



Multiples Counties Manukau Disputes and Grievances Policy as at 21st June 2021

Purpose:

The Constitution sets out overarching rules governing dispute resolution. To the extent that there is any inconsistency between the Constitution and this policy, the Constitution shall prevail. This policy sets out the detailed process for handling disputes and grievances.

Multiples Counties Manukau (hereafter MCM) recognises the importance of having a fair policy and process for situations where complaints cannot be resolved between the parties themselves. These procedures relate to any complaints that are made against the Club or the people working for any such entity. The process outlined below is intended to assist with the fair, efficient and timely resolution of disputes that:

- a) Arise between persons who are Members (as outlined in clause 4 of the MCM Constitution) or organisations with a formal partnership with MCM; and*
- b) Involve an activity or responsibility of MCM; and*
- c) The Officers consider that is of such importance or is causing such a level of disruption to the membership, activities or reputation of MCM that it must be addressed.*

Subcommittee:

A Disputes and Grievances Subcommittee will be set up for the express purpose of handling any complaint. The subcommittee shall consist of the MCM President (or Vice or Co-President if the President is the subject of the complaint) and two other members of the Committee. The subcommittee will meet in person or alternatively by Skype or phone conference.

Process:

The following process will be exercised in a way that endeavours to ensure any person/organisation complaining has the opportunity to be heard and treated fairly. The complaint will remain confidential to the parties involved. You may have rights under the Privacy Act 2020 in relation to personal information MCM collects about you in the process of resolving your dispute. Please see <https://www.privacy.org.nz/> or contact us for further information about this if you have concerns.

The process is to be worked through step by step. The process can be ended at the completion of any step, so long as both parties are satisfied. At any point of intervention, all parties have the right to have an advocate and/or whānau/family support present. The subcommittee may extend the time for taking any step if it considers there are reasonable grounds for doing so.

Step 1 The complainant is to approach the person/organisation directly about the problem in the first instance.

Step 2 If the complainant is not satisfied, she/he is to provide a written description of the dispute or grievance to the President of MCM (or the Vice President in her/his absence or if the President is the subject of the complaint). The complaint is to be submitted on the official form (see Appendix). This written grievance is a private document and will be seen only by the MCM Committee, an independent mediator (where required) and the person/organisation the complaint is directed at. The MCM President will notify the person/organisation making the complaint that the complaint has been received.

Step 3 The subcommittee will read and discuss the complaint within 21 days and make a recommendation on a course of action.

Step 4 The person/organisation that the complaint is about will be notified of the complaint and given an opportunity to read the written complaint. The complaint recipient will be allowed 10 days to provide any written reply and to respond to the subcommittee advising whether the suggested course of action is acceptable or to suggest an alternative course of action.

Step 5 The agreed or suggested course of action will be communicated to the complainant and implemented within 21 days.

If the subcommittee is unable to resolve the complaint at this stage or the complainant is not happy with the suggested course of action, it moves to Step 6.

Step 6 The subcommittee will engage an independent internal mediator (e.g. Life Member or Multiples NZ Executive member) appointed by the subcommittee to hear from the person/organisation making the complaint and the person/organisation the complaint is against. A meeting will take place in person where possible, or alternatively by Skype or phone conference, and will happen within two weeks of being notified that the complaint is still not resolved. The person/organisation making the complaint will be able to choose from two dates for the meeting.

If mediation is not successful, the complaint moves to Step 7.

Step 7 The subcommittee will meet with both parties together with an external independent mediator appointed by the subcommittee as facilitator, within two weeks of the previous meeting. The meeting will take place in person where possible, or alternatively by Skype or phone conference. From this meeting the subcommittee members will make a final decision and direct any final action to take place. The person/organisation making the complaint will be able to choose from two dates for the meeting.

Step 8 The subcommittee will report its final decision to the MCM Committee, the person/organisation making the complaint and the complaint recipient, within one week of the previous meeting. If the complainant or recipient does not accept the final decision it may seek assistance via other channels including the Disputes Tribunal, Citizens Advice Bureau, Community Law Centre or Office of the Privacy Commissioner.



Appendix: Multiples Counties Manukau Complaint Form

The following form is to be used for lodging any official complaint to Multiples Counties Manukau under the Disputes and Grievances Policy.

Details of person submitting the complaint

Name:

Club (or organisation):

Address:

Email:

Contact phone number(s):

Person/club who the complaint is about

Name:

Position:

Club:

Address:

Email:

Contact phone number(s):

Details of the complaint:

Please summarise what has happened including date(s) – if necessary attach any documentation to support the complaint (e.g. copies of emails/letters, etc)

Resolution sought:

Briefly outline what would you like to happen for your complaint to be resolved

Signed:

Date (of submitting complaint):

8. ALTERATION OF RULES

- 8.1. No addition to or alteration or recession of the rules shall be approved if it affects the non-profit aims, personal benefit clause or the winding up clause (dissolution).

9. DISSOLUTION

- 9.1. The MCM may be wound up by a resolution passed at a meeting of MCM, and confirmed at a meeting of MCM, and then confirmed at a second meeting of the MCM, to be held no sooner than 21 days after the meeting at which the first resolution was passed.
- 9.2. On the passing of such a resolution and after all the expenses of MCM have been met, all remaining funds and assets (if any) shall not be paid or distributed to members of the organisation, but shall be handed to such an organisation or organisations as having similar objectives to MCM within New Zealand.

10. COMMON SEAL

- 10.1. The Committee shall provide a common seal for MCM and may from time to time replace it with a new one. The President shall have custody of the common seal, which shall only be used by the authority of the Committee. Every document to which the common seal is affixed shall be signed by the President and countersigned by the Secretary or a member of the Committee.

11. DISPUTE RESOLUTION

- 11.1. MCM has a Disputes and Grievances Policy for dealing with complaints that are made against it, Committee Members and for internal disputes. The process outlined in the policy will assist with the fair, efficient and timely resolution of disputes that:
- Arise between persons who are Members (as outlined in Clause 4 and the Membership Policy) or organisations with a formal partnership with MCM; and
 - Involve an important activity or responsibility of MCM; and
 - The Committee considers that is of such importance or is causing such a level of disruption to the membership, activities or reputation of MCM that it must be addressed.

Dated: 27/06/2021

Signed: *A Taylor-Wade*
Alison Taylor-Wade
President.

Simon Taylor
Equipment Officer.

