



Board Dispute Resolution

1. Overview

Effective Date:

Revision Date:

Nonprofit organizations flourish thanks to the dedication and commitment of their board members. Yet, despite our hopes for a wonderfully harmonious experience, conflicts can emerge, and challenging board members can pose difficulties. The same applies if disputes arise between board members

In the First instance, The Board of [Organisation] is committed to adhere to the values and principles of the organisation in preventing such dispute of disrupting the operations of the organisation. Steps to be adhered to include:

- a) Ensure that all Board Members are knowledgeable regarding expectations from board members. It is imperative to establish clear expectations for board members, encompassing their roles, responsibilities, and expected conduct. This can be effectively achieved through the implementation of written policies, detailed job descriptions, and comprehensive board orientation materials.
- b) Implementing Regular Board Performance Evaluations – The conduct of regular evaluations of board performance, including individual self-assessments and peer reviews, is crucial. Such evaluations facilitate the identification of areas requiring improvement and foster an environment conducive to open discussions regarding board dynamics and effectiveness.
- c) Investing in Board Training and Development. Allocating resources towards board training and development programs to ensure that all members possess the requisite skills, knowledge, and comprehension of their roles. This investment can take the form of workshops, seminars, or online resources specifically designed for nonprofit board governance.
- d) Enhance the Recruitment and Selection and approaching this process with diligence. It is essential to seek candidates who demonstrate a fervent commitment to the organization's mission, possess robust interpersonal skills, and exhibit a history of effective board service.



2. Policies

2.1. Purpose

The Board of [Organisation] is committed to seeking to reach a speedy and just resolution of any disputes or grievances that may arise and that may threaten the harmonious functioning of the Board. This policy is designed to set out the process for seeking resolution of disputes or grievances between Board members that are unable to be resolved through respectful debate in Board meetings

2.2. Scope of Applicability

The policy applies to all Board members.

2.3. Responsibilities

It is the responsibility of the Chair to ensure that:

- Board members are aware of this policy.
- Disputes are handled respectfully, confidentially, and in accordance with natural justice.

3. Procedures

- a) The involved parties in the disagreement must inform the Chair and convene to talk about the issue at hand, aiming to settle the disagreement within 14 days following its discovery by all parties involved.
- b) Should the disagreement remain unresolved after the initial meeting, or if a party does not show up to that meeting, then the involved parties are required to organize a follow-up meeting with a mediator within 10 days.
- c) The mediator should be:
 - i. An individual selected by mutual consent of the parties; or
 - ii. If no mutual agreement is reached, an individual appointed by either the Board or the Dispute Settlement Centre Victoria.
- d) The mediator:
 - i. Could be a current or former member.
 - ii. Must not show any favoritism or be seen as having a bias; and
 - iii. Must not have any personal stake in the outcome of the dispute.



- e) The involved parties must, sincerely, try to resolve the disagreement through mediation.

- f) The mediator, while facilitating the mediation process, is required to:
 - i. Provide all parties involved with ample opportunities to express their views;
 - ii. Allow each party sufficient time to consider and respond to any written submissions made by the other party;
 - iii. Ensure that the principles of natural justice are upheld for all parties throughout the mediation process.

- g) The mediator is not permitted to make any decisions regarding the dispute.
- h) The mediation process must maintain confidentiality and should not prejudice any party involved.
- i) Should the mediation process fail to resolve the dispute, the parties are free to seek alternative resolutions through the Board or through legal channels.