

**Board Grievance Policy Template**

**April 2018**

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| Drafted by | <<insert name>> | Approved by CEO on | <<insert date>> |
| Responsible person | <<insert name>> | Scheduled review date | <<insert date>> |

PURPOSE OF THIS TEMPLATE

This document has been prepared by the NSW Office of Sport as a guide for New South Wales State Sporting Organisations (**SSOs**) to assist with an SSO’s governance. IT IS A TEMPLATE ONLY. This document should be read in context with the NSW Office of Sport’s Sports Governance Capability Framework and in particular paragraph 1.16.

INSTRUCTIONS

The document has been designed specifically for sport and seeks to take into account the issues which an SSO might need to consider; for example, Sport must deal with the impact of drugs; Sport is affected by child protection legislation; and Sport operates under a national system where the national body can make rulings and set policy that will flow through the Sport and affect those playing at Club level.

All levels of an SSO and all persons within a Sport should work together for the advancement of the Sport and the SSO through sharing common purposes, structures, policies and procedures. This will hopefully improve the governance and delivery of a Sport and hopefully make it easier to address issues of joint concern, to share information and to maximise the sport’s marketability.

Finally, with the increasing amount of legislation affecting sport, Sports must enact consistent and complementary policies and strategies that address areas of governance and common risk that flow through the organisation.

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# INTRODUCTION

If a grievance or dispute between Directors threatens the proper functioning of the Board the parties should seek a speedy and fair resolution of that grievance or dispute to limit that threat and ensure the Board can continue to function.

# Purpose

This Policy seeks to set out a process for resolution of disputes or grievances involving Directors that cannot be resolved through respectful debate in Board meetings.

# Policy

Where possible disputes should will be resolved by mediation.

# Responsibility

The chair should ensure that:

### Directors are aware of this policy; and

### any grievances or disputes are handled respectfully, confidentially and fairly.

All Directors should ensure that their usage of electronic media conforms to this policy.

# Resolution Process

Subject to the organisation’s constitution the parties to a grievance or dispute must:

### meet and discuss the matter in dispute; and

### if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

If the parties are unable to resolve the dispute at such a meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator. The mediator must be – a person chosen by agreement between the parties; or in the absence of agreement, a person appointed by the Board.

A member of the organisation may be appointed as mediator, but the mediator cannot be a party to the dispute. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation. The mediator, in conducting the mediation, must:

### give the parties to the mediation every opportunity to speak and to be heard; and

### allow due consideration by all parties of any written statement submitted by any party;

throughout the mediation process.

The mediator must not determine the dispute.

The mediation must be confidential and without prejudice and the mediator may require the parties to sign a mediation agreement setting out all parties’ agreement to maintaining confidentiality.

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