

Internal Conflict Resolution Policy and Procedure

What is conflict?

Conflict arises when the different ideas, values, interests, hopes, aspirations and opinions of individuals are questioned. Questioning can have positive or negative results and it depends on how it is handled that makes the difference.

What is conflict resolution?

Conflict resolution is how we consider ways of understanding differences and using that understanding to build agreed ways to go forward. This usually involves compromise or “meeting in the middle”, and focuses on the issues to be resolved – not the personalities or other matters. It requires good will from all parties and a focus on the core priorities. In our case, this is to advance the purpose of 3MGB as set out in the Rules..

Policy

When disputes or conflict occur within 3MGB between members/volunteers, the first step is negotiation between the disputants with the aim of bringing about agreement, settlement of the opposing demands or attitudes, or a compromise that is acceptable to all parties.

In the first instance, it is the responsibility of members/volunteers to seek to achieve this themselves, and exhaust all reasonable options before seeking intervention. However, if the issue is very contentious and parties have strong personal views, where agreement is not going to be achieved, it is then their responsibility to seek assistance to mediate the matter.

Persons involved in any dispute resolution process need to be prepared to:

- remember that the interests of the Association and quality of on-air presentation to our community are the paramount concerns;
- deal with issues promptly, fairly and honestly;
- listen to others' views objectively and keep an open mind;
- avoid assumptions about motives and attitudes;
- develop options that everyone can own and agree will work;
- ensure everyone is committed to agreements reached.

If, having followed a reasonable resolution process as set out below, one party is still not satisfied, the Committee of Management reserves the right to make a final decision on the matter, keeping in mind the best interests of the Association, its members and volunteers.

If the issue that has caused the conflict is one of behavior and is of a relatively minor nature or could be considered accidental, a "three warnings" approach may be taken. However, if a member or volunteer has seriously breached the Broadcast Services Act, the Community Radio Broadcasting Codes of Practice, or a policy set out in 3MGB's Policies and Procedures or Manuals, the 3MGB **Rejecting Member Application, Disciplinary Action & Dismissal of Volunteers Policy and Procedure** will be applied.

Internal Conflict Procedure

Parties must attempt to resolve the dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

Internal Conflict Resolution Policy and Procedure

Appointment of mediator

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time set out above, the parties must within 10 days—
 - (a) notify the Committee of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be—
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement—
 - (i) if the dispute is between a member and another member—a person appointed by the Committee; or
 - (ii) if the dispute is between a member and the Committee or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- (3) A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who—
 - (a) has a personal interest in the dispute; or
 - (b) is biased in favour of or against any party.

Mediation process

- (1) The mediator to the dispute, in conducting the mediation, must—
 - (a) give each party every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties throughout the mediation process.
- (2) The mediator must not determine the dispute.

Failure to resolve dispute by mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.