

2.18 POLICY ON CONFLICT RESOLUTION

Purpose, Objectives and Applicability

Bright Futures is committed to providing its employees, volunteers, representatives, beneficiaries, supporters/donors, partners and stakeholders with an effective and acceptable means of bringing their problems, concerns and complaints to the attention of management and/or the Board.

Our desire is that all individuals and parties involved with Bright Futures should feel safe and accepted and that in turn a positive and productive work and partnering environment exists.

This policy has applicability to employees, volunteers, representatives, beneficiaries, partners and stakeholders in the event that dispute resolution is required and as a consequence the following conflict resolution principles and guidelines are to be extended to all relevant parties as a right.

Formal and Informal Process

Grievances can be resolved through both formal and informal means according to the nature of the dispute and the process preferred by the participants. Bright Futures encourages parties to resolve grievances independently, however, it welcomes the external support of others should the situation require it.

Policy Relationship to Authorities & Code of Conduct

Legislation: The application of the procedures outlined in this policy do not overrule the rights that any participant may have to access dispute resolution processes available under legislation related to employment, discrimination or workplace safety.

Code of Conduct: In relation to matters that reflect on the conduct of Bright Futures or its representatives, should individuals/parties desire to pursue an external mediation/complaint process, the ACFID (Australian Council for International Development) Code of Conduct Committee can be contacted in order to make a complaint or seek information on the processes available to assist in resolution of the dispute. Information on how to make such a complaint is listed on both the Bright Futures website and in Bright Futures Annual Report.

Dispute Resolution Process

Disputes that are unable to be resolved by involved parties should be confidentially directed to Executive Officer Paul Madden or Board Chair Sarah Spiker.

In Australia: Depending on the preferences of the participants, the nature of the dispute, the requirements of legislation related to the area of dispute, one or more of the following may be actioned by the Executive Officer or Chairperson of Bright Futures:

- Arrangement of an informal conversation between the parties either alone or with a support person;
- Arrangement of a formal conversation between parties with a mediator;
- Appointment of a conciliator to seek to resolve discrepancies and differences.

Where the dispute involves the Executive Officer, then the Chairperson is to take the lead in determining the action to be taken. Where the dispute involves the Chairperson then the Board will appoint a suitably experienced independent party to oversee the dispute resolution process.

Overseas: Where the dispute is between Bright Futures and one of its partner groups overseas: depending on the preferences of the partners, the nature of the dispute, the requirements of legislation related to the area of dispute and the contract between the parties, the following may be actioned by the Bright Futures Board:

- Arrangement of a formal discussion between the parties either alone or with an independent person present;

Where progress in the parties reaching an agreement is difficult, the Bright Futures Board may, by mutual agreement with the Board of the partner organisation:

- Appoint a mutually agreed upon independent person to mediate the dispute.

Principles

A person or body called upon to investigate, mediate, adjudicate or assist parties in the resolution of a dispute, whether that person is from within Bright Futures or externally appointed, is required to:

- Act fairly, in good faith, without bias and in a dispassionate manner
- Ensure each party shall be given the opportunity to adequately state their case and to correct or contradict any relevant statement prejudicial to their case
- Not receive information except as part of the dispute resolution process

A person who is involved in handling the complaint is obliged to declare any interest in the matter or any personal connection or relationship with either party.

Procedural Fairness

Where the dispute results from the alleged behaviour/actions of a party to the dispute, that person is entitled to know the particulars of the behaviour/action alleged.

Privacy

All persons involved in this process are required to keep details confidential to ensure the wellbeing and safety of all involved (*refer to Policy on Privacy section in general policies*).

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