



Litchfield Rugby Club – Dispute Resolution Guideline

The following guideline is an Operational Procedure that the Committee has voted in to use to replace Part 8 – Grievance and Disputes within the Litchfield Rugby League Club Constitution - Version 2021-009.

The following is a set of guidelines and procedures designed to help parties resolve conflicts, disagreements, or disputes in a fair and efficient manner. The general objective is to provide a structured framework for resolving disputes without resorting to formal legal proceedings.

In accordance with Clause 64 within the Litchfield Rugby League Club Constitution - Version 2021-009 it is at the discretion of the committee as to whether there is a need for a disputes committee, or whether disputes shall be resolved by the committee.

- 1) **Informal Resolution:** Parties encourage to attempt informal resolution methods, such as negotiation or mediation, before pursuing more formal procedures. This allows the parties involved to try to find a mutually acceptable solution without escalating the issue.
- 2) **Formal Complaint:** If a dispute between a member and another member, or a member and the committee is unable to be resolved via informal resolution then a formal complaint must be lodged. This should be in writing and lodged via email info@litchfieldbears.com

When a formal complaint is received confidentiality must be maintained during the resolution process. This helps create a safe environment for open discussion and allows parties to share sensitive information without fear of it being used against them.

The following deadlines are for various stages of the dispute resolution process to ensure that issues are addressed in a timely manner.

This helps prevent unnecessary delays and promotes efficient resolution.

- A. within 14 days after the dispute comes to the attention of the committee the committee in accordance with natural justice will provide a copy of the dispute to the respondent, member(s) and/or committee member(s) named in the dispute.
- B. the respondent will have 7 days upon receipt of the dispute to respond to the allegations made in the dispute and provide any additional information that may support their response to the committee. The response provided by the respondent will be provided to the complainant.

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- C. the committee will advise of a meeting date, time and location for the parties to meet and discuss the matter in dispute, and, if possible, resolve the dispute. An appointed member from the committee will attend this meeting as an observer only.
- D. if the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days after the date of the meeting, hold another meeting in the presence of a mediator.

3) **Mediation:** the mediator must be:

- A. a person chosen by agreement between the parties; or
- B. in the absence of agreement –
 - i) for a dispute between a member and another member – a person appointed by the committee; or
 - ii) for a dispute between a member and the committee – a person who is a mediator appointed or employed by the department administering the Act.
- C. a member of the club can be a mediator
- D. the mediator cannot be a party to the dispute
- E. the parties to the dispute must, in good faith, attempt to settle the dispute by mediation
- F. the mediator, in conducting the mediation, must –
 - i) give the parties to the mediation process every opportunity to be heard
 - ii) allow due consideration by all parties of any written statement submitted by any party; and
 - iii) ensure natural justice is accorded to the parties to the dispute throughout the mediation process
- G. the mediator must not determine the dispute
- H. if the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law no person, member or otherwise, whom is determined to be a family member or close personal friend, to the point that a conflict of interest (perceived or real) exists, shall be party to any hearing,

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- I. no person, member or otherwise, whom is determined to be a family member or close personal friend, to the point that a conflict of interest (perceived or real) exists, shall be party to any hearing, determination, adjudication and/or penalty of any such matters. Refer to Clause 60 within the Litchfield Rugby League Club Constitution - Version 2021-009, in this regard.
- 4) **Dispute Unresolved via Mediation:** if the mediation process does not result in the dispute being resolved:
- A. the committee, or the appointed disputes committee will determine the resolution of the dispute, or
 - B. the parties may seek to resolve the dispute in accordance with the Act or otherwise at law
- 5) **Withdrawing a Complaint:** a complaint may withdraw their complaint at any time. Withdrawing a complaint must be done in writing to the committee and lodged via email to info@litchfieldbears.com

Document Review

Version	Commencement Date	Date Endorsed	Endorsed By	Revision Date
1	5 June 2023	1 June 2023	Committee	November 2023

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