Climbing New Zealand (CNZ)

Complaints policy

1. Purpose

Climbing New Zealand (CNZ) is committed to providing a safe, fair, and respectful environment for all participants in our sport.

This policy sets out how concerns and complaints can be raised, how they are assessed, and how they are managed and resolved.

The intent is to ensure complaints processes are fair, timely, proportionate, and support the wellbeing of all participants while maintaining integrity in our sport.

2. Application

This policy applies to all individuals involved in any way in CNZ activities. This includes, but is not limited to, athletes, coaches, officials, management committee members, volunteers, spectators, and affiliated clubs.

This policy applies across all CNZ related activities including conduct that may occur at competitions, training, governance, and online environments connected to CNZ.

This policy specifically applies to all complaints and disputes to which section 5 of CNZ's Constitution also applies. Where a complaint or dispute is subject to section 5 of the CNZ Constitution, the requirements of that section apply and must be complied with and this policy should be read as supplementing (not replacing or modifying) those requirements. In the event of any inconsistency between this policy and CNZ's Constitution in relation to complaints and disputes to which section 5 applies, CNZ's Constitution prevails.

This policy does not apply to:

- complaints or disputes about the rules of CNZ competitions or decisions made under those rules during competitions and breaches of competition rules
- matters otherwise covered by section 7 of the CNZ Selection Policy (Selection Appeals).

3. Guiding principles

When complaints or concerns are raised within our sport, the following principles will guide the response and the application of this policy:

- Fairness and natural justice – all parties will be treated fairly and have the opportunity to respond and to be heard
- Safety and wellbeing – protection of participants, especially children and vulnerable individuals, is paramount
- Respect and dignity – all parties treated respectfully throughout the process
- Timeliness – issues addressed as quickly as reasonably possible
- Confidentiality – information handled appropriately and shared only where necessary
- Accessibility – process is clear, simple, and usable
- No retaliation – complaints may be raised without fear of harm or retaliation

4. What can be the subject of complaint

This policy has general application to all of CNZ's activities and the participants involved in our sport. It can be used to raise a complaint about matters arising in the course of CNZ related activities as well as to specific alleged breaches of CNZ's Constitution, the Incorporated Societies Act and other CNZ policies, including CNZ's Code of Conduct.

Examples of matters that may be the basis of a complaint include:

- Bullying, harassment, discrimination or abuse
- Unsafe behaviour or failure to protect participants
- Integrity issues such as cheating or manipulation
- Conflicts of interest or misuse of position
- Breaches of CNZ policies and conduct expectations

5. Making a complaint

Any person may raise a concern or complaint with CNZ under this policy or, where appropriate, directly with the NZ Sport Integrity Commission. The CNZ management committee may itself refer a matter for formal consideration under this policy or to the NZ Sport Integrity Commission. Where the complaint constitutes a "Complaint or Dispute" under section 5 of the CNZ Constitution, the constitutional requirements apply.[1]

Complaints should be made using the form attached in **appendix two to this policy**. Please note:

- Complaints should be made as soon as possible after the issue occurs and include sufficient detail to allow an early assessment of the complaint to occur. Please use additional sheets if required. The allegation to which the complaint relates and against whom the complaint is made should be clearly stated.
- Failure to provide a complaint form does not invalidate a complaint but the form makes the nature of the issue clear from the outset and is therefore encouraged with adaptations made as necessary.
- The complaint form should be sent by email to the secretary of CNZ who is the designated complaints officer for CNZ under this policy: secretary@climbing.nz. Alternatively, or in addition, the complaint

[1] A Complaint or Dispute under CNZ's Constitution is defined in the Incorporated Societies Act and that should be referred to in full but, broadly, is a matter where there is a disagreement or conflict between members of CNZ, officers of CNZ and/or CNZ itself and the disagreement or conflict alleges misconduct, a breach of a duty under the Constitution or the Act, or damage to members' rights or interests.

form can be sent to the CNZ president: president@climbing.nz. If there are any particular sensitivities that make referral to either the secretary or president inappropriate then the complainant should contact another member of the CNZ management committee to seek direction. (Committee member details are on the CNZ website.) A complaint made to the secretary (or president) shall be treated as notice to the full CNZ management committee (or any applicable complaints sub-committee if one is established).

