

# HRNZ BOARD

## COMPLAINTS AND GRIEVANCES POLICY

### **Mission**

*“To Champion the Sport, Celebrate the Participants, and have the Horse at the Heart of Everything We Do”*

### **Outcome statement**

All complaints and grievances (complaints) are attended to promptly, respectfully and professionally and seek to bring effective resolution to all parties concerned.

### **What can you lodge a complaint or grievance about?**

HRNZ is the administrative body for the sport of harness racing in New Zealand, and promotes professional standards for its directors and employees, and is interested in ensuring that appropriate standards of conduct are maintained by these individuals. A complaint or grievance can be lodged by a complainant if they consider that these standards of conduct have not been maintained.

This policy sets out the procedure for handling complaints and grievances to provide a transparent and fair way of resolving the complaint about HRNZ’s directors and employees conduct.

### **Lodging a complaint**

A complaint is to be lodged with the Chief Executive or chairperson of HRNZ in writing and must provide such details as are necessary to identify the details of the complaint or grievance.

All complaints must be signed, and include an email address and a telephone number of the complainant.

### **Who considers the complaint or grievance?**

The Chief Executive (or his or her nominee) has the responsibility for investigating and resolving complaints other than a complaint about the Chief Executive or a complaint the Chief Executive, the chairperson, or the Board considers should be the responsibility of the Board.

The complainant and the person(s) who has responsibility for the complaint must consider whether the complaint may be best resolved through informal discussion, a formal process, or where applicable the dispute resolution process in the Constitution of HRNZ.

The person who has the responsibility for the complaint may investigate and resolve the complaint or appoint a sub-committee to deal with the same or refer the same to an external person or persons.

The person(s) who has the responsibility to deal with the complaint (the decision-maker) may decline to investigate the complaint or grievance (for instance, if the decision-maker is satisfied that the complainant or has insufficient interest in the matter or otherwise lacks standing to raise it; the matter is trivial or does not appear to disclose material misconduct or material; the matter raised appears to be without foundation or there is no apparent evidence to support it; or the conduct, incident, event or issue has already been investigated and dealt with by HRNZ).

### **Expectations and limitations**

In complying with the policy, the Chief Executive shall make sure that the following are carried out:

- Implement and maintain robust procedures to meet the policy requirements
- Ensure that the process for complaints or grievances is clearly communicated
- Report to the Board as follows:

- When receiving a complaint, the Board must ensure that the complainant has previously followed HRNZ's concerns and complaints procedure, and that the complaint has been escalated to Board level correctly.
- Should the Board receive a complaint regarding the Chief Executive or determine that any policy violation may have occurred, the Board in the first instance will consider whether this may be dealt with in an informal manner (as per the employment agreement provisions that apply to the Chief Executive).
- Where the Board considers the degree and seriousness of the concern, or any violation sufficient to warrant initiating a disciplinary or competency process, the Board shall seek the support and advice in the first instance from an employment lawyer to ensure due process is followed.

### **Process to be followed on receipt of a complaint**

The following process should be followed once a complaint is received.

1. Ensure the process has been followed as outlined in the concerns and complaints procedure, or is a genuine complaint against the Chief Executive, staff or the Board.
2. Verify that any Board members, Chief Executive or staff identified by the complaint are aware of the situation and that there has been discussion and attempts to reconcile the issue if possible.
3. If the complaint or action is employment related seek appropriate professional employment advice.
4. If the claim has the potential to involve legal action or loss to HRNZ then alert HRNZ's insurance broker.
5. Acknowledge the complaint within 7 days and advise the board process, or redirect the complainant to the Chief Executive or staff member as appropriate. Report to the Board without names or detail at the next meeting.
6. For complaints that have not been easily resolved within 10 days, the Board requests that the Chief Executive presents a written report outlining all actions taken, advice received, meetings held and justified decisions made.
7. The Board determines whether the actions taken as detailed in the written report fully satisfies them of a full and fair process. If so, the Board supports the Chief Executive and advises the complainant.
8. If not satisfied, the Board meets and discusses in committee; determines whether to formally meet the complainant and delegates responsibility to director(s) as deemed appropriate.
9. Board delegates meet with the complainant and discuss the complaint more fully, verifies, investigates and clarifies the matters raised. Support persons should be confirmed as welcome to attend.
10. Board delegates report back to the full Board and recommend actions/decisions.
11. The Board takes appropriate actions, records and formally minutes its decisions.
12. The Board advises the complainant in writing of its provisional decisions and factors considered in reaching them, within 28 days of complaint receipt, unless otherwise agreed by all parties. Complainant is given opportunity to comment before the Board's final decision is reached and given.
13. The Board endeavours to convene a follow-up meeting within 1 month of step 8.

### **Monitoring**

The Chief Executive shall maintain a register of complaints and resolutions and report to the Board on the numbers of complaints and how many have been resolved, and on any areas of concern for Board deliberation.

### **HRNZ Chair**

<b>Reviewed and Adopted by HRNZ Board : 7 June 2023</b>	<b>Next Review:</b>
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