

# Hamilton City Netball Complaints Policy and Procedures

**Approved by HCNC Board – November 2023 – edited February 2024**

All those involved in Hamilton City Netball Centre (HCNC), have the right to enjoy their sport in a healthy positive environment which values and respects the rights, dignity and worth of all participants.

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## Complaints Policy Purpose

This policy is intended to set out processes and procedures for the resolution of complaints arising from breaches to HCNC policies and regulations.

The following policy and procedures are to be read in conjunction with:

- HCNC Constitution
- HCNC Harassment Free Netball Policy
- HCNC Safe Netball for Children Policy
- HCNC Competition Structure and Regulations
- HCNC Representative Policies & Procedures
- NNZ Regulations
- NNZ General Code of Conduct and Ethics
- World Netball Rules of Netball

## Definitions

**HCNC Board** - Any reference to the Hamilton City Netball Centre will also refer to any authorised delegate as directed by the HCNC Board.

**General Manager** – Any reference to General Manager will also refer to any authorised delegate as directed by the General Manager or HCNC Board.

**Game** – The playing of a game of netball during a recognised competition, tournament or league.

**Relating to a Game** – Refers to the rules and regulations for players, umpires, team managers and coaches. Can include scores.

**Playing Week** - A week when games are scheduled to be played in the applicable grade.

**Participation Week** - A participation week is defined as when the activity is scheduled.

**Activity** - Any involvement with HCNC which is not a game.

## Key Principles

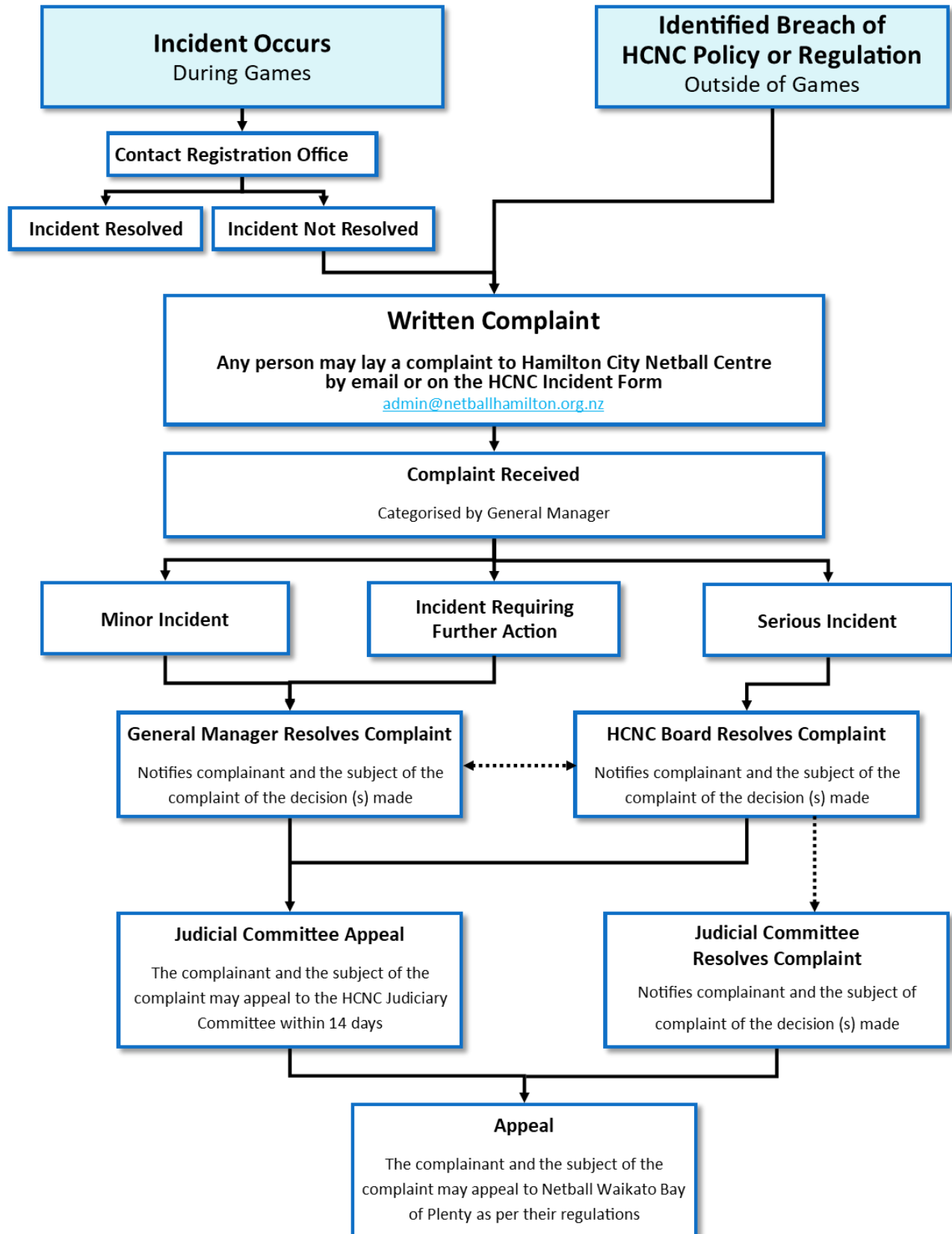
HCNC believes that everyone has the right to have any complaints dealt with in a fair, confidential and sensitive manner, and to be given the opportunity to be heard before. HCNC will be guided by these principles:

