

ARCHERY NEW ZEALAND COMPLAINTS POLICY

1. INTRODUCTION

The purpose of this document is to set out the policy and the procedures to be followed in the event of a complaint being lodged with Archery New Zealand. Such complaints can be written or verbal, and regardless of the type and/or source of the complaints, all must be actioned in accordance with this policy and procedure.

2. POLICY

2.1 Archery New Zealand will establish a Complaints' Committee.

2.2 Composition of Complaints' Committee

The Committee will be made up of three suitable persons of whom at least two must be affiliated to the Association, one of whom will be appointed Convener and who will be the spokesperson for the Complaints Committee.

2.3 Complaints may include:

- specific alleged breaches of the Archery New Zealand Constitution and/or Rules, or Code of Conduct, the Constitution, Rules or Codes of Conduct including misuse of drugs, set out by World Archery, WSCA, New Zealand Olympic Committee and/or any other body to which Archery New Zealand is affiliated or associated;
- allegations of misconduct and/or bringing the sport of archery or the Association into disrepute.

3 PROCEDURE

3.1 Functions of the Committee

The functions of the Committee will include to hear and rule upon all complaints referred to it by the Board and to recommend to the Board such penalties as are appropriate to the circumstances.

3.2 Complaints may be verbal or written however, regardless of their nature, the following procedures are to be followed:

- a All complaints are to be sent to the National Secretary and recorded in a "complaints register".
- b The National Secretary will refer the complaint, once in written form, to the Convener of the Complaints' Committee
- c All action taken by Archery New Zealand must only proceed in consultation with the Convener of the Complaints' Committee.

3.3 Where a verbal complaint is made, the complainant is to be advised that Archery New Zealand will not be able take any further steps in actioning the complaint unless the complaint is put in writing.

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3.4 The complaint(s) will be laid by the Board but may have been initiated by an individual or group of members of the Association, a club, Commission, be referred by World Archery, WSCA or other body to which Archery New Zealand is affiliated or associated;

3.5 A complaint may be laid against a member, club, District, an Archery New Zealand Commission or the Board, and in all/any cases the subject of the complaint will be advised of all of the steps during the process.

3.6 Where the Board is the subject of the complaint it must still be submitted to the National Secretary who will immediately refer the complaint to the Complaints Committee. If a complaint against the Board is upheld, the penalty(ies) recommended by the Complaints' Committee will be imposed subject to any appeal to the Archery New Zealand Appeals Committee.

3.7 The written complaint must be addressed to the National Secretary and must be notified to that officer within 90 days of the alleged offence(s) having occurred. The format of the written complaint may be by electronic means and by a hard copy delivered by courier.

3.8 This letter of complaint must contain the details of the alleged offence(s), the date(s), time(s) location(s) and the names and addresses of any witnesses.

3.9 The Secretary will advise the Convener of the Committee as soon as possible and within 14 days of receiving the complaint.

3.10 Within seven days of receiving the complaint(s), the Committee will determine whether or not there is a case to be heard. If, in the opinion of the Committee, there is no case to answer the National Secretary will be informed and will so advise the complainant

3.11 If a case is to be heard by the Committee, the Convener will so advise the National Secretary. The National Secretary will inform the complainant and the subject of the complaint. At this time the Committee will recommend to the Board whether or not the subject of the alleged offence should be suspended while the hearing takes place;

3.12 The Convener of the Committee must advise the complainant that the subject of the complaint will be advised of the steps of the process including the name of the complainant.

3.13 Within seven days of receiving the recommendation(s) of the Complaints Committee, the Board will decide and notify the subject of the alleged offence if a suspension is to be made.

3.14 Where a Complaints hearing is to take place (this may be face to face, via audio conference or other appropriate method selected by the Complaints Committee), the Convener of the Committee will advise the subject of the alleged offence of the date, time, place and/or method of the hearing.

3.15 The hearing will take place as soon as possible and will be completed not later than 28 days from the time the Committee advised the Board that a hearing would be held.

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3.16 Should the subject of the alleged offence choose to not appear or otherwise fail to comply with the requirements of the Complaints' Committee, the Committee will continue its hearing and make its decision on the evidence available.

However, the Committee has the power to adjourn the hearing in cases where the subject of the hearing is genuinely unable to participate or to continue to participate in the hearing.

4 DECISIONS

4.1 The Committee will advise the Board of its decision and recommended penalties where appropriate. This will be done in writing and within seven days of completing the hearing;

4.1 The Board will meet (not necessarily face to face) to determine what penalties, if any, should be imposed;

4.2 The National Secretary will advise the subject of the complaint the decision of the Complaints' Committee, the penalty imposed by the Board where appropriate and the right of the subject to lodge an appeal with the Appeals' Committee.

4.3 This information will be conveyed in writing to the subject of the complaint within seven days of receiving the report of the Complaints' Committee. The format of the notification may be by electronic means and by a hard copy delivered by courier.

4.4 The deliberations of the Committee will be confidential to the members of the Committee. In all cases reasonableness will be assessed in terms of ensuring natural justice for all concerned.

5 PENALTIES

5.1 Penalties that may be imposed by the Board include:

- suspension from all or some specified activities of the Association for a specified period of time;
- suspension from all or some specified activities of the Association until the offender has completed certain specified requirements of the Board;
- disqualification from certain tournament(s) and/or team(s) for a specified period of time or until certain specified requirements of the Board have been met;
- a monetary fine;
- disqualification from holding office at all/any level of the Association for a specified period of time and/or until specified requirements have been completed;
- expulsion from membership;
- payment of any costs or expenses incurred by witnesses or any other in relation to a hearing.

5.2 At its absolute discretion the Board will determine what, if any, publication will be made of the complaint, outcome of any hearing and any penalties imposed on whom.

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