

N . Z . F . R . S

DISCIPLINE PROCEDURE

PURPOSE:

To ensure a clear process for Disciplinary Action is available to all persons involved with New Zealand Federation Of Roller Sports (Inc)

OBJECTIVES:

To provide effective guidelines for disciplinary actions to be taken by the Board.

PROCEDURES:

1. The New Zealand Federation of Roller Sports (Inc) will appoint a Disciplinary Committee consisting of three senior people.

Their duties will be:
 - 1
 - receive formal complaint;
 - ensure that these complaints are investigated promptly, appropriately and fairly;
 - monitor the overall incidence of complaints and advise the New Zealand Federation of Roller Sports (Inc) accordingly.
2. Upon receipt of a formal written complaint the Disciplinary Committee will advise the respondent of the complaint and advise a meeting date giving the respondent at least 21 days following receipt of notification.
3. Both the complainant and the respondent are entitled to have a support person or advisor and witness(es) with them during this process. Complainant, respondent and witness will be advised of the necessity for confidentiality and the consequences of breaches.
4. The respondent will be interviewed again at the completion of all other interviews to give him or her the opportunity to respond to the information collected by the Disciplinary Committee.
5. The Disciplinary Committee will then prepare a factual report. This will be based on civil law standard which is 'on balance of probabilities' **not** the criminal law standard of 'beyond reasonable doubt'. The report will include:
 - the basis of the complaint;
 - the response of the respondent to the allegation(s);
 - a summary of any information provided by witnesses;
 - any reasons why one person's evidence is preferred over another's; and
 - the details of the investigation;
 - any recommendations of resolution of the complaint; and
 - when appropriate, any recommendations to the organisation about how to prevent this type of thing happening again.

Rights of the respondent

1. The respondent must be given the opportunity to :

N . Z . F . R . S DISCIPLINE PROCEDURE

- understand the principles of natural justice (an unbiased investigation/hearing where both sides have the right to be heard, but the respondent has the right to have the final say in response to the evidence);
- know what the complaint is about; who it is made by; who other accusers may be;
- respond to the complaint and have their account heard;
- have time to respond; and
- have support to respond.

Decision making

1. The Disciplinary Committee will forward all findings to the Board of the New Zealand Federation and within 21 days from receipt will
 - consider the report;
 - provide both the complainant and the respondent with the opportunity to respond to it and comment on what they feel is appropriate action.
 - determine if and what disciplinary sanctions are appropriate;
 - determine if and what remedies are appropriate for the complainant; and
 - determine if any changes are needed to the organisation's policy and procedures or to the way the policy and procedures are put into practice.

Possible disciplinary sanctions :

1. These may include :
 - a verbal or written apology;
 - a letter of reprimand;
 - a fine or levy;
 - referral to counselling;
 - removal of certain privileges of membership or employment;
 - a change in role or duties;
 - exclusion from teams travelling overseas;
 - temporary suspension with or without pay;
 - expulsion from membership;
 - termination of employment or contract;
 - any other measures that the disciplinary committee determines are appropriate; or
 - a combination of any of the above.

Record keeping

1. Organisations need to keep a confidential record of formal complaints that have been upheld. This record should include a record of the investigation, the decision of the disciplinary committee and what action was taken. Care should be taken to ensure records are maintained in accordance with the Privacy Act

N . Z . F . R . S

DISCIPLINE PROCEDURE

Appeals

1. Any person who following a report from the Disciplinary Committee is disciplined by the Board under this policy and who receives any one or more of the following penalties: an expulsion, a suspension, a fine of \$500 or more, exclusion from a team travelling overseas or termination of contract, has a right of appeal to the Sports Disputes Tribunal of New Zealand as set out in By Law 9.01.09. Any appeal in respect of an employment matter must however be dealt with by such body and in accordance with such process as may be required by any applicable legislation at the time.

APPROVED : 18 JULY 1999

AMENDED : 4 July 2004

APPROVED WITH AMENDMENTS: 25 JULY 2010