

Toowong Rowing Club

Dispute Resolution Process

Background

The Club's handbook and constitution set out how Club members are expected to behave, general Club rules and possible sanctions the Club may enforce. However, there is no clear Club process for dealing with behavioural breaches.

The TRC handbook states:

- 'We believe in treating all members equitably, fairly and with respect, recognizing and valuing their difference' (Section 2 – The Club's Values and Goals) and
- '.....lack of courtesy to other crews or coaches, bad language or misbehaviour....will be dealt with....' (Section 13 – Key Rules of the Club).

Although it is not the Club's responsibility to have a role in resolving minor personal issues between members, the Club does have an obligation to ensure that a process exists to resolve disputes where serious alleged breaches of the Club's values and rules occur. A fair and reasonable dispute resolution process supports and maintains the credibility of the Club's values, ensures the Club has an environment where people feel comfortable, and encourages people to join and stay with the Club.

The dispute resolution process should aim:

- To support members to resolve matters between themselves; or, in cases where this is unsuccessful or inappropriate,
- To facilitate mediation.

The process would be guided by the principles of natural justice. Thus, the Club believes that:

- People have a right to make a complaint
- People who have a complaint made against them have a right to be informed of who has made the complaint and what is the nature/specifics of the complaint
- People have a right of response to the complaint
- People have a right to a fair and unbiased hearing
- There should be a reasonable enquiry into serious disputes
- Any dispute resolution process must be, and appear to be, unbiased and fair.

The process aims to assist with resolving disputes between a Club member and another Club member or between a Club member and the Club. It addresses disputes only in relation to the Club's obligations to support its values and rules/procedures as listed in the Club handbook. It is conducted in a professional and confidential manner, respecting the privacy of those involved.

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Member dispute with Member:

1. Any Club member who has a serious dispute with another Club member breaching Club values or rules/procedures should raise the matter with the individual concerned in the first instance in an attempt to resolve the issue. This should be done as soon as practical, ideally at the time of the incident.
2. If a Club member is uncomfortable approaching the other Club member, or has tried and failed to get a resolution, they should approach the Captain of Boats or another Committee member with written details of their dispute. The details should include who the complaint is against and what was said or done that allegedly contravenes the Club's values or rules.
3. The Committee member so approached will then discuss the matter with the Captain of Boats before taking any further action. (This is to ensure we have a consistency of approach in dealing with these matters).
4. The Captain of Boats together with a nominated Committee member(s) will assist the complainant member to resolve the dispute with the respondent member. The parties' agreement will be sought in relation to the person(s) selected to assist. Resolution may be by discussion, mediation or intervention. It could also be by referral to an external body.
5. If a serious Club-related matter still remains unresolved then the Captain of Boats and a suitably qualified Committee member will conduct an investigation to determine the facts of the matter and to prepare a recommended course of action.
6. The recommendations will be presented to a meeting of the Committee. Only Committee members will be present at that meeting to discuss and agree on actions. The Chairman will be the final arbiter in case of a divided Committee.

Member dispute with Club:

7. Any Club member who has a dispute with the Club should raise the matter with the Club Chairman in the first instance.
8. The Club Chairman will nominate a person not involved with the dispute to assist the complainant member to resolve the dispute by discussion, mediation or intervention.
9. If the Club member is uncomfortable approaching the Chairman or has tried and failed to get a resolution they should approach the President of the Club.
10. The President will appoint a mediation panel of no more than three people, who are not Committee members, to assist the complainant member to resolve the dispute. This may be by discussion, mediation or intervention. It may also mean the member is referred to an external body for resolution.