- If the complaint is being initiated by CNZ itself, the secretary is responsible for ensuring the persons against whom the complaint is made has received notice of the complaint in writing.
- A complainant should receive a confirmation of receipt of the complaint within 5 days. If no acknowledgement is received in this timeframe, please separately get in touch with an alternative contact from the CNZ management committee to confirm receipt. All CNZ management committee email addresses are on the CNZ website.

6. Initial assessment of complaints

The process to be followed upon receipt of a complaint is included in **appendix one to this policy** and that should be read in full. In terms of initial receipt, please note that:

- Upon receiving notice of a complaint under this policy, the secretary and/or president will acknowledge receipt and then assign an "appointed lead" to oversee the process. In the first instance the appointed lead may be the secretary or president themselves or other member of the CNZ management committee who can triage the complaint and confirm a proposed process/ initial pathway.
- The initial triaging may result in attempts at informal resolution, formal investigation, or an external referral.
- Where appropriate (for matters at the low end of serious), informal resolution between affected parties may be encouraged prior to any other formal steps being taken.
- CNZ may decide at the initial triaging stage not to proceed any further with a complaint. The circumstances in which this could occur include if, for example, the matter raised is trivial, there has been undue delay in making the complaint or the matters subject to the complaint have already been the subject of investigation and dealt with.

7. Complaints process

The complete complaints process itself is set out in **appendix one to this policy** and that should be read in full. Please note that:

- Informal resolution may, and with the consent of parties to the complaint, include consensual dispute resolution processes such as facilitated discussion, mediation or a tikanga-based practice.
- Any investigations will follow the guiding principles set out above while being proportionate to the seriousness of the issue.
- Depending on the seriousness and nature of the matter, CNZ may appoint an independent third party to act as the appointed lead or to otherwise assist CNZ to make investigations, manage the process and to make recommended decisions. Final decisions will ordinarily sit with the CNZ management committee but may be specifically delegated to such other sub-committee or person as is appointed

by the management committee to do so. Such a delegation could be made where a complaint has been made against CNZ itself and/or the CNZ management committee as a whole.

- An appointment or delegation by the CNZ management committee as contemplated above must clearly identify whether the appointed person or body is responsible for investigating and reporting, making recommendations, or making a final determination. Parties will be advised of the intended process and terms of appointment once established.
- A person, or persons, may not act as a decision maker(s) in relation to a complaint if two or more members of the CNZ management committee or a complaints subcommittee consider there are reasonable grounds to believe the person, or persons, may not be impartial or able to consider the matter without a predetermined view.
- Parties involved in a complaint process may be represented or supported by another person, including legal counsel, support persons, whānau or other representatives.
- Each party shall bear its own costs involved in the complaint process including legal costs.

8. Outcomes

A complaint considered under this policy may result in a range of outcomes. These can include (but are not limited to):

- No further action
- Education or guidance
- Warnings
- Apology or mediated outcome
- Removal from roles, events or competitions
- Suspension or termination from involvement in CNZ related activities
- Referral to external authorities

Any outcome or sanction imposed under this policy must, where applicable, be consistent with the CNZ Constitution. Specifically, where an outcome involves suspension or termination of CNZ membership, or suspension or removal of a CNZ management committee member, the applicable requirements of the Constitution must be complied with.

9. Escalation and external referral

Serious integrity issues may be referred to the NZ Sport Integrity Commission or other relevant authorities such as the police.

CNZ will cooperate fully with any external investigation processes.

10. Appeals and review

There is no right of appeal from a decision made under this policy. However, nothing in this policy prevents a person from bringing a matter before the Sport Integrity Commission or the Sports Tribunal of New Zealand where that body has jurisdiction to consider the matter.

