

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

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

Who can complain?

2. A member of HRNZ may lodge a complaint.
3. Where a participant of the harness racing code (as defined in section 6 of the Racing Industry Act 2020) seeks to file a complaint HRNZ, without giving reasons, is not required to consider the complaint and if it elects to consider the complaint may do so under this policy.

What can you lodge a complaint or grievance about?

4. HRNZ is the administrative body for the sport of harness racing in New Zealand. It promotes professional standards for its directors and employees, and is interested in ensuring that appropriate standards of conduct are maintained by these individuals.
5. A complaint or grievance (complaint) can be lodged by a complainant if they consider that appropriate standards of conduct have not been maintained and they have a material interest in the substance of the complaint.
6. This policy sets out the procedure for handling complaints and grievances to provide a transparent and fair way of resolving the complaints about HRNZ's directors' and employees' conduct.

Lodging a complaint

7. A complaint is to be lodged with the Chief Executive or Chairperson of HRNZ in writing.
8. The complaint must provide such details as are necessary to identify the details and grounds of the complaint.
9. All complaints must be signed and include an email address and a telephone number of the complainant.

Assessing the complaint

10. On receiving a complaint, the Chief Executive, the Chairperson, or their nominee must acknowledge the complaint (preferably within 14 days) and consider whether:
 - a. no action should be taken and an explanation given to the complainant for this;
 - b. the complaint can be resolved quickly and informally and if so resolve the complaint; or
 - c. the complaint should be reviewed.

Who reviews the complaint?

11. The Chief Executive (or his or her nominee) has the responsibility for reviewing complaints other than:
 - a. a complaint about the Chief Executive; or
 - b. a complaint the Chief Executive, the Chairperson, or the Board considers should be the responsibility of the Board or a subcommittee of the Board; or
 - c. a complaint the Chief Executive, the Chairperson, or the Board considers should be the responsibility of a sub-committee of the Board or an external person or persons.

Reviewing the complaint

12. The complainant and the person who has responsibility for reviewing the complaint must consider whether the complaint may be best resolved through informal discussion, a formal process, or if applicable the dispute resolution process in the Constitution of HRNZ.
13. The person(s) who has the responsibility to review the complaint (the decision-maker) may decline to review the complaint (for instance, the complaint is not genuine, if the decision-maker is satisfied that the complainant has an insufficient material interest in the matter or otherwise lacks standing to raise it; the matter is trivial or does not appear to disclose material misconduct; the matter raised appears to be without foundation or there is no apparent evidence to support it; or the conduct, incident, event or issue are or have already been reviewed and dealt with).
14. Where a complaint is to be reviewed the person reviewing the complaint must:
 - a. ensure the process is fair;
 - b. deal with the complaint on its merits;
 - c. act independently and have an open mind;
 - d. take measures to address any actual or perceived conflict of interest;
 - e. consider all information and evidence carefully;
 - f. keep the complaint confidential as far as possible; and
 - g. act without undue delay.
15. The complainant, and if applicable any director and staff member who is the subject of the complaint, must be given a fair chance to:
 - a. seek appropriate professional employment advice if the complaint is employment-related;
 - b. present their position;
 - c. be advised of any adverse findings against them;
 - d. comment on any adverse findings against them before a final decision is made; and
 - e. be kept informed of the progress on the complaint in a timely manner.

Expectations and limitations

16. In complying with the policy, the Chief Executive and when applicable the Chairperson (or their nominee) shall ensure:
 - a. That the complaint has been escalated to Board level correctly.
 - b. 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.
 - c. If the claim has the potential to involve legal action or loss to HRNZ then alert HRNZ's insurance broker.
 - d. Report the complaint (and steps taken) to the Board at its next meeting without names or detail.
 - e. If requested by the Chairperson, or the Board provide a written report outlining all actions taken, advice received, meetings held and justified decisions made.

17. In complying with this policy the Board shall ensure:
- a. 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).
 - b. 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.
18. The Board may at any time assume the responsibility for reviewing complaints by the Chief Executive, the Chief Executive’s nominee, or transfer the responsibility for reviewing the complaint to an external person.

Monitoring

19. 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.

Phil Holden
Chair

Reviewed and Adopted by HRNZ Board: <i>February 2024</i>	Next Review: <i>February 2025</i>
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