DNZ Complaints and Dispute Policy

Making a complaint

1. Diving New Zealand is committed to having a clear, transparent and accessible process for people to make a complaint or disclosure. This includes ensuring that everyone (including staff, volunteers, contractors, members, parents, children and young people, and adults at risk) connected with Diving New Zealand knows how and when to report issues.

2. Complaints or disclosures can be made in relation to any significant matters that arise in connection with Diving New Zealand or sport of diving matters that we are responsible for or oversee. This can include actions or decisions of Diving New Zealand members or officials, processes not being managed well (or at all), disagreements between our members, unprofessional or upsetting behaviour, or delays or failure to communicate about matters affecting a person.

3. It also covers prohibited behaviours that represent a threat to integrity within Diving New Zealand or the sport of diving

Role of the Sport Integrity Commission

1. Anyone can also make a complaint or disclosure directly to the Commission about a prohibited behaviour or any other matter covered by the Integrity Code that relates to Diving New Zealand or the sport of diving matters that we are responsible for.

2. A person making a complaint or disclosure to the Commission is not required to have made the complaint or disclosure to Diving New Zealand first.

3. A complaint or disclosure made to the Commission includes a matter reported to the Commission under Diving New Zealand's mandatory notification policy. Diving New Zealand may also decide to refer a complaint or disclosure to the Commission that does not constitute an issue of serious concern.

4. Diving New Zealand expressly recognises that the Commission may assume responsibility for dealing with the matter in whole or in part, including through an investigation or disciplinary process.

5. The Commission will handle complaints or disclosures it receives in accordance with Part 3 of the Integrity Code. This includes:

a. conducting an initial assessment to decide on the action it considers appropriate in the circumstances

b. informing the relevant organisation and participants it has received a complaint or disclosure unless it is considered inappropriate or not reasonably practicable in the circumstances for this to occur.

Where a complaint has been made to both Diving New Zealand and the Commission, Diving New Zealand will engage with the Commission and the complainant to discuss the most appropriate way of addressing the issue that has been raised.

Responding to complaints or disclosures

1. As soon as reasonably practicable after receiving a complaint or disclosure, or otherwise becoming aware of a prohibited behaviour, Diving New Zealand will take steps to resolve the matter.

2. Diving New Zealand will encourage complaints to be resolved informally and at the earliest opportunity if it is appropriate to do so.

3. Diving New Zealand will consult the parties to a complaint or disclosure on the outcome(s) they are seeking and their preferences for dealing with the matter. This includes seeking and taking into account their views on:

a. what steps should be taken to resolve the matter

b. the extent to which they want to participate in any complaint process and how this can be supported or facilitated

c. what support or accommodation they need to support their participation in a complaint process (see ‘Responsive to the needs of parties’ below)

d. what necessary and reasonably practicable steps Diving New Zealand can take to safeguard a complainant, including to mitigate the risks of retaliation or victimisation.

2. Diving New Zealand may take steps to resolve the matter in accordance with this policy, including through:

a. consent-based dispute resolution including facilitation, mediation, or restorative practice; or

b. an investigation and disciplinary process or

c. a decision not to investigate further

Responsive to the needs of parties

3. As far as reasonably practicable, we will be responsive to the needs of the parties involved in a complaint or disclosure. This may include, but is not limited to:

a. consulting with those involved in the process about their needs and preferences in addressing the matter

b. adapting the process to support the equitable participation of all parties

c. taking steps to accommodate and respond to the needs of participants

d. using culturally responsive resolution processes

e. supporting the involvement of support people, family, whānau and intermediaries.

Disciplinary action

4. A breach of the Integrity Code or Diving New Zealand's policies giving effect to the Integrity Code may lead to sanctions being imposed on a participant.

5. Sanctions may be imposed in accordance with Part 4 of the Integrity Code and Diving New Zealand's disciplinary policy.

Appeal rights

6. Any decision made by Diving New Zealand's disciplinary body may be appealed to the Sports Tribunal of New Zealand in accordance with section 38(ac) of the Sports Tribunal Act 2006.

