



The Constitution of Unite Union Manatōpū

As amended by the Unite AGM on the 2nd October 2024

1. Name:

- 1.1. The name of the Incorporated Society shall be Unite Union Manatōpū. For the purposes of this constitution referred to as "the Union" or "Unite".

2. Purposes

- 2.1. Unite is a community-based union. The main intention and purpose of the Union is to improve members' lives and those of working people as a whole.

- 2.2. By:

- a) Stopping the exploitation of and discrimination against vulnerable and marginalised workers including tangata whenua, people of colour, people with disabilities, people in the rainbow community, younger and older workers, and women, and to promote and protect those workers' rights and interests; and
- b) Carrying out any policy decided in accordance with this constitution; and
- c) Recruiting and organising workers, including marginal labour, unemployed and beneficiaries; and
- d) Defending and promoting the economic, industrial, political, social and civil rights and interests of working people and their families, including eliminating all forms of discrimination, oppression and inequalities in the workforce; and
- e) Upholding and honouring Te Tiriti o Waitangi, including tino rangatiratanga, in all the activities of the Union; and
- f) Using collective bargaining and Fair Pay Agreements to secure the best possible working conditions for members of the Union and promoting their collective employment interests in the workplace and wider community; and
- g) Informing and educating workers about the history, achievements and role of the Union and the Union movement to encourage and empower them to defend and build on those achievements; and
- h) Assisting and affiliating to any other union, federation, movement or organisation to further the objects of the Union and to improve the working conditions, remuneration and/or welfare of its members or working people as a whole; and
- i) Representing the collective interests of employees covered by an FPA (including a proposed FPA) in relation to any part of any process provided under the Fair Pay Agreement Act, whether or not those employees are union members; and
- j) Prudently investing any surplus funds of the Union to increase the resources available for use as specified in parts (a) to (i) of this section.

- 2.3 The Union does not have the purpose of making a profit for members and may not distribute property in any form to any member.

3. Ordinary Membership:

- 3.1. Ordinary membership of the Union is open to any person who supports the purposes of the Union.
- 3.2. Ordinary members will pay the fees set by the Union.
- 3.3. Applications for membership are to be made on the appropriate form and submitted to the Secretary or their representative and membership, when approved, shall be deemed to have begun from the date of application.
- 3.4. The appropriate form for application shall be one approved by the Unite Executive, which may include forms approved under the Employment Relations Act or its successor which indicate intent to join.
- 3.5. All applicants will receive electronic or written notice when their application has been accepted or declined by the Secretary.
- 3.6. Any applicant who the Secretary has declined membership may appeal the decision to the next Executive who may approve or decline the application by majority vote. The Executive's decision is final.
- 3.7. Any applicant who has previously been declined membership or had their membership terminated shall not become a member unless the Executive approves it by majority vote. The Executive's decision is final.
- 3.8. Members may belong to another union concurrently with their membership of the Union.
- 3.9. The Unite AGM or SGM may confer lifetime membership upon a member nominated by the Executive as deserving of this honour because of their long-serving and exceptional service to the union. Lifetime members will not be required to pay membership fees.

4. Obligations of Members

All members shall promote the purposes of the Union and shall do nothing to bring the Union into disrepute.

5. Resignation and expulsion:

- 5.1. Any member desiring to withdraw from the Union may do so by giving the Secretary two weeks' notice of their intention in writing or electronically and by paying all dues owing up to the expiry date of the notice.
- 5.2. Withdrawal shall not exempt any member from liability in respect of any act or omission while that person was a member.
- 5.3. A union member may have their membership terminated if the Executive considers the member is breaching or has breached the constitution or acting or has acted in a manner inconsistent with the purposes and policies of the Union.
- 5.4. The Executive must give written notice of this to the member. The Executive's notice must:
 - a) Explain how the member is breaching the constitution or acting in a manner inconsistent with the purposes or policies of the Union.
 - b) State what the member must do to remedy the situation and retain their membership and ~~or~~ state that the member may write to the Executive within 14 days, and/or address the Executive verbally giving reasons why their membership should not be terminated.
 - c) State that if, after 14 days of the member receiving the Executive's notice, the Executive is not satisfied by the members response or absence of a response, including any verbal presentation the Executive may in its absolute discretion immediately terminate the member's membership.
 - d) State that if the Executive terminates the member's membership, the Member may appeal to the next AGM.
- 5.5. Any member whose membership is terminated shall have right of appeal, in writing or in person to the next Annual General Meeting and if their appeal is upheld the meeting shall have the power to reinstate the membership. The AGM's decision will be final.
- 5.6. Any costs incurred by a member who has received written notice or has had their membership terminated shall be met by the member themselves.

