

New Zealand Chess Federation Inc.



Complaints Policy

Commitment to Te Tiriti o Waitangi

New Zealand Chess Federation Inc. recognises Te Tiriti o Waitangi as Aotearoa New Zealand's founding document.

New Zealand Chess Federation Inc. is committed to upholding the mana of Te Tiriti o Waitangi and the principles of Partnership, Protection and Participation.

Values

Everyone involved in chess 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.

Children and young people in particular must be cared for, treated with respect and their welfare placed at the centre of everything we do in chess.

New Zealand Chess Federation Inc. knows everyone involved in chess is here because of a shared passion for chess and care for the people involved. When people involved in chess get into disagreements it can become a serious issue.

New Zealand Chess Federation Inc. is committed to supporting everyone, including players, organisers, arbiters, coaches, volunteers, whānau and supporters, to participate in an environment that is respectful, safe, and fair.

New Zealand Chess Federation Inc. 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 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 chess. The following principles should be kept in mind when applying it:

- 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.

Purpose

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, consistent including enabling cultural appropriate responses and processes.

Application

Who can make a complaint? Complaints can be made by or about anyone involved in New Zealand Chess Federation Inc.. This includes: volunteers, participants, supporters, club members, employees, service providers, and families/whānau of participants.

What can complaints be about?

Complaints may be made about things such as actions or decisions of organisation members or officials, processes not being managed well (or at all), low level disputes or disagreements between members, unprofessional or upsetting behaviour, or delays or failure to communicate about matters affecting a person.

Complaints may involve:

- organisation management issues
- conflicts of interest (including favouritism)
- unsporting behaviour of spectators
- 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 misconduct of players during games (which would be dealt with by arbiters), or selection or eligibility decisions. The NZCF Handbook covers these issues in Section 1.10 (Appeals) of the chapter on Tournament Regulations, and in the chapter on International Competition.

Serious complaints (e.g. unethical, dishonest or illegal behaviour, harassment (sexual, racial or otherwise) bullying, health and safety risks, unlawful discrimination, and offensive/insulting language or behaviour) may be breaches of New Zealand Chess Federation Inc. policies.

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

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. If self-managed informal resolution isn't successful or appropriate, it should be raised with the federation council, which, 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

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.

Who do I make the complaint to?

If the complaint is about an organisation issue or about a member of the organisation, the complaint should be raised with the Complaints Officer.

If the official that the complaint would usually be made to is involved in the issue or has a conflict of interest, the complaint should be made or passed to another suitable person in authority, ie another council member.

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.

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.

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 particular complaint, restore people's mana and maintain positive relationships within the organisation 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.

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 Complaints Officer should 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 organisation 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 organisation 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 decision makers 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. 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.

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 makers would be the federation council.

The decision 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 (complaint upheld or not upheld)
- the reason for the decision
- any penalty or outcome
- any recommendations for repairing relationships.

Note, that although most people involved in chess are volunteers, some are employees. If someone is an employee, they need to have a written employment agreement, and 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.

Communicating the outcome

The decision makers will provide a copy of the decision to the person or people 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.