

## **How to comply with Minimum Standard 3: Implement an effective and fair dispute resolution process in relation to threats to integrity**

This guide supports the Code of Integrity for Sport and Recreation (the Integrity Code). It explains how to comply with minimum standard 3: Implement an effective and fair dispute resolution process in relation to threats to integrity.

To meet minimum standard 3, you must have implemented the following requirements within 12 months of adopting the Integrity Code:

- have a fair and effective complaints and dispute resolution process
- keep records and manage personal information appropriately
- recognise the role of the Commission and the Sports Tribunal
- sanction participants who breach the Integrity Code.

You must have a policy or policies that specify these requirements. To do this you can either:

- use the Commission's policy templates
- amend your existing policies or
- create a new one.

Whichever you choose, your policy must meet the requirements as highlighted in the policy templates below.

- **Complaints and dispute resolution policy template (DOCX 125KB)**
- **Privacy policy template (DOCX 89.3KB)**
- **Mandatory notification policy template (DOCX 92.9KB)**
- **Disciplinary policy template (DOCX 94.9KB)**

**To meet minimum standard 3, you must:**

## **Have and implement a fair and effective complaints and dispute resolution process**

**Your policy must:**

- describe how people can make a disclosure or complaint, and how it will be handled by your organisation
- be consistent with the principles of natural justice, including:
  - providing the right for affected people to be heard before a complaint is resolved
  - requiring the decision-maker to be impartial
- take into account the needs of any children, young people and adults at risk that are involved or affected by a complaint or disclosure
- require that the people involved are consulted to understand how to meet their needs, the outcome they would like, and the process they would like to follow
- require that, as soon as reasonably practicable after receiving a complaint or disclosure, or becoming aware of a threat to integrity, your organisation will take steps to resolve the issue.

**Complaints and dispute resolution policy template (DOCX 125KB)**

**Your organisation must:**

- make the complaints and dispute resolution policy available (eg, by publishing it on your website or member portal) and let your members know where to find it
- let your members know they have the right to make a complaint or disclosure to your organisation or the Commission without fear of retaliation, and regularly remind them of this
- appoint a person(s) that is responsible for receiving integrity complaints (eg, a complaints officer)
- make sure your complaints process is timely, accessible and fair
- regularly review and update your policy to ensure it's fit for purpose and complies with the Integrity Code.

### **Your complaints officer (or equivalent) must:**

- be easily contacted and have their contact details displayed
- provide information and guidance about your policy and processes to members and participants, including to support people to make a complaint or participate in a resolution process
- receive complaints and respond as soon as possible
- provide regular updates to people involved about progress of their complaint
- escalate serious and complex issues quickly and appropriately (eg, to the chief executive, the board or the Commission).

### **Keep records and manage personal information appropriately**

#### **Your policy must specify:**

- that your organisation must keep records of complaints or disclosures it receives
- specify the information and details that should be recorded about the complaint or disclosure
- require that it be stored securely and confidentially
- require that personal information collected or held by your organisation is managed in accordance with the Privacy Act 2020.

**Privacy policy template (DOCX 89.3KB)**

**Privacy Act 2020 – [legislation.govt.nz](https://legislation.govt.nz)**

### **Your organisation must:**

- let people know about your privacy policy when they are making a complaint (eg, on your complaint form)
- let people know if you are going to share their personal information with anyone and why (eg, someone else involved in the complaint or with the Commission)
- maintain a complaints register or file that includes accurate information about all complaints or disclosures received
- keep information about complaints and disclosures secure and confidential
- report regularly to your board or senior leaders on how your complaints process is working.

## Recognise the role of the Commission and the Sports Tribunal

### Your policy must specify:

- that a person can make a complaint to the Commission (even if they haven't raised the complaint with your organisation first)
- that the Commission can assume responsibility for dealing with a complaint in whole or in part
- that a decision of your disciplinary body can be appealed to the Sports Tribunal of New Zealand.

### Mandatory notification policy template (DOCX 92.9KB)

#### Your organisation must:

- liaise with the Commission on complaints or disclosures that involve your organisation or members
- cooperate with the Commission if it decides to assume responsibility for dealing with all or part of a matter
- let people going through your disciplinary process know about their appeal rights.

## Sanction participants who breach the Integrity Code

### Your policy must specify:

- that participants who have engaged or attempted to engage in a prohibited behaviour or other breach of the Integrity Code may be sanctioned
- that the sanctions in Part 4 of the Integrity Code can be imposed
- that the test for whether a person has breached the Integrity Code is 'on the balance of probabilities'
- a fair and effective disciplinary process for determining whether the Integrity Code has been breached and what sanctions should be imposed

### Disciplinary policy template (DOCX 94.9KB)

#### Your organisation must:

- make the disciplinary policy available (eg, by publishing it on your website or member portal) and let your members know where to find it
- have a fair and effective disciplinary process for determining whether the Integrity Code has been breached and what sanctions should be imposed
- enforce the sanction determined by the Commission's disciplinary panel, unless the sanction is successfully appealed.

You can find policies and guides at [sportintegrity.nz/resources](https://sportintegrity.nz/resources)

### Contact us

**Email:** [info@sportintegrity.nz](mailto:info@sportintegrity.nz)

**Phone:** 0800 378 437

**Website:** [sportintegrity.nz](https://sportintegrity.nz)