolved by the Board - the Board may choose not to refer the Complaint to the Disciplinary Panel and deal with the matter directly. However, should there be doubt, then the Complaint should be referred to the Disciplinary Panel.
- A Complaint received suggests acts of violence, intoxication, intimidation, or any other serious act then it should be automatically forwarded to the Disciplinary Panel.

Notice of Advice of a Decision with respect to a Complaint received

Based upon the Board's endorsed decisions with respect to the Complaint, the President and/or Club Manager will formally advise the Board's decision in writing to the person(s) who is the subject of the Complaint.

Rights of Appeal

Complainants have the Right of Appeal.

Notice of an Appeal must be made to the Board by the Appellant within 5 working days from the date of the Notice of Advice of a Decision by the Board.

As Complaints have been assessed by the Disciplinary Panel acting in an independent capacity, then the Appeal will be heard by the Board. The Board's decision will be final.

Complainants do have the right so make a further Appeal to an Independent body. All costs associated with an Appeal of this type will be borne by the Complainant unless the Board agrees otherwise.

Date reviewed and approved: 7 December 2020

Next review date: August 2022