Privacy and confidentiality

7. Personal information collected or held by Diving New Zealand, including in relation to any integrity complaint or disclosure, must be managed in accordance with the Privacy Act 2020 and with Diving New Zealand's privacy policy.

8. Personal and confidential information will only be disclosed or used by us as required or permitted under the relevant privacy laws and any relevant confidentiality obligations.

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

10. Diving New Zealand confirms that anyone who provides personal information to it in connection with any Integrity Code obligations or activities will be advised about:

a. the purpose of collecting the personal information

b. what it will be used for

c. how it will be stored

d. how long it will be kept for

e. whether the information will be shared or disclosed.

Fairness, impartiality and conflicts of interest

11. Diving New Zealand will address each complaint equitably, objectively and impartially.

12. If a complaint is about Diving New Zealand or a person employed or acting on behalf of Diving New Zealand, we will ensure that the person handling the complaint is different from any person who is involved in the complaint.

13. Conflicts of interest, whether actual or perceived, will be managed responsibly. In particular, reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

Natural justice

Diving New Zealand and any person acting on behalf of Diving New Zealand must give effect to this policy in a way that is consistent with the principles of

1. Natural justice. This includes ensuring affected parties are given the opportunity to be heard in relation to any matter which affects that person's rights, obligations or interests protected or recognised by law and decision makers are unbiased.

2. The right to be heard before a complaint is resolved or any outcome is determined will be taken to have been given if:

a. the respondent is fairly advised of all allegations concerning the respondent, with sufficient details and time given to enable the respondent to prepare a response

b. the complainant and respondent have had a reasonable opportunity to be heard in writing or at an oral hearing (if one is held)

c. an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing

d. an oral hearing (if any) is held before the decision maker

e. the written statements or submissions of the complainant and the respondent (if any) are considered by the decision maker.

3. A decision maker must be impartial and able to consider the matter without a predetermined view.

4. If Diving New Zealand or any party to the complaint has serious concerns about the ability of the matter to be decided fairly and in accordance with the principles of natural justice and raises such concerns with us, we will assess whether the matter is more appropriately dealt with by referral to the Commission for assessment (see Role of the Sport Integrity Commission section).

Issues of serious concern

5. If, at any time, Diving New Zealand considers that a complaint or disclosure it is dealing with under this policy may constitute an issue of serious concern, it must report the matter in accordance with our mandatory notification policy.

6. Diving New Zealand may notify any other person, body or public sector agency (eg, New Zealand Police or a professional regulatory body) if it is:

a. permitted under the Privacy Act 2020 (eg, because a person consents to their information being shared or it is necessary to prevent or lessen a serious threat to public health or public safety)

b. required to do so under law or by another legal obligation.

Recording keeping

7. All matters relating to a complaint or a disclosure will be recorded in writing and held on file securely and confidentially. This includes:

a. details about the complaint or disclosure including the issues raised

b. contact information of the person making the complaint or disclosure and any other parties involved

c. notes of any meetings or conversations related to the complaint or disclosure

d. relevant documents and information about the complaint or disclosure including any relevant minutes

e. details of any action or decision or outcome relating to the complaint or disclosure.

8. Diving New Zealand will maintain a record of complaints and disclosures for the purposes of:

a. providing updates and responding to requests for information by the complainant or person making a disclosure and parties

b. supporting any further action in relation to the complaint such as disciplinary action, appeals or reviews

c. meeting our obligations under the Integrity Code including to notify the Commission of issues of serious concern and to provide information to the Commission to assess compliance with the minimum standards under the Integrity Code

d. identifying trends and patterns in Diving New Zealand related to integrity

e. improving our processes for addressing complaints or disclosures in relation to threats to integrity, including the fairness, timeliness and effectiveness of this policy.

9. Our record keeping will comply with our privacy policy.

DOCUMENT MANAGEMENT AND CONTROL
Approved by Board of Diving New Zealand
Date approved:18th January 2026
Links updated 2nd February 2026
Uploaded to website 2nd February 2026
Review date: 18th January 2028