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# New Zealand Football Terms of Reference for Review

6 July 2018

## Purpose

New Zealand Football (**NZF**) has received a number of written complaints which raise allegations about the conduct of NZF people. The Executive Committee of NZF (**ExCo**) wishes these complaints to be considered by an independent Reviewer.

ExCo is committed to ensuring a positive and respectful workplace free of harassment and intimidation so all members of personnel, players, and associated parties can work together with openness, dignity and respect, and consistent with the principles of gender equality. ExCo also attaches the utmost importance to securing the highest levels of integrity and is mindful that the global football environment remains under close scrutiny.

As such, the overriding objectives of this aspect of the Review are to:

- (a) consider and identify lessons that can be learned by ExCo and NZF arising out of the Review; and
- (b) provide any recommendations about the culture of, and behaviours in, NZF going forward.

## Agreed Principles

The Review, whilst commissioned by ExCo, will be completely independent and its conclusions and recommendations will be those of the Reviewer alone.

The Reviewer may access all materials he/she regards as relevant to the Review, and may meet with (either in person or by telephone) any person who may have information relevant to the Review. NZF will provide all assistance necessary to obtain and release requested materials, and more generally to support the Review.

If any new or further relevant complaints are received during the period of this Review, then they will be considered by the Review. If it is found that such former employees of NZF have, upon their termination of employment, been required to sign confidentiality agreements prohibiting them from discussing certain matters, then on behalf of NZF, ExCo will offer to the former employee the ability to waive those confidentiality provisions solely for the purposes of allowing any such former employee to participate in the Review.

Further, any person who may aspire to be employed, or selected, by NZF in any future role or team will participate in the Review subject to the assurance that such participation will not be taken into account, or held against them, in any future employment or team selection process (particularly including any Football Ferns' Players).

## **Confidentiality**

Any information provided to the Reviewer in confidence will be kept confidential, so far as the law allows.

The Review will be conducted in a manner consistent with the principles of natural justice, confidentiality, security and information protection.

ExCo will ensure that no person who takes part in the Review will be subjected to retaliation or retaliatory action and will take all necessary measures to ensure the protection of anyone who cooperates, in good faith, with the Reviewer.

As part of this, statements or written complaints will not be provided to any individuals outside of those who are required to sign them as part of this Review.

## **Publication**

The existence of the Review, and these Terms of Reference, will be publicly available on both the NZF and Sport NZ websites - which will also detail how contact may be made with the Reviewer by any person who may wish to proactively contact the Reviewer to provide information to him/her.

The Reviewer will prepare a confidential summary of the findings of the review but, in order to preserve the integrity of the report, only outcomes and recommendations will be disclosed publicly and privacy rights will be protected.

## **The Reviewer's Task**

The identification of the Reviewer will be published (via a dedicated email address – [Reviewer@NZFootballReview.co.nz](mailto:Reviewer@NZFootballReview.co.nz)) to allow individuals to raise concerns or provide input into the Review.

The Reviewer will review all of the formal complaints received concerning the behaviour of NZF people, together with any additional complaints that are laid during the Review.

The Review will include:

- determining whether any facts alleged are substantiated (to the balance of probabilities); and
- assessing whether there have been any:
  - breach/es of the NZF Code of Conduct (**a copy of which is attached**); and/or
  - workplace bullying (as that term is defined in the relevant Worksafe Guidelines, "*Preventing and Responding to Bullying at Work*"); and/or
  - other inappropriate workplace conduct or behaviour.

Irrespective of whether any allegations are substantiated, the Review will also assess:

- whether, and to what extent (if so), NZF knew about any of these allegations; and
- NZF's response to such allegations and behaviours and assess whether such response was adequate and appropriate.

The Reviewer will not make any recommendations about any penalty to be imposed as a consequence of any allegations which are found to be substantiated.

## **Timing**

The Reviewer will begin the Review as soon as possible, with the objective that the report will be completed within two months.

## **Attachment**

New Zealand Football's Code of Conduct