1. **Fair Notice of the Complaints:** A party being complained about has the right to know the subject of the complaint against him or her.
2. **The Right to be Heard:** The complainants and the party being complained about have the right to put their side of the story. Although a complaint may have been received this does not mean that the person being complained about is guilty.
3. **Freedom from Bias:** There must not be any actual bias or appearance of bias on the part of the persons making the decision about the complaint. Decisions are in accordance with the rules and based on the facts. Only relevant matters should be considered and irrelevant matters should be ignored. The decision must be fair and the penalty must be commensurate with the offence.
4. It is important to note that all times children are not to be involved in any conflict, incident or investigation unless absolutely necessary. All discussions should be away from children. Please refer to the *HCNC Safe Netball for Children Policy*

## Complaints Policy

1. Hamilton City Netball Centre (HCNC) and all members of HCNC are affiliated to Netball New Zealand (NNZ) and therefore are bound by the constitution, rules, regulations, bylaws and Code of Conduct of NNZ.
2. HCNC's Code of Conduct and the Complaints Policy and Procedures governs any member, player, team, umpire, coach, manager, volunteer and any other person who, participates, spectates and/or is involved in any way in any activity held at HCNC's facilities or is involved in any activity under the auspices of HCNC.
3. Incidents may occur that result in a complaint being made. The incident may be but is not limited to:
  - Breaches of the Code of Conduct
  - Breaches of HCNC Policies
  - Breaches of the HCNC bylaws and regulations
  - Breaches to NNZ General Code of Conduct and Ethics
4. Complaints can be made to HCNC from any witness who deems such action necessary i.e. coach, manager, team member, umpire or spectator. Staff members, officials, volunteers or members of the HCNC Board may start a complaints process should they feel a breach has occurred but a complaint has not been received.
5. It is recognised that Clubs and Schools may have their own policies for dealing with complaints or reported incidents that involve members of and people associated with their own club. HCNC will contact the relevant Club or School where appropriate.
6. Only the Club Manager named in the Hamilton City Netball Centre system can speak on behalf of a Club or School or the Principal or delegated spokesperson of a school.

# HCNC Complaints Process Chart



# Incident Occurs Procedure

## Incident Occurs

Any person can identify an issue or incident and bring it to the attention of HCNC.

### During Games - Contact Registration Office

1. Contact to the Registration Office can be made from any witness who deems such action necessary i.e. coach, manager, team member, umpire or spectator.
2. Where the nature of the incident could affect the game result or the safety of any person during the game, the Registration Office should be contacted immediately during the game.
3. The Registration Office will attempt to resolve the issue by the following means or other actions as deemed appropriate:
  - Listening to the nature of the incident
  - Offering possible solutions to the incident
  - Sending the Duty Umpire to observe the game and/or sideline
  - Sending a Convenor or Staff member to observe the game and/or sideline
  - Sending Security to observe the game and/ or sideline
  - Explaining to the complainant the written complaints process