6. Membership roll:

- 6.1. The registered office of the Union shall hold an up to date roll of the membership including the, employment status, workplace, joining date and collective agreement covering each member. The Secretary shall ensure that the membership roll is updated regularly.
- 6.2. Any member in arrears of 3 months or more in payment of any fee, subscription or levy payable under this constitution may be deemed to have ceased membership.

7. Registered Office:

- 7.1. The Registered Office shall be at such place as the Executive may from time to time decide.

8. Governance:

- 8.1. Subject always to the decision of the members of the Union, made at the Annual General Meeting or of a Special General Meeting, in accordance with this constitution, the Union shall be governed and its funds controlled by an Executive.

9. Annual General Meeting:

- 9.1. The Annual General Meeting ["AGM"] shall be the chief governing body of the Union.
- 9.2. The AGM of the Union shall be held at such times and place(s), in person or electronically, as the Executive shall decide but shall not be within 6 months of the previous AGM.
- 9.3. Members will be given at least six weeks' notice of the date(s) and venue(s) of the AGM
- 9.4. There shall be provision for at least 100 voting representatives at the AGM.
- 9.5. Where the Executive has decided that there will be more than one AGM meeting all remits for consideration by the AGM shall be in the hands of the Secretary two weeks prior to the earliest date of the AGM
- 9.6. Notice of the AGM and notice of the business to be conducted shall be given to financial members in writing either by
 - a) letter, email or other direct electronic communication,
 - b) through publication of the Union,
 - c) or by advertising details of the meeting in the major newspaper servicing the area.
- 9.7. A Special General Meeting ["SGM"] of the Union may be called by the Executive following the same procedure as when calling for an AGM.
- 9.8. One hundred or more members of the Union may, at their own expense, require the Executive to convene a SGM.
- 9.9. A SGM of the Union may only deal with the matters for which it has been called.
- 9.10. The quorum of the AGM or SGM shall be a total of 50 members present at the meeting(s).
- 9.11. Any member of the Union is entitled to attend and speak at the AGM or SGM.
- 9.12. The National Secretary will ensure accurate minutes are taken at any general meeting recording the details of any resolution, decision or vote and of any reports given.

10. Voting at the Annual General Meeting:

- 10.1. All questions at the AGM and SGM shall be decided by a simple majority of 50% plus one of those voting.
- 10.2. Voting will be one vote only for each representative present.
- 10.3. Only representatives who have been elected as worksite or AGM representatives may vote at the AGM.
- 10.4. The Co-presidents and Secretary of the Union will each have one vote.
- 10.5. A majority of those representatives present may demand a secret ballot.

11. Executive Committee (referred to as the "Executive"):

- 11.1. The Executive shall comprise:
 - a) Co-presidents, one of whom shall be a woman.
 - b) Secretary
 - c) Ten members at large
 - d) One representative of each Unite Worker's Note: each Worker's Council shall select its own representative to attend Executive meetings. Representatives must be current members of the union employed in the sector/employer the council represents.

- 11.2. All directly elected members of the Executive shall hold office until they resign, their successors are elected, or they are removed in accordance with clause 14 of this constitution. They shall be eligible for re-election.
- 11.3. Unite employees are not eligible to stand for elected positions on the Unite Executive with the exception of the position of National Secretary.
- 11.4. Worker Council representatives on the Executive shall attend at the direction of each Worker's Council.

11.5. Worker Councils

- a) At each AGM the Executive will propose for approval the number and coverage of Worker's Councils for the next year.
- b) Workers Councils shall meet, electronically or in person, regularly, but at least four times a year.
- c) Each Council may have between five and fifteen delegates as members of the Workers Council
- d) A quorum for a Workers Council meeting shall be the greater of four members or half of the membership of the council.
- e) Any worksite with less than twenty-five union members shall have a maximum of one delegate on a Workers Council unless approved by the National Secretary.
- f) Delegate representation on Worker's Councils should reflect, where practicable, the numerical, geographic, gender and ethnic composition of the overall membership represented by that council.
- g) Where there is a dispute over membership or representation for any Worker's Council the matter shall be referred to the National Secretary for resolution. Any decision by the National Secretary regarding Worker's Council membership or representation may be appealed to the Executive, whose decision shall be final.
- h) If a Workers' Council has not met and achieved quorum in the 3 months preceding an Executive meeting then the Workers' Council Representative may not attend the Executive with voting rights (the Executive may allow their attendance as an observer).

