



## GRIEVANCE AND DISPUTES

*Governance advice and support for community organisations*

### **Your obligations**

For any group which is incorporated under the Victorian Associations Incorporation Reform Act 2012, it is a legal requirement to include Grievance Procedures in the Rules of Association to deal with any disputes amongst members, or between a member and the organisation.

For groups that are not incorporated under this legislation, they would still be well advised to have Grievance Procedures in place, even if they are not legally required to do so.

If your organisation operates under the Model Rules, these spell out quite clearly the Grievance Procedures that must be followed. For groups that don't use the Model Rules, or are not incorporated, the procedures in the Model Rules are a good guide to use to develop your own rules about dealing with grievances.

### **What to do?**

Grievance Procedures require that you:

1. In the first instance, try to resolve the matter with the other party as soon as you realise there is an issue.
2. If this is not possible, call in a mediator to assist. The mediator can be anyone who is neither biased nor has an interest in the dispute. If both parties cannot agree on a suitable mediator, contact the Dispute Settlement Centre of Victoria (DSCV) <http://www.disputes.vic.gov.au/>. DSCV is a free dispute resolution service funded by the Victorian Government. DSCV provides mediation services, as well as training and accrediting mediators to national standards. The mediator's role is to facilitate the resolution process and ensure that all parties have a fair and equal hearing. It is not the mediator's role to make a decision on the dispute, rather assist the parties to come to an agreement.
3. If the mediation process does not resolve the matter, parties may choose to use legal avenues to resolve the issue.

Remember, act as soon as you can, and go into the discussion in good faith with a desire to truly resolve the matter, so it has as little impact on your group as possible.