### Outside of Games - Written Complaint

1. Should the incident not be resolved through contacting the Registration Office or the game has finished, or the incident does not relate to a game, then a written complaint must be completed with all details provided on the HCNC Complaints form or by email.
  - a. The form can be given to the Registration Office during game times, the HCNC Office outside of game times or emailed to [admin@netballhamilton.org.nz](mailto:admin@netballhamilton.org.nz)
  - b. Written complaints relating to a game must be received within 7 days of the incident.
  - c. No written complaint regarding umpiring or scores will be accepted unless an HCNC official or staff member has been called to and/or attended the game in question.
2. Staff members, officials, volunteers or members of the HCNC Board may start a complaints procedure should they feel a breach has occurred but a complaint has not been received in writing.

# Complaints Procedure

## Written Complaint Received

1. When a written complaint is received HCNC shall make an initial assessment and investigation which may involve additional relevant parties and requesting submissions or any other appropriate actions.
2. The General Manager of HCNC will categorise the complaint as one of the following:
  - Minor** – includes but not limited to, minor infringements, minor misconduct, insufficient information provided, partly or fully dealt with at the time, vexatious complaint.
  - Further Action Required** – includes but not limited to more serious misconduct, breach of rules, regulations or bylaws.
  - Serious** - includes but not limited to very serious misconduct or breach of rules, regulations or bylaws, breaches of the HCNC Constitution.
3. An email receipt will be sent to the complainant outlining any further actions that the Centre may take.

## Minor and Further Action Required Complaints

1. The General Manager may delegate to a Staff Co-Ordinator or Volunteer Convenor the following process if deemed appropriate.
2. The General Manager will within a reasonable timeframe look at each incident considering but not limited to:
  - Deciding if all relevant information has been obtained
  - Ensuring only relevant facts are taken into account
  - Deciding if penalties are already set out and have been imposed
  - Determining if a resolution can be sought
  - Determining if a hearing is necessary
  - Determining if complaint should be referred to the HCNC Board
3. The General Manager may decide that no further action will be taken or may impose one or more penalties. The penalty may be set out in the Penalties Schedule. However, the General Manager may impose further penalties as appropriate for the incident.
4. An email will be sent to the complainant and the subject of the complaint with any decisions made and any further penalties imposed.
5. The complainant and the subject of the complaint may appeal to the HCNC Judiciary Committee within 14 days of being notified of decisions made.

## Serious Complaints – HCNC Board Committee

1. Serious complaints and complaints referred by the General Manager will be investigated by the HCNC Board.
2. The HCNC Board will consider the complaint as soon as practicable, unless extenuating circumstances exist, and a delay is the most appropriate course of action.
3. The HCNC Board may delegate to the General Manager the following process if deemed appropriate.
4. The HCNC Board may suspend a person prior to a decision where it considers that suspension is necessary in the interests of HCNC and/or its members.
5. The HCNC Board may interview the complainant, the subject of the complaint, seek further information from the club, the umpires or official called and any other relevant parties if they deem it necessary. The parties may be asked to make a submission or appear in person before the HCNC Board.
6. The HCNC Board may decide that no further action will be taken or may impose one or more penalties. This penalty may be set out in the Penalties Schedule but the HCNC Board are able to impose further penalties as they see fit.
7. The HCNC Board may consult Netball Waikato Bay of Plenty Zone and Netball New Zealand or other relevant bodies for guidance under their constitution, rules, regulations, bylaws, and Code of Conduct.
8. Both the complainant and the person being complained about will be informed of the decisions made.
9. The HCNC Board may refer the complaint to the HCNC Board Judiciary Committee

## Serious Complaints – Judiciary Committee

1. As per the HCNC constitution the Judiciary Committee is made up of a minimum of three individuals who are not HCNC Board members and are appointed each year by the Board.
2. If the Judiciary Committee member is in a conflict of interest situation with any parties involved in the complaint, then a replacement member will be substituted by the HCNC Board.
3. The Judiciary Committee may determine its procedures as it sees fit. However, the procedure will include full and open disclosure of the complaint to the party being complained about and subsequent full and open disclosure to the complainant of the response from the party being complained about.
4. All decisions by the Judiciary Committee will have the full endorsement of the Hamilton City Netball Centre Board.
5. Both the complainant and the person being complained about will be informed of the decisions made.
6. The complainant and the subject of the complaint may appeal to Netball Waikato Bay of Plenty Zone as per the Zone regulations.