12. Election of the Executive:

- 12.1. The Executive shall be elected at the AGM, with one Co-president and at least five of the at-large Executive members being elected each year,
- 12.2. Where the Executive appoints or co-opts a member to the Executive between AGMs the term shall be only until either an election is called or the next AGM.
- 12.3. A Returning Officer shall be appointed by the Executive.
- 12.4. All directly elected positions shall be elected for a term of two years.
- 12.5. Nominations shall be called in the same way as the calling of the AGM, at least six weeks before the AGM
- 12.6. Nominations for Co-presidents, and Secretary shall close at least two weeks before the AGM (except at an AGM where an alteration to the number, or significant change to the role, of any position is proposed, when nominations for the affected position(s) shall be extended until the day of the AGM elections, after the proposal has been voted on by delegates).Where the Executive decides there will be more than one AGM meeting, nominations for all positions to be elected at the AGM shall be called and close at the same time as the nominations for Co-presidents and Secretary as per clause 12.7.
- 12.7. Where the Executive decides there is to be a single AGM meeting, nominations for other Executive positions to be elected at the AGM shall open at least two weeks before the AGM and close during the AGM.
- 13.8. If an Executive member leaves their employment and does not choose to remain a member of the union, they shall be deemed to have resigned their Executive position.
- 13.9. Should any office or position not be filled or become vacant for any reason, a member may be co-opted by majority vote of the Executive to fill that position. Alternatively, the Executive may fill any vacancy by membership ballot. Any person so appointed or elected shall hold

office until either an election is called by the Executive in accordance with the constitution or the next AGM. The Executive shall in the first instance, consider a member nominated by a Workers' Council that has been established since the previous AGM.

13. Meetings of the Executive

- 13.1. The Executive shall meet as required but no less than every three months. The secretary shall call each meeting and advise all Executive members in writing of its time and place at least one week before the set date, unless at least three Executive members request in writing to the Secretary that an urgent special meeting is required to consider an urgent matter only.
- 13.2. Executive meetings may be held in person or by audio or video conference with agreement of the Co-presidents and Secretary
- 13.3. A Quorum of the Executive is over 50% of the current membership of the Executive (and must include the National Secretary or their designate).
- 13.4. The Executive meetings shall be chaired by a Co-President or National Secretary.
- 13.5. Executive members do not require seconds to propose resolutions or add items to the agenda for Executive meetings.
- 13.6. Executive decisions will be by consensus.
- 13.7. If consensus cannot be reached any Executive member may require a vote, in which case the support of a majority of the Executive members present is required to pass a resolution. The Chairperson has no casting vote.

14. Removal of Officers and Position Holders:

- 14.1. Any Officeholder or member of the Executive not performing their duties in a satisfactory manner or who misappropriates or is reasonably considered to have misappropriated union funds may, at a meeting of the Executive convened for the purpose, be removed from office or position by a two third majority vote of the Executive. The Officeholder or member concerned must be given written notice of the proposed dismissal and given the opportunity to address the Executive before the vote is taken. The amount of notice given to them will be no less than 14 days, depending on the urgency of the situation.
- 14.2. Any Officeholder or member so removed shall have right of appeal to the Annual General Meeting and if their appeal is upheld the meeting shall have the power to reinstate the Officer or member to their position.
- 14.3. An Officeholder or Executive member who, without reasonable apology, consistently fails to attend Executive meetings may be removed by a two third majority vote at the next Executive meeting. The Officeholder or Executive will be given an account of the alleged non-attendance without reasonable apology prior to the meeting.

15. Worksite Representatives:

- 15.1. Worksite representatives shall be elected by members on the site or, in the interim, may be approved by the Secretary or their representative.
- 15.2. Only representatives who have been elected as worksite or AGM representatives may vote at the AGM.
- 15.3. A worksite representative shall not execute contracts on behalf of the Union unless expressly authorised by clause 21.1

16. Finance:

- 16.1. The financial year of the Union shall be 1 July to 30 June.
- 16.2. All moneys, lands, securities or property of the Union shall be deemed to be the property of the Union as a whole.
- 16.3. The funds of the Union may be invested in the name of the Union in a manner approved by the Executive.
- 16.4. Special funds shall only be used for the purpose for which such a fund was established.
- 16.5. No member of the Union or any person associated with a member, shall participate in or materially influence any decision made by the Union, in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.

