

# Yachting New Zealand Complaints Policy

<b>Review Protocol</b>	Policy reviewed by:	Yachting New Zealand Board
	Document reviewed:	January 2026
	Next review date:	2027
<b>Implemented</b>	January 2026	

## PURPOSE

1. Yachting New Zealand (YNZ) is committed to having a clear, transparent and accessible process for people to make a Complaint. This includes ensuring that everyone connected with YNZ (including staff, volunteers, contractors, members of YNZ Member Clubs, parents, children and young people, and adults at risk) knows how and when to report issues.
2. It ensures that all Complaints are handled respectfully, efficiently, and in line with the principles of natural justice and promotes early and informal resolution wherever possible.
3. Where a matter falls within the scope of this Complaints Policy, the procedures set out in this Policy take precedence over the dispute resolution process described in clause 20 of the Constitution.

## DEFINITIONS AND INTERPRETATION

For the purposes of this Complaints Policy, the following terms have the meanings set out below. Capitalised terms used throughout this Policy should be interpreted in accordance with this section unless the context clearly requires otherwise.

**"Board"** means the Board of Directors of YNZ.

**"Complainant"** means the person or entity who makes a Complaint under this Policy, whether on their own behalf or on behalf of another person.

**"Complaint"** means any expression of dissatisfaction, concern, or allegation made in accordance with this Policy regarding conduct, behaviour, decisions, or actions that are alleged to breach a YNZ Policy, YNZ Regulation, or otherwise give rise to concern.

**"Complaints Officer"** means the person appointed by YNZ to receive, assess, manage and coordinate the resolution of Complaints under this Policy, including any person appointed to act in that role where a conflict of interest or other circumstance prevents the primary Complaints Officer from acting.

**"Confidential Information"** means any personal information, sensitive information, or other material provided or created in connection with a Complaint that is subject to privacy or confidentiality obligations under this Policy, the Privacy Act 2020, or any other applicable law.

**"Investigation"** means the formal process undertaken or coordinated by the Complaints Officer for gathering information, interviewing relevant persons, reviewing materials, and establishing findings of fact in relation to a Complaint.

**"Mediation"** means mediation or another appropriate form of dispute resolution as referred to in paragraph 14.

**"Member Club"** means any club that is a member of YNZ in accordance with the YNZ Constitution.

**"Ombudsman"** means the independent person appointed by YNZ to make a determination on a Complaint in accordance with this Policy once the investigation stage is completed.

**"Parties"** means, collectively, the Complainant, the Respondent, and any other person directly involved in the Complaint process as determined by the Complaints Officer.

**"Policy"** means any policy, guideline, framework, position statement or other formally adopted governance or operational document issued or approved by YNZ from time to time, whether published as a standalone document or forming part of YNZ's wider policy framework, and includes any amendments or updates.

**"Regulation"** means any rule, regulation, code, standard or requirement issued or approved by YNZ from time to time, including any amendments or updates.

**"Respondent"** means the person or entity about whom a Complaint is made.

**"Sport Integrity Commission"** or **"the Commission"** means the entity established to oversee integrity matters within the sport and recreation sector in New Zealand, including receiving and investigating complaints.

**"Working Day"** means any day that is not a Saturday, Sunday, or public holiday in New Zealand.

**"YNZ"** means Yachting New Zealand, the national sporting organisation for yachting in New Zealand.

If any term used in this Policy is not defined in this section, it should be interpreted consistently with its ordinary meaning, relevant YNZ Policies or Regulations, and principles of fairness.

## SCOPE

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1. YNZ shall be responsible for resolving the following Complaints:
  - 1.1. Where the Complaint relates to a breach of a YNZ Policy or YNZ Regulation.
  - 1.2. Where a party to a Complaint is an athlete who is a national representative, or a support person of a national representative (whether or not the allegations set out in the Complaint occurred while they were acting in that capacity or otherwise), as long as paragraphs 5.2 and 5.3 do not apply.
  - 1.3. Where a party to a Complaint is a YNZ employee, contractor or official.
  - 1.4. Where a party to a Complaint is a participant in a competition held by or under the auspices of YNZ, as long as paragraph 5.2 does not apply.
2. YNZ shall not be responsible for resolving the following Complaints:

- 2.1. Complaints about or arising out of the operation of YNZ Member Clubs and acts by or incidents involving the members of YNZ Member Clubs. These shall be resolved by the applicable YNZ Member Club(s), along with any other Complaints that are within the ambit of the dispute resolution clause in the applicable YNZ Member Club's constitution.
- 2.2. Protests and disputes arising in competition.
- 2.3. Disputes about selection or otherwise to represent New Zealand in competitions.
- 2.4. Anti-doping violations, match fixing, betting, and corruption.
- 2.5. Other integrity violations.