## Penalties Schedule

The penalties for some breaches and infringements are set out below. This is not a complete list. Please also refer to the *World Netball Rules, HCNC Competition Structure and Regulations* and the *HCNC Harassment Free Netball Policy*.

### World Netball Rules – 18: Game Management

<b>World Netball Rule 18: Game Management</b>	<b>Centre Penalty</b>
World Netball Rule 18: Game Management 6.c. – Warning	<ul style="list-style-type: none"> <li>• Repeated warnings during a season may result in penalties being imposed on a player which can include suspension of play for one or more playing weeks.</li> </ul>
World Netball Rule 18: Game Management 6.d. – Suspension	<ul style="list-style-type: none"> <li>• Suspension - Foul Play               <ul style="list-style-type: none"> <li>○ If rule 18.6.d. is invoked through 19: Foul Play on two occasions during a playing season, an automatic suspension of play for one playing week will be given to the player.</li> </ul> </li> <li>• Suspension – Other Reason               <ul style="list-style-type: none"> <li>○ If rule 18.6.d. is invoked through a reason other than Foul Play, on two occasions during a playing season, the player may receive a suspension of play for one playing week following a review by the General Manager.</li> </ul> </li> <li>• Any suspension of play is to be applied to the playing week immediately following the second suspension.</li> <li>• The Club or School will be advised of this person’s behaviour.</li> </ul>
World Netball Rule 18: Game Management 6.e. – Ordering Off	<ul style="list-style-type: none"> <li>• A player Ordered off the court by an Umpire under World Netball Rule 18.6.e during a game, shall receive an automatic suspension of play for two playing weeks.</li> <li>• This is to be applied to the two playing weeks immediately following the suspension.</li> <li>• A complaints process may also be followed where further penalties can be imposed by the HCNC General Manager and/or the HCNC Judiciary Committee.</li> <li>• The Club or School will be advised of this person’s behaviour.</li> </ul>



## Harassment and Abuse

Action	Centre Penalty
<p>Any physical action such as a punch or slap whether intentional or in retaliation during a game or at any other time while participating in or involved in any activity under the auspices of HCNC.</p>	<ul style="list-style-type: none"> <li>• World Netball Rule 18 and 19 shall apply and can be imposed by the Game Umpire if during a game situation.</li> <li>• Player, Coach or Manager - Automatic suspension of play for two playing weeks or two occurrences of activity involvement immediately following the suspension.</li> <li>• Any other person who, participates, spectates and/or is involved in any way in any activity – two participation weeks suspension or two occurrences of the activity involvement immediately following the suspension.</li> <li>• An incident procedure may also be followed where further penalties including additional suspension of play, can be imposed by the HCNC.</li> <li>• The Club or School will be advised of this person’s behaviour.</li> </ul>
<p>Harassment, inappropriate behaviour or abuse other than physical, by a player, coach or team manager in a game.</p>	<ul style="list-style-type: none"> <li>• World Netball Rules 18 and 19 shall apply and will be imposed by the Game Umpire if during a game situation.</li> <li>• Can be asked to leave the immediate vicinity and/or the Centre.</li> <li>• A complaints process may be followed where further penalties including suspension of play or activity involvement, can be imposed by HCNC.</li> <li>• Repeated inappropriate behaviour may impact the playing future of the player/s and team.</li> <li>• A trespass notice may be issued.</li> <li>• The Club or School will be advised of this person’s behaviour.</li> </ul>
<p>Harassment, inappropriate behaviour or abuse other than physical, while participating in or involved in any activity under the auspices of HCNC.</p>	<ul style="list-style-type: none"> <li>• Can be asked to leave the immediate vicinity and/or the Centre.</li> <li>• A complaints process may also be followed where further penalties can be imposed by HCNC.</li> <li>• A trespass notice may be issued.</li> <li>• The Club or School will be advised of this person’s behaviour if known.</li> </ul>