Any such income shall be reasonable and relative to that which would be paid in an arm's length transaction (being open market value).

- 16.6. The Co-presidents and Secretary, shall control all funds belonging to the Union. The day to day finances (including banking) shall be controlled by the Secretary (and their designates) who is also responsible for all staffing matters.

17. Fees and Levies:

Subject to the approval of the AGM or a majority of members casting votes in a ballot for that purpose, the Executive shall set fees it considers necessary to ensure the financial viability of the Union, and to enable the Union to meet so far as reasonably possible without undue cost to members, all commitments as required by the decisions of the AGM.

18. Contact Persons

The union's contact persons shall be the National Secretary and the Co-Presidents

19. Inspection of Books:

Any member or previous member having an interest in the funds or the register of members of the Union may inspect the books of the Union at a reasonable time, having first given the Secretary two weeks notice.

20. Representation:

- 20.1. The Union may appoint any person to be an Authorised Agent of the Union to carry out any such functions as the Executive shall determine.
- 20.2. The Union shall be represented in any proceedings before a Mediation, the Employment Relations Authority, the Employment Court, and other Court, Tribunal or Arbitration, whether as a party or where it represents a member, by such persons as the Executive may appoint.

21. Agreements and Instruments:

- 21.1. The Union may enter into collective agreements/contracts with any employer or employers relating to any matter affecting members of the Union. No collective agreement under the Employment Relations Act or its successor may be signed by the Union until ratified by a majority of the members covered by the bargaining and who vote.
- 21.2. The Executive shall have the authority to enter into any other legal agreements.

22. Publications:

- 22.1. The Union shall distribute to members, publications advising of casual vacancies, annual meetings, special meetings, the calling of nominations for all positions, reports, accounts, alterations to this constitution, details of all elections and any other official notice or report required to be given to each member under this constitution.
- 22.2. In addition to the above and subject to finance, the Executive shall endeavor to initiate a publication to members to further their education in trade union matters and to expand solidarity between groups of workers.
- 22.3. Publications may be distributed or made available to members through printed or electronic means.

23. Role and Function of the Union

The role and function of the Union is to carry out the purposes of the Union, execute the constitution of the union and other matters as determined by the AGM or the Executive from time to time.

24. Dissolution:

- 24.1. Should a majority of the members of the Union attending special meetings called under this constitution expressly for the purpose, vote to cancel the registration of the Union, the

Secretary shall forthwith make application to the Registrar of Incorporated Societies in the prescribed form. Before such cancellation the Executive shall ensure that an audit of the Union's accounts is conducted and shall realise all the valuable assets and meet all the liabilities of the Union. The surplus funds, if any, shall thereupon be disposed of by the Executive in accordance with 24.2. Prior to this procedure being carried out, all members shall be advised that this matter is to be considered at special meetings convened for the purpose in accordance with clause 9.7.

- 24.2. If upon winding up or dissolution of the organisation there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of the Union but shall be given or transferred to some other organisation or body with similar objects to the Union or for some other charitable purpose, within Aotearoa New Zealand.
- 24.3. The Union shall be deemed to be dissolved when its registration has been cancelled by the Registrar of Incorporated Societies.

25. Alteration to the constitution:

- 25.1. This constitution may be amended, struck out or added to by a majority vote of the representatives present at the AGM or, if approved by the Executive, by a majority of members voting in a-ballot.
- 25.2. Any proposed changes to the constitution must be notified to the Secretary at least two weeks before the AGM or closing of the ballot.
- 25.3. The Secretary must notify members of the proposed changes in writing or through a union publication at least ten days before the AGM or the ballot closes.
- 25.4. All alterations to the constitution shall be submitted by the Secretary to the Registrar of Incorporated Societies for approval prior to coming into operation.
- 25.5. No addition to or alteration of the aims/objects, payments to members clause or the winding-up clause shall be approved which affect the tax-exempt status/non-profit body. The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

26. Matters not provided for:

Any matter not provided for in this constitution or by decision of the Executive shall be referred to the next AGM

27. By Laws:

The Executive, subject to endorsement by the AGM may make By Laws not in conflict to this constitution and in conformity with the policies of the Union.

