

# Implementing a Disputes Resolution Policy

A Disputes Resolution Policy provides a procedure that will often enable problems within an organisation to be rectified with minimal impact and without the loss of valuable volunteers.

This fact sheet sets out a basic structure for a Disputes Resolution Policy and provides sources for further information.

Problems can occur and disputes result within volunteer organisations. It is generally preferable to solve disputes internally with as little fuss, disruption and distress as possible. Following a Disputes Resolution Policy can be a good way to take emotion out of workplace problems. Such a policy shouldn't be seen as an "overly" formal way to deal with problems but simply a means that allows them to be dealt with in a professional and structured way.

## DISPUTES RESOLUTION POLICY

By reflecting natural justice and fairness as well as being transparent, a Disputes Resolution Policy enables problems to be dealt with in a courteous and professional manner. Its existence should be widely known by being included as part of a comprehensive induction for new recruits. Such a document doesn't need to be complex and legalistic; clear and simple is often best. They simply lay out procedures for systematically working through the dispute resolution process. When everyone within an organisation is aware of a Disputes Resolution Policy, people simply know where they stand.

The following gives a basic layout of items that need to be covered by a Disputes Resolution Policy:

### 1. Introduction

Answer the questions:

- > **Why have a Disputes Policy?** Example: 'This Disputes Resolution Policy aims to provide a structured approach to resolving workplace issues that is fair and equitable and that will lead to solutions that are acceptable to all parties.'
- > **What situations it does and/or does not apply to** Example: 'This policy does not apply to criminal behaviour such as assault of any nature. These will be referred directly to the police.'

### 2. Design the Steps of a Disputes Resolution Process

It is important that any Disputes Resolution Process will suit the organisation i.e. a small, less formal organisation will have a Disputes Resolution Process that reflects its size, the nature of the relationships between members and the resources available. A larger organisation would be expected to have a more formal, managed process. There are no golden rules; thought just needs to be given to establishing a sequence of events that provides the opportunity for all parties to have their 'fair' say about the dispute in question.

- > Design the Dispute Resolution Process itself i.e. How formal is the process to be and what are the actual steps to be followed?

An informal disputes resolution process could be:

- Talk to supervisor and resolve issue.
- If unresolved talk to Committee Member.
- If still unresolved commence formal process or seek advice from outside the organisation.



Most organisations will expect an initial, informal attempt at dispute resolution before launching into a formal process. By definition, a formal process will be more structured and have more elements that need to be considered and set down:

- Decide at what stage complaints will need to be put in writing. Example: 'Disputes will be referred to the immediate Manager for mediation. If this mediation does not resolve the dispute then the 'Disputes Form' must be completed and the issue will be referred to the Disputes Panel/General Manager.'
- Nominate a person or establish the Disputes Panel i.e. General Manager, a 3-person board sub-committee or whatever is practical for the organisation.
- Define appeals process and who has the final decision.
- Establish time limits.
- Forms and what written material is required.

## **SOLVING DISPUTES EXTERNALLY**

Unfortunately, in some instances a solution that is acceptable to all parties will not be found, or the complaint is of a serious nature. In these cases an external authority may be required. The authorities listed below will be able to assist:

For general advice contact:

**Office of the Employee Ombudsman** <http://www.oeo.sa.gov.au>  
Telephone: (08) 8207 1970

For issues relating to discrimination and harassment contact:

**Equal Opportunity Commission** <http://www.eoc.sa.gov.au>  
Telephone: (08) 8207 1977; for hearing impaired (08) 8207 1911  
Outside Adelaide free call 1800 188 163

For issues relating to workplace health and safety contact:

**SafeWork SA** <http://www.safework.sa.gov.au>  
Telephone: 1300 365 255

For legal advice and assistance contact:

**Legal Services Commission** <http://www.lsc.sa.gov.au>  
Telephone: 1300 366 424