

## 1. Purpose

To ensure the Board has a clear policy and procedures for dealing with grievances and managing disputes.

## 2. Policy Type and Owner

Governance / (Board/CEO)

## 3. Scope

This policy applies to all Office Bearers, Ordinary Committee Members and special advisors of the Board of St Michael's Association Inc, collectively referred to in this policy as 'Directors'.

## 4. Definitions:

**St Michael's  
CEO**

St Michael's Association Inc.  
Chief Executive Officer

**Harassment**

Harassment is a form of discriminatory behavior that is unwanted, offensive, and creates a hostile or intimidating environment for the person who is experiencing it. It can take many forms, including physical, verbal, and psychological abuse.

## 5. Policy

This policy is based on a philosophy that many grievances and disputes can and will be resolved through open communication between the parties, with or without the assistance of mediation from an independent external party. St Michael's encourages this as the basis for resolving grievances and disputes. St Michael's acknowledges that some grievances and disputes may not be resolved in this way, for example, disputes that involve bullying or harassment.

Once this policy has been invoked and the procedures followed, if either party is dissatisfied with the outcome, nothing in this policy shall prevent a party from invoking any legal rights they may have in respect to the grievance or dispute.

St Michael's takes a proactive approach to managing any grievances or disputes between Directors and aims to resolve these through open communication. Wherever possible and reasonable to do so, the matter should be resolved between the parties involved.

## Other Relevant Documents

- The Constitution of St Michael's Association Inc.
- *Association Incorporation Act 1964 (TAS)* ['the Act']
- Board Governance Charter

## 6. Procedure for Grievances and Disputes

### 6.1. Personal Grievances or Disputes

#### i. Resolution between Directors

Where a grievance or dispute arises between Directors, the Directors concerned are encouraged to attempt to resolve the issue between themselves.

However, where a Director for one reason or another considers that the President should be involved in assisting to resolve the issue, the Director is to approach the President.

Directors are expected to continue to perform their duties whilst the issue is being resolved.

#### ii. Resolution involving the President

The President shall work with the Directors to resolve the dispute or grievance. Some of the options for action include:

- the President mediating between the Directors concerned;

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- the President referring the matter to the Public Officer to initiate an investigation (with external assistance if required) into any allegations made against a Director; and/or
- the President may, unless the directors in dispute decide otherwise, seek the advice and assistance in relation to how the dispute might be resolved.

### iii. Remedy if there is failure to reach a satisfactory outcome

If the above steps do not resolve the grievance or dispute in question or for any reason are not appropriate the President may request that the matter be put in writing.

The President may utilise various resources to resolve the matter including seeking legal advice or advice from professional bodies.

## 6.2. Disputes about the affairs of the Association or how the St Michael's Constitution applies

### i. Resolution between Directors

Where a dispute arises between directors, the Directors concerned are encouraged to attempt to resolve the issue between themselves.

However, where a Director for one reason or another considers that the President should be involved in assisting to resolve the issue, the Director is to approach the President.

Directors are expected to continue to perform their duties whilst a dispute is being resolved.

### ii. Resolution involving the President

The President shall work with the Directors to resolve the dispute or grievance, including the President mediating the dispute between the Directors concerned.

### iii. Giving of dispute notice

If the dispute is not resolved by the above methods within ten (10) business days, then a Director that is party to the dispute may give a dispute notice to the other parties. A dispute notice must be in writing, and must say what the dispute is about. A copy of the notice must be given to the Public Officer.

A dispute between a member of the Association, in their capacity as a member, and the Association shall be determined by arbitration in accordance with the provisions of the *Arbitration Act 1892*.

## 7. Additional Information

Policy:

- [PGOV07 Board Directors Confidentiality Policy](#)
- [PGOV09 Board Induction Policy](#)
- [PGOV10 Board Conflict of Interest and Related Party Transaction Policy](#)
- [PGOV11 Board Code of Conduct Policy](#)

Forms:

- [Board Governance Charter](#)
- [FGEN15 Nomination for Office Bearer or Ordinary Committee Persons](#)
- [FGEN17 Board Member Confidentiality and Consent](#)
- [FGEN18 Board Member Information Kit](#)
- [FGEN19 Board Member New Member Letter](#)
- [FGEN20 Board Member Orientation Program](#)

### Review

Board will review the policy when required.

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**Policy Update**

<b>Version</b>	<b>Details</b>
1.0	New Policy

Uncontrolled when Printed

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