



DISPUTE RESOLUTION PROCESS POLICY

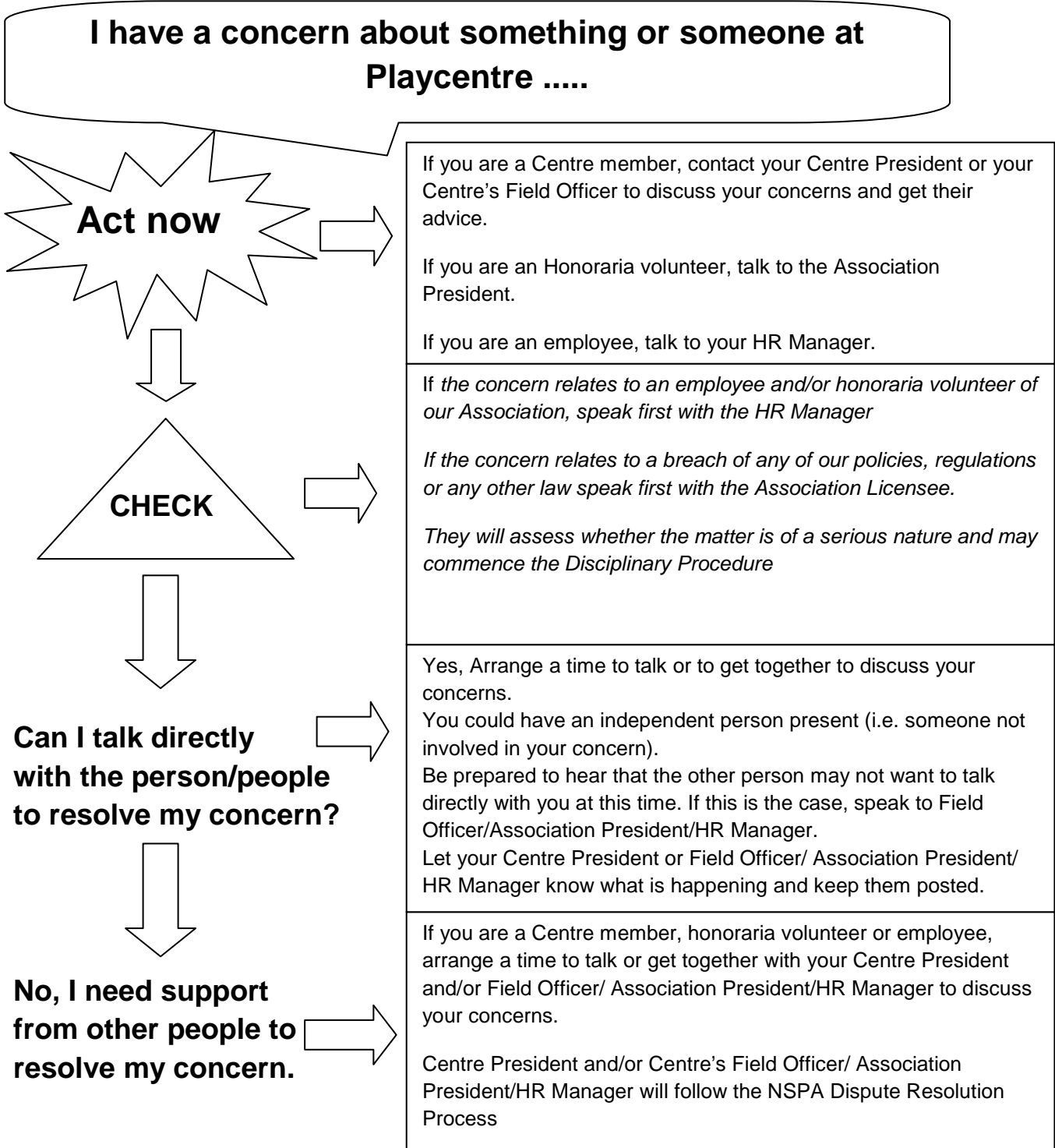
October 2012

Purpose:

To facilitate the resolution of concerns of, and disputes, between Centre Members, employees and honoraria volunteers of North Shore Playcentre Association.

Rationale:

To resolve concerns and disputes in a timely manner by the persons directly involved and provide adjudication when the parties can not reach a resolution.



Procedure:

Step 1 ~ Investigate the concern/complaint

Acknowledge the complaint or concern in writing within 24 hours
Seek advice from your Centre President/Field Officer/-any appropriate Association team members/HR Manager
Ask to meet with the person raising the concern and talk it through.
Choose an appropriate time and place.

Step 2 ~ Identify the problem

At the meeting with the person who has raised the concern:
What is causing their concern?
Identify the issue(s).
Discuss what triggered the concern or dispute.
Tackle the present issue, not the person, or the past.
How would they like to see the matter resolved? (specific action)
(Aim to bring the parties together soon if possible to reach resolution together.)
Inform them that you will need to meet with the other person/people and show them the concern/s.
Agree a timeframe for the next steps.
Document the meeting

Step 3 ~ Get the second point of view

Inform the other person/people that a concern has been raised.
Ask to meet with the other person/people and talk it through.
Choose an appropriate time and place.
Have this meeting as soon as possible. Invite them to bring a support person of their choice.