28. Union constitution:

The Union shall supply a copy of its constitution on request to any financial member or any person joining the Union.

29. Annual Report and Annual Accounts

- 29.1. A qualified accountant, who shall be a member of the New Zealand Institute of Chartered Accountants, shall be appointed by the Executive each year.
- 29.2. The qualified accountant shall prepare a set of accounts of the Union at least once a year prior to the AGM and at such other times as the Executive may require.
- 29.3. The accountant shall be afforded access to all books, papers and records of the Union and shall, to the best of their knowledge and ability, make available any information and assistance required.
- 29.4. The annual report, income and expenditure accounts, the balance sheet, and details of any disclosed conflicts of interest, shall be presented to the AGM. In addition all such reports shall be made available to any financial member of the Union on request.

30. Resolutions:

- 30.1. The Union shall supply a copy of any resolution passed at any general or special meeting of the Union or its Executive to any financial member of the Union on request.
- 30.2. The Executive may pass written resolutions in lieu of a general meeting that are not in conflict to this constitution, and in conformity with the policies of the Union. The constitution of the union may only be amended at a annual general meeting or by ballot.

31. Secret Ballots

- 31.1. If required by law, the Union will hold a secret ballot before proceeding with any strike action relating to negotiations for a collective agreement.
- 31.2. The Union members who are entitled to vote will be all members who may participate in the proposed strike action.
- 31.3. Union members will be notified of the vote through the most practical means available at the time, taking into account time restraints, geography, cost, and the number of union members eligible to vote (e.g. website, email, text, Facebook, union noticeboards/notices)
- 31.4. The vote may take place as part of the ratification process or as a separate process
- 31.5. Voting will be through the most practical means available at the time, taking into account time restraints, geography, cost and the number of union members eligible to vote (e.g. online voting, ratification meetings, postal ballot)
- 31.6. The result of a secret ballot is determined by a simple majority of the members of the Union who are entitled to vote and who do vote
- 31.7. If required by law, as soon as is reasonably practicable after the conclusion of the secret ballot, the Union will notify the result of the ballot to the members of the Union who were entitled to vote. Notification of the result will be through the most practical means available at the time, taking into account time restraints, geography, cost, and the number of union members eligible to vote (e.g. website, email, text, Facebook, union noticeboards/notices)
- 31.8. A secret ballot is not necessary if the proposed strike is on the grounds of safety or health.

32. Interpretation

- 34.1. At all times this constitution shall be interpreted and applied without undue technicality and in a common-sense and practical manner which best advances the objects of the Union.
- 34.2. Any interpretation of this constitution shall be the responsibility of the National Executive subject to appeal to the AGM.

35. Indemnification of office holders

- 35.1. The union will indemnify office holders against any claims that may otherwise be brought against them personally for actions taken in the course of performing their duties provided they exercise reasonable skill and care in so acting.

36. Powers

- 36.1. The Union shall have the following powers in addition to any other powers in this constitution:
 - a) To invest, lend or advance the funds of the Union in such manner as may from time to time be authorised in accordance with this constitution;

- b) To borrow money for the purpose of furthering the interest of the Union and its members in such manner as may from time to time be authorized in accordance with this constitution.
- c) To acquire or sell any real or personal property as may be necessary for the purpose of furthering the interests of the Union and its members;
- d) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or to otherwise deal with all or any part of any real or personal property of the Union;
- e) To operate such bank accounts as necessary for the exercise of its powers;
- f) To fix and levy subscriptions from time to time and to charge for the provision of services;
- g) To appoint such staff as are necessary for the efficient carrying out of the Union's objects;
- h) To amalgamate or merge with any union subject to the compatibility of membership and objects;
- i) To establish any trust which is conducive to the Union's aims
- j) To offer benefits and services to members;
- k) To affiliate to or join any organisation that support the achievement of the purpose and objects of the Union
- l) To exercise all other powers as are reasonably necessary to enable the Union to fulfill its purpose and carry out its objects.

36.2. The Executive must not affiliate the Union with or make any financial contributions to a political party or organisation currently in government or aiming at becoming the government of Aotearoa New Zealand without a majority vote of an AGM or SGM.

36.3. In pursuing its purposes, the Union can express opinions or take other action in respect of any act or omission of governments, organisations or persons, and to express its opinion on any issue or topic.

