



Quick Guide

This Quick Guide has been prepared to provide participants with an overview of our Service. It is a summary only and does not replace or limit the Guidelines for the Service, Triage Terms and Conditions, Privacy Policy and Early Facilitation and Mediation Terms and Conditions, which set out the full details of the Service.



Introduction

The Sport and Recreation Complaints and Mediation Service (SRCMS) is a complaints and dispute resolution service for sport and recreation across Aotearoa New Zealand. The service is operated by Immediation New Zealand Limited which has been contracted by Sport NZ to run the service independently of any sporting bodies, clubs, and organisations.

This service is free of charge and all personal information received will be handled confidentially in accordance with our Guidelines, Triage Terms and Conditions, Privacy Policy and where applicable, Early Facilitation and Mediation Terms and Conditions.

To be eligible to use this Service, your complaint must be “in connection with” sport or active recreation in New Zealand. This threshold requirement will generally be easy to meet.



How to contact the service

Our SRCMS team is available to guide you through each step of the process from lodging a complaint through to resolution.

You can contact us by phoning **0800 493 612** and Henry or Lucy or another team member will answer your call. Your telephone call will not be recorded.

You can discuss your issue with us confidentially without any obligation to proceed further.

Alternatively, you can contact us via our online platform by clicking 'Option B' on the [SRCMS website](#).



Henry Moore



Lucy Skellern

Anonymous contact

Step 1:

Go to: <https://sportsmediationservice.whispli.com/inbox/register> and create a Whispli inbox. Please note that if you wish to submit a complaint through our online portal you will need to create a Whispli account even if you do not wish to remain anonymous.

Step 2:

Click on 'Create a Report' to provide details of your complaint or dispute and submit once ready.

Step 3:

Once submitted, a member of our team will receive the details of your dispute or complaint. We will then be in touch with you to let you know whether the matter is within the scope of the Service and to discuss applicable options with you.

You can request that your complaint be assigned to a specific team member and we will accommodate this where possible; for example, if your complaint is sensitive and you wish to speak to a team member of the same gender as you.

As part of the triage process, Henry or Lucy may suggest that you speak with one of our colleagues at Incident Response (who have particular expertise in taking calls from complainants with sensitive information and/or individuals who wish to remain anonymous). Incident Response will then provide us with details of your complaint or dispute.

IMPORTANT:

It is up to you to decide whether to obtain independent legal advice and you are free to do so at any time. Please note that we do not and cannot provide you with any legal advice about your situation.

Types of complaints you can make

Complaints about sport and recreation can come up in a range of contexts. Examples of complaints you can make include, but are not limited to, complaints about:

01

Club management, culture, or policy

02

Selection for a particular team

03

Bullying, sexual harassment, discrimination

04

Behaviour of a coach, volunteer, parent or sportsperson

05

Inappropriate use of social media in a sporting setting

There is no time limit on making a complaint. You can make a complaint about something that happened last week, last month, last year or that is historical.

Complaints involving children

You need to be at least 18 years of age to access this Service.

We are able to receive complaints about an issue relevant to a child or young person, however a parent or guardian must always be present during contact with the SRCMS.

Generally, complaints in a school context are out of scope, unless all other avenues have been exhausted.



Get support

When making a complaint it is important to have support. We recommend that you talk about your complaint with at least one person you trust, for example: a partner, family member, friend, colleague, sports professional, union or representative. If possible, choose someone who has no connection to the complaint so that they can give you impartial support and advice throughout the process. You may also wish to seek independent legal advice as we cannot provide you with legal advice.

Please note that we are a dispute resolution service provider, not a general helpline or medical or psychological service.

We are conscious that often people who access our service may be in difficult or stressful scenarios and Sport NZ has asked us to provide an avenue for users of the service to access independent counselling.

Counselling services are available free of charge through EAP Services to anyone connected with a dispute (including participants or those supporting them e.g. a family member). EAP Services are completely independent of the SRCMS but we can facilitate your use of the counselling. If you wish to utilise the confidential counselling please let us know.



We do not oversee EAP Services and nor do we receive information about confidential counselling that has taken place.



The type of information you should provide

We recommend you write down key information about your complaint before you contact us. This may make it easier for you to explain your complaint to us rather than recalling the information from memory.

It is always entirely up to you what information you provide to us. As a general guide, it is helpful for you to provide us with key information about your complaint if that is ok with you, such as:

- The name of your sporting organisation
- The name of the person or people you are complaining about
- Your relationship to them, for example: employer, coach, colleague, teammate
- The incident, behaviour or actions you are complaining about
- Approximate dates or general time frames of when the incident, behaviour or actions occurred
- Whether you know if anyone else has had a similar experience to you
- The effect on you including physical, psychological, financial and for your sport
- Whether you have previously raised concerns with your sporting organisation or any other person or organisation and what action, if any, they took
- What level of anonymity and privacy you prefer.

What happens next

Once you have provided us with information about your complaint, we will contact you to discuss:

01

Whether your complaint is eligible for the service

02

Available dispute resolution or other avenues (e.g. investigation) within the Service

03

Confidentiality

04

Any additional support through our partners including counselling.

Privacy

We understand that complaints and disputes may involve highly confidential and sensitive information. Your personal information will be handled confidentially in accordance with the Service Guidelines, our Triage Terms and Conditions and Privacy Policy (and if applicable, our Early Facilitation and Mediation Terms and Conditions). This means you can speak with us confidently, knowing that we will not contact any other person or sporting organisation involved in your matter unless you expressly agree beforehand. We would only disclose your name or details of your complaint without your consent in extreme circumstances such as where we were required by law to disclose e.g. following a request under the *Privacy Act* for access to information and where there is no basis under the *Privacy Act* on which to refuse that request.

If you have any questions or concerns about privacy or confidentiality, please feel free to call the hotline and we will be happy to discuss these issues with you and then you can decide to provide details of your complaint after that if you wish to do so.



Anonymity

You can identify yourself in your complaint if you feel comfortable doing this. If you do not feel comfortable identifying yourself, you may remain anonymous. If you remain anonymous, we may still be able to progress your complaint; this largely depends on:

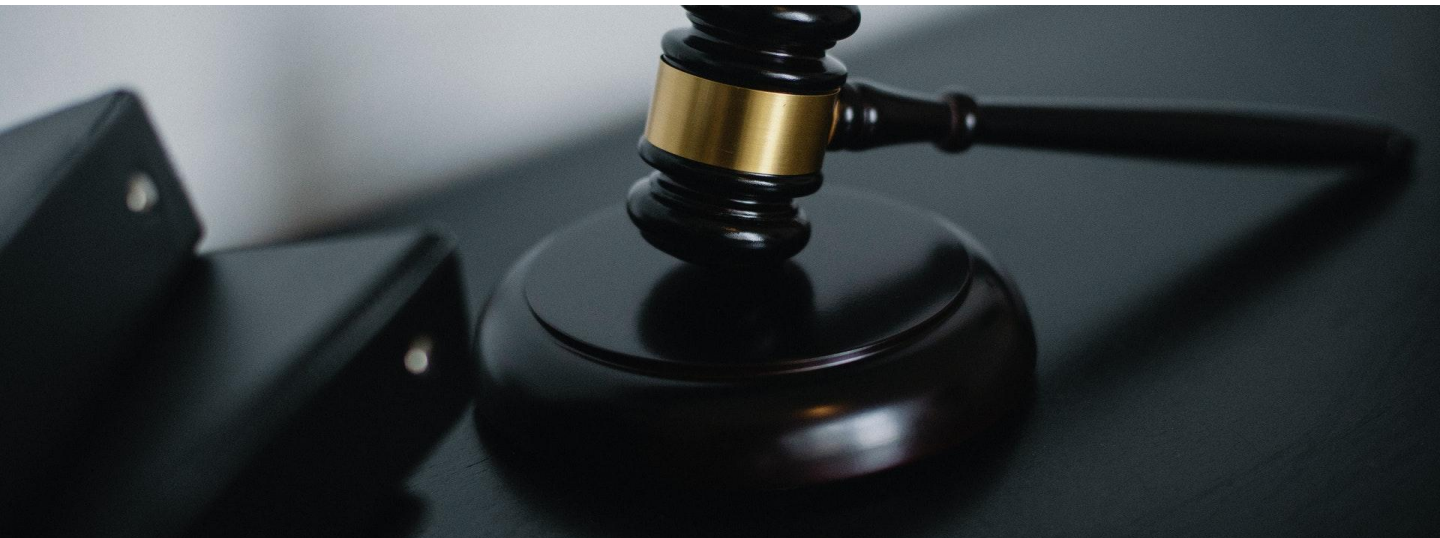
- the nature of your complaint including the outcome you are seeking
- the type of dispute resolution process to be followed
- whether your complaint can be effectively investigated in accordance with the principles of natural justice without identifying you
- whether or not you are covered by the *Protected Disclosures Act 2000*, as an employee contractor or volunteer, and the need for you to comply with the procedures under this Act and the procedures required by the organisation you are complaining about
- whether the complaint is of the nature that ought to be referred to the Police.

Some complaints may not necessarily require you to identify yourself, particularly where the outcome you are seeking is a review or an investigation which can be started without a named complainant. This may include situations where there are a number of persons who may have experienced particular conduct who could be interviewed as part of an investigation of an organisation's management, culture, or policies. Please see our Protocols for Independent Investigations for further details.

Complaints of a specific nature about the behaviour of an individual towards you may require you to identify yourself. This may include:

- If you are participating in a mediation you will need to identify yourself in order to participate.
- If you decide to actually participate in an independent investigation, the process may require you to be named to the person you are complaining about.
- If, with your consent, your complaint is referred to an existing regulatory body or tribunal, each has its own rules on whether you need to be identified in your complaint.





The *Protected Disclosures Act 2000* provides employees, contractors and volunteers with additional legal protection concerning privacy and additional safeguards. The SRCMS cannot advise you on whether or not you are covered under this Act or any steps that you should or should not take at any stage. Further information about protected disclosures is available on the Ombudsman NZ website and you may wish to seek legal advice about your position.

Please note that even if you are covered under the Protected Disclosures Act 2000, we may have to identify you in your complaint if this is essential for the investigation of your complaint, to protect public safety, or to comply with the principles of natural justice.

Before you decide to proceed with your complaint, we will let you know if you need to be identified in your complaint or can remain anonymous. We will also let you know who may receive a copy of your complaint. See our Protocols for Independent Investigations for further details.

Avenues available under the Service

Depending on your complaint or dispute, the SRCMS may offer you:



Early facilitation:

this is a voluntary, confidential, flexible and informal process where we work with you and others involved to resolve the complaint. This will involve email and/or phone discussions with you and the other party or parties, separately and if appropriate, together. Please see our Early Facilitation and Mediation Terms and Conditions for further information.



Mediation:

this is a facilitated resolution process with a mediator who is independent of Immediation and contracted to the SRCMS. This is a voluntary and confidential process. You will meet in person or online with the mediator and the other parties to try to resolve the complaint. It will not always be necessary for the party complained about to attend. Please see our Early Facilitation and Mediation Terms and Conditions for further information.



Referral to your sporting organisation:

If appropriate, we may in the first instance refer your complaint to your sporting organisation with your consent if it appears on the face of it that the sporting organisation has a fair and reasonable complaint or dispute resolution mechanism.



Independent investigation:

this is an investigation process carried out by an investigator, usually a lawyer from our SRCMS Panel of investigators. The investigator is appointed by the sporting organisation in question to conduct an investigation in accordance with our Protocols for Independent Investigations. You will be interviewed separately by the investigator who will also interview other people who are involved in your complaint. Depending on the terms of reference for the investigation which would be agreed with you, the investigator may then make factual findings and provide recommendations on what action, if any, should be taken



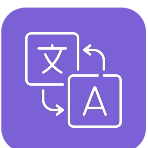
Referral to an existing regulatory body or tribunal:

the SRCMS may, with your consent, refer your matter to a regulatory body or tribunal.



Counselling services:

EAP counselling services are available to anyone using this Service (and those supporting you) so that you feel supported as you progress through our triage and dispute resolution process. As noted above, these are provided independently by our partner, EAP Services and not by SRCMS. Counselling services are free and confidential.



Cultural support or translation:

The SRCMS can adapt its early facilitation and dispute resolution processes to incorporate culturally appropriate practices, principles and supports.

For example, where a complaint is submitted or received by any individual or organisation that seeks te ao Māori input, if desirable by those involved, the SRCMS is able to involve Tūtira Mai during the initial triage process. If the matter is suitable for dispute resolution, we can for instance engage an expert facilitator from Tūtira Mai to work together with one of our Panel to deliver a mediation process or provide a Mana Restoration process.

We will not initiate any of the above processes without your consent and will keep you informed at all stages of the process.



Here to help

For further details of our Service, you can read our Guidelines for the Service available on this Website. Please feel free to call the SRCMS team with any questions you may have and without any obligation to proceed.