



# THE ORDER OF AUSTRALIA ASSOCIATION

## Dispute Resolution Policy

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### VERSION CONTROL

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## 1. Introduction

### 1.1 Overview

The Order of Australia Association (the Association) is committed to dealing with dispute resolutions in a manner that is fair, effective and efficient.

### 1.2 Purpose

The primary purpose of this document is to establish a fair, equitable and consistent process for addressing disputes within The Order of Australia Association and the rights of the Association members regarding the resolution of disputes. The principles of fairness, equity and natural justice will be applied.

### 1.3 Applicability

The procedures outlined in this policy document apply to officers of the Association receiving or managing disputes from members or directors.

## 2. Procedure

2.1 The Order of Australia Association (the Association) dispute resolution procedure applies to disputes (disagreements) under the constitution between a member or director and:

- (a) one or more members including former member or members
- (b) one or more directors, or
- (c) the Association

2.2 A member must not start a dispute resolution procedure in relation to a matter which is the subject of a disciplinary procedure under the Association's Disciplinary Procedure Policy until the disciplinary procedure is completed.

2.3 Those involved in the dispute must try to resolve it between themselves within fourteen working days of knowing about it.

2.4 If those involved in the dispute do not resolve it under clause 2.3, they must within ten working days:

- (a) tell the directors about the dispute in writing
- (b) agree or request that a mediator be appointed, and
- (c) attempt in good faith to settle the dispute by mediation.

2.5 The mediator must:

- (d) be chosen by agreement of those involved, or
- (e) where those involved do not agree:
  - i. for disputes between members, a person chosen by the directors, or
  - ii. other disputes, a person chosen by either the Commissioner of the Australian Charities and Not-for-profits Commission (ACNC) or the president of the law society in the Australian Capital Territory.

2.6 A mediator chosen by the directors under clause 2.4

- (f) may be a member or former member of the Association
- (g) must not have a personal interest in the dispute, and
- (h) must not be biased towards or against anyone involved in the dispute.

2.7 When conducting the mediation, the mediator must:

- (i) allow those involved a reasonable chance to be heard
- (j) allow those involved a reasonable chance to review any written statements
- (k) ensure that those involved are given natural justice, and
- (l) not make a decision on the dispute.

### **Related Documents**

This Policy is to be read in conjunction with:

Constitution of the Order of Australia Association