A party may request a review of a procedural decision by a different decision maker appointed by CNZ only where the party alleges a significant procedural irregularity that may have materially affected the fairness

of the process. Such a request must be made in writing to the Secretary within 10 working days of the party being told of the applicable procedural decision, and must explain the irregularity. Any decision to grant such a review is at the discretion of CNZ. If a review is granted and if a significant procedural irregularity is found, the matter (or part of it) may be referred back to a different decision-maker. The original decision stays in effect while a review is considered, unless CNZ decides otherwise. A review under this clause is not an appeal and does not permit reconsideration of the merits.

For the avoidance of doubt, no appeal or review of any kind is available from a decision to which clause 5.14 of the CNZ Constitution applies (a decision made after a referral under clause 5.11(b)).

11. Roles and responsibilities

When a complaint process is initiated under this policy:

- CNZ is to ensure a fair, accessible process and to manage complaints appropriately
- Participants are to raise concerns in good faith, participate honestly, provide accurate information and respect the process
- Decision-makers must act impartially and confidentially and ensure the participants' rights to be heard are respected

12. Relationship to other documents

This policy:

- Is the "disputes policy" contemplated by section 5 of the CNZ Constitution
- Is referred to in the CNZ Code of Conduct and can be used as a complaint mechanism under that Code
- Can be used to raise concerns or complaints in relation to other CNZ related policies and activities.

13. Acknowledgement

All participants in our sport are deemed to have read, understood and agreed to comply with the processes set out in this policy and to support a culture of integrity.

CNZ will make this policy publicly available and ensure awareness of it.

Document Control

Policy owner	CNZ Management Committee
Commencement Date	November 2026
Review Date	Maximum of 2 years from commencement

Appendix one: Complaints Process

Step 1: Complaint intake

- Complaint made to or by CNZ. Standard CNZ complaint form is used (attached as appendix two).
- Complaints officer (CNZ Secretary) receives form by email: secretary@climbing.nz; alternative contact president@climbing.nz.
- Complaints officer logs the complaint in the CNZ complaints register and acknowledges the complaint within 5 days. Complaints register to be noted at Committee meetings
- Complaint record and any other documentation received stored by complaints officer in confidential and safe place.

Step 2: CNZ appointed lead triages complaint and makes pathway decision

- CNZ (acting via the secretary, president or other appointed member of the CNZ management committee) conducts initial triage of complaint and makes pathway decision as the initial appointed lead.
- In appropriate cases, consensual informal resolution between the parties may be encouraged in the first instance.
- Pathway decision based on factors such as: severity of behaviour, risk of harm, vulnerability of people involved, pattern of behaviour (repeat vs isolated), evidence likely to be available, desired outcome / restorative potential

A. Informal resolution (low-risk, less serious matters)

- Suitable for:
  - Minor disputes
  - Miscommunication
- Actions:
  - Encourage conversation / facilitation directly between parties
  - Consider a referral to mediation

B. Formal CNZ process (medium–high risk, medium serious matters)

- Suitable for:
  - Code of Conduct breaches (of a more than minor nature)
  - Repeated behaviour
- Actions:
  - CNZ to confirm an appointed lead for the ongoing carriage of the complaint.
  - Gather further evidence
  - Interview parties

C. External referral (high risk, serious matters)

- Triggered where:
  - Harm / abuse / safeguarding issues
  - Criminal behaviour
  - Serious integrity concerns
- Actions:
  - Refer to: NZ Sport Integrity Commission
  - Refer to: Police / Oranga Tamariki (if required)

D. Other: Complaint is outside scope of policy e.g. it is a selection dispute

- Actions:
  - Refer to appropriate body

E. Other: Complaint will not be progressed e.g. is trivial, has already been determined, has been undue delay in bringing complaint

- Actions:
  - Advise complainant (and other impacted parties) of no further action decision

<u>Step 3: Manage the process</u>

If informal process:

- Initial appointed lead will facilitate and encourage discussion between the parties
- If / when agreement reached, CNZ will document the outcome

If formal process:

- CNZ will determine who will be the ongoing appointed lead (whether an internal and/or external appointment) and/or whether to establish a CNZ sub-committee to oversee process. CNZ management committee to confirm final decision-maker on the complaint.[2]
- The appointed lead will oversee
  - Evidence gathering, interviewing parties
  - Provide opportunities for a fair hearing including determining if an oral hearing is required (before the final decision maker) to ensure an adequate hearing or if the matter can be dealt with on the papers Establish the steps required for the decision maker to reach an impartial decision or recommendation to CNZ
  - Where a complaint is subject to section 5 of the CNZ Constitution, the appointed lead must ensure that the parties are afforded the rights to be heard provided for in the Constitution.