## PRINCIPLES

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3. YNZ's Complaints process is:
  - 3.1. Supportive, prioritising wellbeing and respectful engagement.
  - 3.2. Confidential, handled discreetly and shared only with those directly involved.
  - 3.3. Fair, guided by natural justice and procedural fairness.
  - 3.4. Values-based, aligned with YNZ's values of integrity, respect, and care.
  - 3.5. Accessible, easy to use and responsive to all parties involved. YNZ will ensure that its systems for managing Complaints are easily understood and accessible to everyone, including children, young people, and adults at risk, and this policy will be published on the YNZ website along with an easy-to-understand Complaints process guide. YNZ members will be reminded of the policy's existence through its usual communication channels.

## MAKING A COMPLAINT

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4. Complaints should be made in writing to the Complaints Officer or to any member of YNZ's senior leadership team or Board via email or post (contact details appear in Appendix 1), and if possible, utilise the YNZ Complaints Form (also see Appendix 1). However, Complaints can be made via telephone if that is the Complainant's preference.
5. The Complaint should include as much detail as possible, including:
  - 5.1. the nature of the Complaint and when it occurred;
  - 5.2. who was involved;
  - 5.3. any supporting documents or evidence; and
  - 5.4. the outcome sought by the Complainant.
6. Anonymous Complaints may be considered at the Complaints Officer's discretion. It is noted that such Complaints can be challenging to investigate and resolve, and may conflict with the principles of natural justice.
7. Complaints may be submitted directly to the Sport Integrity Commission (without involving YNZ) via its website.
8. Any person who makes a Complaint in good faith, in accordance with this policy or directly to the Sport Integrity Commission, will not be subject to dismissal, demotion,

harassment or any other form of retaliatory action because of or by virtue of making a Complaint.

## INITIAL ASSESSMENT BY THE COMPLAINTS OFFICER

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9. The Complaints Officer will:
  - 9.1. Acknowledge receipt of the Complaint within five (5) working days.
  - 9.2. Determine whether the Complaint falls within the scope of this policy and, if it does, whether it should be progressed and the urgency and/or seriousness of the issues raised. A Complaint may be referred, escalated or dealt with urgently if it:
    - 9.3. concerns an immediate risk to safety or security;
    - 9.4. is an issue of serious concern and needs to be reported to the Commission; and/or
    - 9.5. involves actual or suspected criminal behaviour and should be reported to the police or another organisation.
  - 9.6. Consult with and inform the Complainant if the Complaints Officer considers that the Complaint should be referred to the Sport Integrity Commission, the police and/or another organisation.
  - 9.7. Consult with the Complainant to better understand how to meet their needs, the outcome they would like and the process they would like to follow as identified in this policy.
  - 9.8. The Complaints Officer may choose not to progress the Complaint if:
    - 9.9. It is trivial, vexatious, or malicious.
    - 9.10. It lacks sufficient information to enable a fair assessment.
    - 9.11. It has already been investigated or resolved.
    - 9.12. It relates to matters more appropriately handled under another YNZ Policy.
    - 9.13. The person making the Complaint has an insignificant interest in the matter.
    - 9.14. It is outside the reasonable timeframe for complaining.
  - 9.15. If paragraph 13 applies, the Complaints Officer will advise the Complainant of their decision and the reasons why the Complaint is not progressed.

## INFORMAL RESOLUTION

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12. Ordinarily (but only if appropriate), the Complaints Officer will support the parties to resolve the issue informally. This may include:
  - 12.1. clarifying misunderstandings between the parties;
  - 12.2. facilitating a discussion or meeting between the Complainant and Respondent;
  - 12.3. suggesting an apology or other mutually agreed outcome; and/or
  - 12.4. providing guidance or education to prevent future issues.
13. If informal resolution is successful, the matter will be considered closed, and a brief written summary will be retained on file.

## MEDIATION OR OTHER DISPUTE RESOLUTION

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14. If the Complaint cannot be resolved informally, the Complaints Officer may recommend mediation or another appropriate form of dispute resolution (“Mediation”).
15. Mediation will be conducted by an independent and suitably qualified mediator (or dispute resolution expert) appointed by the Complaints Officer.
16. If Mediation is successful, a written agreement may be recorded.
17. If Mediation fails or is deemed inappropriate, the Complaint will proceed to investigation.

## INVESTIGATION

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18. If informal, mediated, or other dispute resolution does not resolve the matter, the Complaints Officer may investigate the Complaint.
19. The investigation may include:
  - 19.1. interviewing relevant parties and witnesses; and
  - 19.2. reviewing documents, records, or correspondence.
20. At the conclusion of the investigation, the Complaints Officer will prepare a written report summarising:
  - 20.1. the Complaint;
  - 20.2. the evidence gathered; and
  - 20.3. the findings of fact.
21. The report shall be provided to the Complainant and the Respondent. Both parties shall have 14 days to provide written feedback on the content and findings of the report, with such feedback to be annexed to the report.
22. Both parties have the right to be heard before the Complaint is determined. The parties must be taken to have been given that right if they have had a reasonable opportunity to be heard in writing or in person during the information gathering process conducted pursuant to paragraph 22.

