

MANAGING DISPUTES



JOIN. EXPERIENCE. BENEFIT.

TODAY'S AGENDA

- | | |
|--|--------|
| 1. Housekeeping/Who am I? | 2 mins |
| 2. What is a dispute? | 5 mins |
| 3. How to manage a dispute – | 4 mins |
| 4. Scenario 1 - On the spot | 4 mins |
| 5. Scenario 2 – A written complaint | 4 mins |
| 6. Scenario 3 – MPO Claim | 5 mins |
| 7. Questions, feedback and Open Discussion | |

Our meeting is being held on the lands of the Boon Wurrung and Wurundjeri peoples of the **Kulin Nation** and I wish to acknowledge them as Traditional Owners. I would also like to pay my respects to their Elders, past and present, and Aboriginal Elders of other communities who may be here today.

1. HOUSE KEEPING/WHO AM I

- **Pls stay on MUTE unless you have a question or comment**
- **Time for questions at the end of the presentation - but happy to take questions during**

My experience:-

- **Commercial/Litigation PWB Lawyers 1992-1997**
- **Commercial/Corporate Esanda Finance 1997-1999**
- **Dispute Resolution Telstra 1999-2004**
- **General Counsel V8 Supercars 2005 -2008**

2. WHAT IS A DISPUTE?

NOUN – disagreement or conflict

TYPES:-

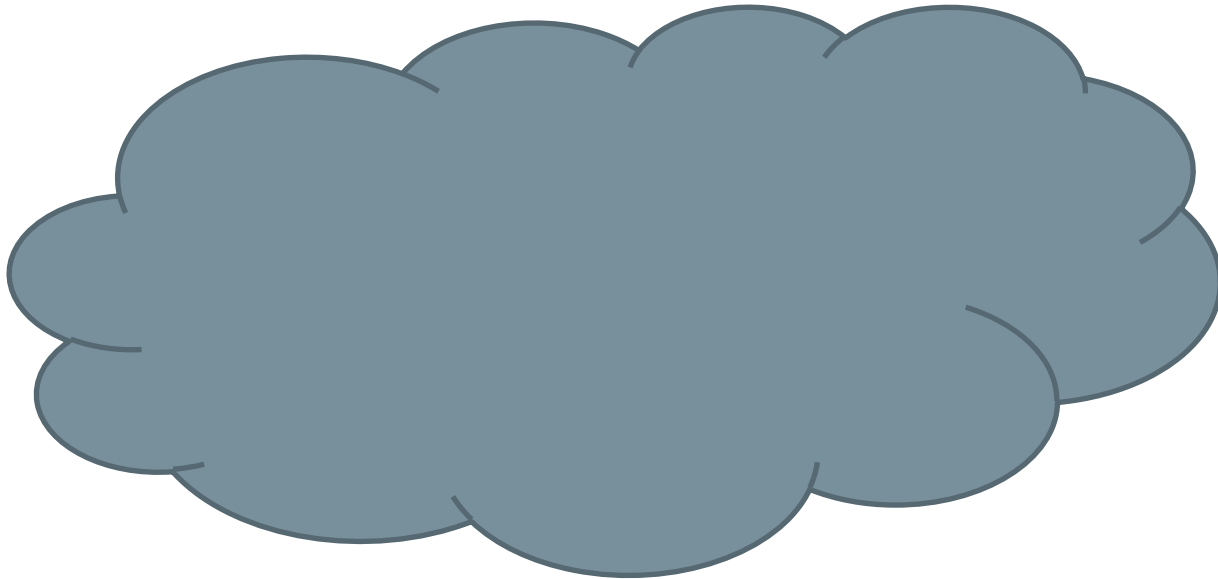
- **Rules**
- **Regulations**
- **Rights**
- **Ownership of an asset**
- **Factual**
- **Emotional/emotive**
- **Personal injury**
- **Financial**
- **Reputational**
- **Friendship/family**

Basis of the dispute

- **Factual**
- **Ethical/Moral**
- **Traditional**
- **Interpretive (my view)**
- **Combative (aggressive)**
- **Provocative (reactionary)**
- **Emotional/emotive**

2.WHAT IS A DISPUTE

Simple – misunderstandings/didn't know the rules/ignorance



Complex – intentionally breaking the rules/regulations/law/arrogance

3. HOW TO MANAGE A DISPUTE

Some thoughts... disputes come in all shapes and sizes

Ability to listen

Allow person to be heard

Ask for it in writing if necessary

Identify the issue (if you can)

Decide who is best to handle the dispute

Keep them informed

If you set a timeframe stick to it

Remain calm – if not reschedule or walk away

Fair and firm

Show empathy/respect

Demand empathy/respect

Be patient

Avoid quick answers unless you have authority to commit

Don't tolerant bad language, aggression, threats or unacceptable behaviour

Bring a Club Member/Call the Police

4. SCENARIO ONE

At a venue you see unacceptable behaviour

The DO's

Assess/Monitor the behaviour

Approach the individual/group

Introduce yourself – be polite and explain your role/position

**Set out the expected behaviour/rules.
Explain what you have seen**

Ask for commitment to desist and explain the consequences

Provide thanks

The Don't's

Avoid yelling/aggressive behaviour as it can inflame the situation

Acknowledge your audience – treat children with respect/demand respect.

5. SCENARIO TWO

The Club has received a written dispute about the behaviour of another

Treat the matter seriously/confidentially

Determine if you need to brief the Committee – you may have an appropriate officer/person to deal with it.

- 1. Respond to the complainant/call them to discuss if required**
- 2. Understand their position and what they are seeking to fix it**
- 3. Explain the process you are about to implement**
- 4. Go investigate it**

Write to/call or meet with the member

Clearly set out your role/where you are from/ and the objectives of the conversation.

Take notes/ask for clarity around the explanation.

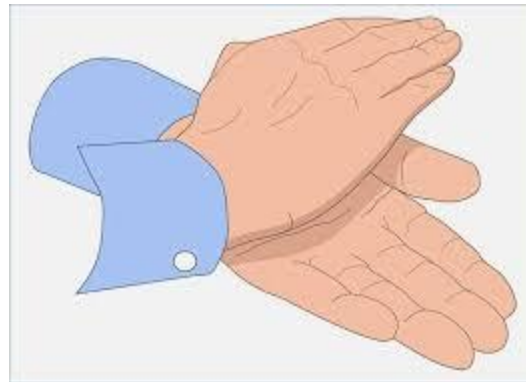
If appropriate:

- Make the call if inappropriate behaviour and work through a solution

6. SCENARIO THREE

The Club receives a complaint under Member Protection

Send to Athletics Victoria



6. SCENARIO THREE

The Club receives a complaint under Member Protection

- **Read the complaint and determine the issue and whether it is an club matter that should be dealt with**
- **Acknowledge receipt of the complaint and set out the timeframe for investigation and response**
- **Understand the role you are playing
facilitator – brings the parties together**
- **If it is a serious matter – report to the Police**

QUESTIONS