APPENDIX A:

Unite Union Disputes Resolution and Complaints Procedures

A complaint against a member who is alleged to have breached the constitution or has acted in a manner inconsistent with the purposes and policies of the Union shall normally be investigated by the National Secretary.

Any employee of Unite Union who and is also a member of Unite Union and whose employment is terminated due to serious misconduct will have their membership terminated, but may appeal such termination in accordance with the constitution.

An investigation into a formal complaint against a Unite Executive member will be led by the Co-presidents and supported by the National Secretary. In most cases the National Secretary should be sufficiently experienced but the Co-presidents and the Secretary may decide that external support is required.

In the case of a complaint against the National Secretary, the process will be led by the Co-presidents who will take external legal advice. The Co-presidents will determine the external support necessary and the National Secretary will approve the expenditure.

In the case of a complaint against a Co-president, the other Co-president with the National Secretary will lead the process.

The National Secretary (and/or Co-Presidents if applicable) will make a recommendation to the Unite Executive about the outcome of the investigation. The Executive will make the determination of whether the recommendation is endorsed, amended, or rejected.

The investigation will follow the principles of natural justice and good faith and be in accordance with the Unite constitution.

An Exec member who is facing the complaint shall continue to fully participate in the Exec until the complaint is resolved. If the Co-presidents feel that suspension may be necessary pending the investigation, they will fully explain this to the Exec member who is facing the complaint who will be afforded the opportunity to respond before a final decision on suspension is made. (In the case of suspension of the National Secretary, their management role will be covered by the Assistant Secretary)

Formal investigation: The process to be followed in investigating complaints will differ according to the particular circumstances.

As a general rule, the following steps should be undertaken.

Step	Process
1	Receive the complaint
2	Notify the respondent(s)
3	Collect all relevant information/evidence
4	Interview the complainant
5	Interview others

6	Interview the respondent(s)
7	Re-interview if necessary
8	Assess and make determination
9	Record the outcome

Receive the complaint

Formal complaints should be sent to either the National Secretary or the Co-Presidents. On receiving a complaint, the Co-presidents or National Secretary should:

- Confirm receipt of the complaint in writing, emphasising the need for confidentiality
- Notify the National Secretary/other Co-President if they have not already been notified.

Notify the respondent(s)

The respondent(s) are notified in writing and in person. It is important to advise them of:

- the potential seriousness of a complaint and that if a complaint is upheld it could lead to an outcome including censure, removal from the Exec or expulsion from the union.
- the need for non-victimisation and confidentiality
- their right to have a support person at any time during the investigation.

Note: In setting up a meeting time to formally discuss the complaint, give sufficient time for the person to get legal advice.

Collect all relevant information

The National Secretary should collect all relevant information that is available.

- This will include all documentation supplied with the original complaint.
- It will include any documents that were unavailable to the complainant but that can be accessed by the National Secretary.
- As the investigation continues, relevant information will continue to be collected and shared with the complainant and the member facing the complaint.

Interview the complainant

The National Secretary (and/or Co-Presidents if applicable) will:

- explain the process they will be undertaking to investigate the complaint, and
- clarify the details of the complaint, including names of witnesses and others who the complainant wants interviewed and any other information they wish included.
- confirm with the complainant that they wish to proceed.

Note: a complainant may have a support person or representative present when talking to the Co-presidents.

Interview others

The National Secretary (and/or Co-Presidents if applicable):

- explains the investigation process
- clarify the details of their responses
- explains the need for non-victimisation and confidentiality.

Interview the respondent(s)

The investigator:

- explains the process they will be undertaking to investigate the complaint
- clarifies the details of the complaint and the response, including names of witnesses and others who the respondent wants interviewed.

Re-interview if necessary

- The responses of the others or the respondent may require reinterview of the complainant or others. This should be continued as necessary.
- The investigator tells the complainant the details of the responses, and gives them an opportunity to challenge or refute any statements. Similarly, the respondent has an opportunity to challenge or refute new claims or information.

Assess and make determination

The National Secretary (and/or Co-Presidents if applicable) may make recommendations on the balance of probabilities and may make judgements on credibility. The National Secretary prepares a written report for the Exec, which includes findings of whether there was substance to the complaint. It may also involve a finding that the complaint was false or malicious.

The Exec will review the report and endorse, amend or reject the recommendations. The Exec will decide on appropriate sanction if necessary.

Any action resulting from findings from an investigation is undertaken in accordance with the Union constitution.