## DETERMINATION BY OMBUDSMAN

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23. If the Complaint remains unresolved after investigation and the Complainant seeks a determination of the Complaint, the Complaints Officer’s report will be referred to an independent and impartial Ombudsman appointed by YNZ.
24. The Ombudsman shall consider the report prepared by the Complaints Officer and any statements made by the parties as referred to in paragraphs 22 and 24, and may:
  - 24.1. request additional information or hold a hearing;
  - 24.2. determine whether the Complaint is upheld, partly upheld, or dismissed; and
  - 24.3. recommend actions or sanctions where appropriate in accordance with paragraph 23.

25. The Ombudsman's decision will be final within YNZ's internal processes.

## OUTCOMES AND FOLLOW-UP

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26. Possible outcomes of the Ombudsman's determination may include:

- 26.1. no further action;
- 26.2. an apology or corrective action;
- 26.3. training or coaching;
- 26.4. disciplinary action consistent with YNZ policies; and/or
- 26.5. process improvement recommendations for YNZ.

27. The Complaints Officer will ensure that any follow-up actions are implemented and recorded.

## RECORD KEEPING AND CONFIDENTIALITY

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28. All records will be collected and stored by YNZ securely and confidentially in accordance with the Privacy Act 2020 and the Yachting New Zealand Privacy and Confidentiality Policy.

29. Personal and confidential information will only be disclosed or used by YNZ as required or permitted under the relevant privacy laws and any relevant confidentiality obligations and the precepts of natural justice.

30. As far as reasonably practicable, YNZ will seek permission from the Complainant before disclosing personal or confidential information provided by or on behalf of a Complainant.

31. YNZ confirms that anyone who provides personal information to it in connection with any Complaint will be advised about:

- 31.1. the purpose of collecting the personal information;
- 31.2. what it will be used for;
- 31.3. how it will be stored;
- 31.4. how long it will be kept; and
- 31.5. whether the information will be shared or disclosed.

32. All matters relating to a Complaint will be recorded in writing and held by YNZ on file securely and confidentially. This includes:

- 32.1. Details about the Complaint including the issues raised.
- 32.2. Contact information of the person making the Complaint and any other parties involved.
- 32.3. Notes of any meetings or conversations related to the Complaint.
- 32.4. Relevant documents and information about the Complaint including any relevant minutes.
- 32.5. Details of any action or decision or outcome relating to the Complaint.

33. YNZ will maintain a record of Complaints for the purposes of:

- 33.1. providing updates and responding to requests for information by the complainant and parties;
- 33.2. supporting any further action in relation to the Complaint such as disciplinary action;
- 33.3. meeting any obligations YNZ may have in relation to the Sport Integrity Commission or under any legislation;
- 33.4. identifying trends and patterns in YNZ related to integrity; and
- 33.5. improving YNZ's processes for addressing Complaints in relation to threats to integrity, including the fairness, timeliness and effectiveness of this policy.

## ROLE OF THE SPORT INTEGRITY COMMISSION

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- 34. Anyone may also make a Complaint directly to the Sport Integrity Commission (the Commission) relating to YNZ or its members and a Complainant is not required to first submit a Complaint to YNZ.
- 35. YNZ recognises that the Sport Integrity Commission may assume responsibility for investigating or resolving Complaints that are referred directly to the Commission and which fall with the Commission's jurisdiction.
- 36. Where a Complaint has been made to both YNZ and the Commission, YNZ will consult with the Commission and the Complainant to determine the most appropriate process.

## REVIEW OF THE POLICY

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- 37. This policy will be reviewed every two years or sooner if required to ensure it remains current and effective.

VERSION: January 2026

## APPENDIX 1

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Complaints Officer		<a href="mailto:complaints@yachtingnz.org.nz">complaints@yachtingnz.org.nz</a>
Chief Executive	Steve Armitage	<a href="mailto:steve@yachtingnz.org.nz">steve@yachtingnz.org.nz</a> (09) 361 1471
General Manager: Community and Development	Raynor Haagh	<a href="mailto:raynor@yachtingnz.org.nz">raynor@yachtingnz.org.nz</a> (09) 361 4021
Finance Manager	Dave Smith	<a href="mailto:finance@yachtingnz.org.nz">finance@yachtingnz.org.nz</a> (09) 361 4026
Board Chair	Greg Knowles	<a href="mailto:knowlesgreg63@gmail.com">knowlesgreg63@gmail.com</a>