<u>Step 4: Outcome determination</u>

- The following principles must be applied to all decisions taken under this policy:
  - Proportionality
  - Consistency
  - Safety first
- If a complaint is upheld and consequences are being considered, all or any of the following actions may be considered. This list is non-exhaustive and other actions may also be warranted:

[2] While the CNZ management committee is ordinarily the final decision-maker it may choose to delegate this role to a particular person, panel or sub-committee. It may do so on a particular complaint if, for example, the matter is serious, complex and may require factual and credibility findings such that it is better dealt with by an external party. Another example is if the complaint raises a conflict of interest issue for all or some members of the management committee such that it is better for the matter to be dealt with independently.

- No further action
- Education / guidance
- Apology or agreement
- Restrictions on participation in CNZ events, activities and other related environments
- Removal from role or event
- Suspension or termination from CNZ events, activities and other related environments
- External referral

Step 5: Communication

- Together with the CNZ Secretary, the appointed lead is to ensure that:
    - The outcome is provided to parties
    - Confidentiality is maintained
    - Next steps and likely timing is explained

Step 6: Record & close

- In conjunction with the CNZ Secretary, the appointed lead is to ensure that the CNZ complaints register is kept up to date including recording:
    - Complaint ID
    - Date complaint received
    - Nature of issue
    - Risk level
    - Action taken
    - Outcome
    - Lessons learned
    - Closed date

- From time to time, the CNZ management committee may also consider whether it is possible to publish the outcome of a complaint or other general guidance based on outcomes to assist in educating our community as to the potential consequences of various actions. This would be done taking into consideration any confidentiality constraints.

Indicative timeframes (indicative only)

- Acknowledge → within 5 days
- Triage → within 2 weeks
- Informal resolution → 2–4 weeks
- Formal process → 8-12 weeks (depending on complexity)

Appendix two: Complaints form (to be adapted as required; use extra sheets and/or include extra information and documents as necessary)

Contact details of complainant:

Name:

Phone: Email:

Address:

Affiliation if valid (Club/Organisation):

Club:

Climbing New Zealand:

Other:

Age: Under 18 18 Years or over

If you are making a complaint for someone else:

Name of person complaining on behalf of:

Contact details of person complaining on behalf of:

Complainant's role/status (circle which applies and provide further details as indicated):

Athlete / competitor

Coach / trainer

Official

Manager

Employee / Contractor

Spectator

Supporter

Parent

Administrator (volunteer)

Other volunteer (provide details)

Club

Officer of CNZ (member of CNZ management committee)

CNZ management committee (as a whole)

Other (provide details)

Details of person complained about:

Name:

Club/Organisation: Organisation other:

National Sports Organisation: Age: Under 18 18 Years or over

Person complained about role/status (circle which applies and provide further details as indicated):

Athlete / competitor

Coach / trainer

Official

Manager

Employee / Contractor

Spectator

Supporter

Parent

Administrator (volunteer)

Other volunteer (provide details)

Club

Officer of CNZ (member of CNZ management committee)

CNZ management committee (as a whole)

Other (provide details)

Nature of complaint (circle as many as relevant and provide further details as indicated):

Club issue

Organisational management issue

Bullying

Physical abuse / assault

Verbal abuse

Sexual harassment

Coaching issue

Racism

Discrimination

Unfair decision

Conflict of interest

Other misconduct (please provide description)

Other (please provide description)

Date(s) of incident(s):

Location of incident (circle):

Competition

Training

Online

Other (please provide details)

Description of incident/complaint (use additional sheets if required):

Details of any witnesses:

Name:

Contact details:

Name:

Contact details:

Name:

Contact details:

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

***If relevant: Any other agency contacted (including the Police):**

Who: When:

Advice provided:

Complainant:

Name:

Signature: Date: