

## NZHGPA Complaints Policy

### Values

Everyone involved in play, active recreation and sport joins with good intentions, and we are all expected to do our best to treat each other with respect and comply with our policies and rules.

Despite this, problems sometimes arise.

The NZHGPA believes that everyone involved in the activity/sport is here because of a shared passion for flying and care for the people involved.

When people involved in sport get into disagreements it can become a serious issue.

The NZHGPA is committed to supporting everyone, including members, landowners and other supporters, to participate in an environment that is respectful, safe, and fair.

### Complaints Policy

NZHGPA acknowledges it is important to everyone involved to respond quickly, fairly and thoughtfully to address issues. People are entitled to raise concerns or complaints and to have those addressed promptly and fairly. No one should be punished or victimised for raising a concern or a complaint in good faith.

This policy is centred on equity, dignity, respect and maximising the potential of all pilots. The following principles should be kept in mind when applying it:

- Respect for the people involved, including appropriate processes being enabled to resolve complaints and restore relationships.

- Addressing problems informally and face to face, wherever possible.

- Treating others fairly, equally and in a way that keeps their mana intact.

- Maintaining relationships and keeping each other safe.

### Purpose

This policy sets out the steps for raising and dealing with concerns and complaints. It aims to:

- support people to resolve minor issues on their own

- give clear guidance for making, dealing with and resolving complaints

- make sure the approach taken to dealing with complaints is fair and consistent, including enabling appropriate responses and processes.

### Application

Who can make a complaint?

Complaints can be made by anyone involved in the NZHGPA. This includes members, volunteers, supporters, landowners, contractors and service providers.

## What can complaints be about?

Complaints may be made about things such as:

- breaches of the rules outlined in the NZHGPA OPM or Constitution,
- violations of the Code of Ethical Conduct,
- actions or decisions of organisation members or officials,
- processes not being managed well (or at all),
- situations that are deemed to be unsafe or potentially damaging to people or the NZHGPA,
- delays or failure to communicate about matters affecting a person or situation.

This complaints process does not apply to non-flying activities, personal disputes or to matters related to Clubs, eg site management issues.

Serious complaints that may be breaches of the law should be directed to the relevant community services, eg police, to deal with in the appropriate manner.

If you are unsure whether the Complaints Policy and Process applies to your situation, the NZHGPA Executive can provide guidance.

### Informal resolution first

People are always encouraged to raise concerns directly with the person who has behaved in a way causing concern, unless there are safety reasons, or the issue is too serious to try to resolve it this way.

If you do not feel comfortable raising the complaint yourself, a support person can raise it with the person on your behalf.

Both parties involved should have a chance to be heard respectfully and feel safe to be able to say what they want to say, keeping in mind the need to find ways to resolve issues and be able to work with one another in future.

If self-managed informal resolution isn't successful or appropriate, it should be raised with the relevant official or committee, which, in consultation with the people involved, will put in place an appropriate process to try to resolve it. This may include holding a facilitated meeting in a place, and following a process, that meets the needs of the people involved.

### Formal complaints procedure

#### What do I need to do?

Formal complaints should be made in writing, as soon as possible after the event(s).

#### Who do I make the complaint to?

If the complaint is about a Club issue or about a member of a local Club, the complaint should be raised with the Club. This is outside the scope of this Process.

For complaints at an Association level, use the Complaints Form at the end of this document.

If the committee or official that the complaint would usually be made to is involved in the issue or has a conflict of interest, the complaint should be made or passed to another suitable person in authority, for example, another member of the Executive or the Internal Auditor.

### How will I be treated?

A person making a formal complaint can expect to be treated in line with the following principles:

**Fairness:** Every person dealing with a complaint will remain neutral and listen to both sides of the story. Any action arising from a complaint will be reasonable in proportion to the seriousness of the complaint.

**Respect:** Every person involved in a complaint is expected to act towards others with respect, dignity and in a culturally appropriate way.

Complaints will be raised and handled sensitively, with a goal to preserve relationships by acknowledging each other's role and contribution to the sport.

**Communication:** Every person involved in a complaint will be regularly kept up to date on progress and the outcome.

**Confidentiality:** Information relating to a complaint will not be shared with any other person without consent, unless fair process or the law require the information to be shared with a person or an authority. This will be discussed with the person providing the information.

**Restoration:** The goals of the complaints process are to resolve the particular complaint, restore people's mana and maintain positive relationships within the organisation and across the sporting and wider community.

**Acknowledgement:** Every person involved in a complaint will be asked to recognise the importance of acknowledging any fault or mistakes, the hurt this has caused and if necessary, give a genuine apology.

**Support:** Both the person making the complaint and person complained about should have access to support throughout a complaint process. Everyone involved in a process may be accompanied by a chosen family/whanau and/or other support people.

### What is the process for resolving my complaint?

The person or Disciplinary Committee responsible for dealing with the complaint (the decision maker) must acknowledge receipt of the complaint as soon as it is received. It is always best to send a written acknowledgement to the person making the complaint, so they know their complaint has been received and is being taken seriously.

An initial contact should be made to discuss the next steps, support and any safety concerns the complainant has. The complainant should be asked how they would like their complaint addressed, the process they would prefer and what outcome they are seeking.

It is important that the person who receives the complaint explains to the complainant that to resolve the complaint fairly to everyone involved, they will usually need to tell the person or organisation of the complaint made against them, give them all relevant information and discuss a process for resolving the complaint.

If the complainant is not willing to have their complaint or identity shared with the person or organisation concerned, other ways to resolve the complaint will have to be discussed.

The person who made the complaint and any other relevant people may be asked to give further information in a way that is comfortable to them (face-to-face, with support person or people if desired, by phone, videocall or email).

Complaints should be raised with the person who is complained about in a way that preserves the dignity and mana of that person, their whānau and the wider community.

The decision maker will usually meet separately with the person making the complaint and the person complained about. These meetings will be at a time and place and run according to a protocol/agenda that suits everyone, to the extent possible. People may be accompanied by chosen support people. These meetings should take place as soon as possible and ideally within two weeks of the complaint being received. Where it is not possible to meet face to face, the meeting can be held by phone or videocall if people agree and have access to technology.

Decisions should be made in a careful, reasoned way that is justified on the facts and is consistent with any rules that apply.

The decision should be recorded in writing with a simple explanation of:

- the issue
- any applicable policy or rule
- the process followed
- the facts and any evidence relied on
- any submissions or explanations by anyone involved
- the decision (complaint upheld or not upheld)
- the reason for the decision
- any penalty or outcome
- any recommendations for repairing relationships.

Note, that although most people involved in our sport are volunteers, some are contractors. Contractors (who are not employees) need to be treated fairly and reasonably, and consistent with the terms of their contract. Volunteers should be treated fairly, reasonably and respectfully in making any decisions about their conduct or participation in the sport.

#### Communicating the outcome

The decision maker(s) will promptly provide a copy of the decision to the complainant, and to the person or organisation the complaint is about (if applicable) and outline any appeal process. The outcome should be discussed so the parties understand the decision and why it was made, and what will happen next. The people affected by the decision (the complainant, the person or people complained about, and wider community) may have strong feelings about the outcome and the impact on their reputation, rights or mana. There should be a discussion about what steps can be taken to restore relationships and mana of everyone involved. Support should be explored, especially if there are any concerns about health, wellbeing or safety.

All matters related to a complaint should be recorded in writing and placed on a confidential complaint file including the complaint, any response to the complaint, notes of any meetings or conversations, relevant documents, committee minutes, the decision and any outcome. The details of all complaints will be kept confidential unless otherwise agreed between the parties.

### Convening a Disciplinary Committee

Where a formal complaint is made, the Chief Executive or President may convene a Disciplinary Committee, per the NZHGPA Constitution. The Disciplinary Committee will review it and make a decision about where the complaint should be directed, what appropriate process should be followed, and who the decision maker should be. Options might include an informal process, investigation, facilitation or mediation, or a disciplinary process.

This should be discussed with the complainant and person or people the complaint is about.

The Disciplinary Committee will confirm they have received the complaint within three working days of receiving it. Details of the complaint will be entered into a Complaints Register.

When considering the complaint, the Disciplinary Committee will consider:

- what the complaint is about
- how serious or urgent the complaint is
- whether there is a set process for the type of complaint
- culturally appropriate processes depending on the parties involved
- whether the matter should be dealt with under the Disciplinary Process
- whether the complaint might indicate a broader problem
- what risks the complaint raises for the NZHGPA
- what outcome the complainant is seeking
- any other relevant information.

The Disciplinary Committee will advise the Executive whether:

- there is no clear basis for complaint and no action can be taken (and an explanation given to the complainant)
- the complaint can be resolved informally
- a formal process is needed.

### What other policies might apply?

Some complaints may be more appropriately dealt with by local Clubs.

If complaints involve alleged serious breaches of aviation law, the matter should be addressed under the CAA Disciplinary Procedure.

If there is an immediate threat of harm, or the complaint is a mandatory reporting situation, the complaint should be reported to the Police and/or relevant agency.

Note: in the event that this process conflicts with the NZHGPA Constitution, the Constitution will override.

[Link to the NZHGPA Complaints form](#). This will take you to a JotForm.