Document the meeting

At the meeting:
Provide the details of the concern or dispute.
Listen to the second point of view.
Identify the issue(s)
Discuss what triggered the concern or dispute.
Tackle the present issue, not the person, or the past.
Discuss resolution options.
(Aim to bring the parties together soon if possible to reach resolution together.)
Agree a timeframe for the next steps.

Step 4 ~ Bring the people together (see Step 8 if the participants will not meet together)

Arrange a meeting place and time. (Note that this should be a neutral place such as a Centre or HQ)

Invite them to bring a support person of their choice. Invite your own support person e.g. Field Officer, member of the Management Team, Association member, HR Manager If this person is a Field Officer please be aware that they are there as a neutral support representative for the centre.

At the start of the meeting, acknowledge that they have agreed to meet and this is a first step towards working out a solution.

Decide on ground rules.

- ▶ Take turns to speak and allow equal say,
- ▶ Listen actively: check meaning; try to put yourself in the other's shoes even if you don't agree,
- ▶ Make your points constructively: use I-statements; express your feelings honestly; say what you want,
- ▶ Attend to emotional needs, understand that a person may need to vent and let off steam,
- ▶ Listen without responding to emotional outbursts,
- ▶ Avoid all put-downs and statements about motives.

Step 5 ~ Search for resolution

Provide equal time and opportunity for each person to express their concern/dispute and respond to it. In facilitating this, you will need to refer back to the ground rules that have been agreed to.

Diagnose the problem/s – summarise the issues, concerns and the needs of both parties and ask the parties to confirm you have this correct.

Discuss what triggered the concern or dispute.

Can the concern or dispute be resolved by referring to a Centre/Association/Federation/Ministry etc policy or procedure or guideline, or our Philosophy documents?

Identify any misunderstandings.

Find out what they agree on and the common needs of the parties. This will generate energy to find a solution agreed on by both. Ask what are possible strategies or solutions to resolve the dispute?

Generate broad ideas about what might be done

- ▶ use brainstorming to look for options, you may have suggestions

Step 6 ~ Agree steps to reach resolution

What specific steps will be taken to deal with the concerns?

Possible options include:

- ▶ Give an apology
- ▶ Receive an apology
- ▶ Acknowledge how one another feel and their needs/concerns
- ▶ Agree specific steps that will be taken
- ▶ Undertakings agreed for future behaviour or processes to be used
- ▶ Agree to meet again for further talks, use the earlier steps in this process again if more time is needed
- ▶ Also look for long term solutions – development of policy, centre procedures, Association expertise.

The outcome of the meeting should be mutually agreed by everyone with the understanding that they will all stick to terms of the agreement.

Note that the outcome must be consistent with our philosophy, policies and procedures; or the outcome could include recommending a change to a policy or procedure to an appropriate meeting for consensus to be reached.

Step 7 ~ Put the resolution into action and follow up

End the meeting by starting to put the resolution agreed to into action.

e.g. apologies given or received, plans for action by each person. Agree timeframes.

- ▶ How will you communicate the resolution back to other Centre /Association members?

End the meeting positively, thanking the participants for their hard work and willingness to reach resolution.

After the meeting, put the resolution reached into writing and send this to both parties e.g. by email.

For Centre members, a confidential copy should be sent to HR Manager who will put a copy on the Centre files at Headquarters, sealed in a confidential envelope

For honoraria volunteers send it to HR Manager who will put it in a confidential file

For employees HR Manager will file it accordingly.

REFER CODE OF CONDUCT

Follow up with both parties to ensure the steps agreed on are put into action. Remain available by phone for advice and feedback.

Step 8 ~ If the matter is still not resolved, or the people will not meet together

For Centre Members A Field Officer or member of the Management Team (Convenor) can use shuttle mediation to bring about agreements. If you are not able to use shuttle mediation effectively at your centre due to size please arrange to hold your mediation at Headquarters.

For honoraria volunteers, a member of the Association management team can use shuttle mediation to bring about agreements.

For employees HR Manager can use shuttle mediation to bring about agreements.

"Shuttle" is a form of mediation where the mediator shares information between the parties and assists them to come to an agreement without the disputants meeting in the same room. For example the people remain in their own homes while the mediator goes back and forth between them. Alternatively shuttle mediation can take place at a neutral venue such as rooms in a Centre or Headquarters or another venue.

For Centre Members, a Field Officer or member of the Management Team (Convenor) can be empowered by both parties to establish the facts and adjudicate the matter (make a decision on how to resolve it).

In empowering the Field Officer or Convenor to adjudicate, the participants must agree that they will accept the decision in good faith. Good faith means that they genuinely intend to follow through with the decision and not undermine it at any later time.

The Field Officer or Convenor will hold a meeting with each party to establish the facts before making a decision. They may seek advice from other people they feel are appropriate to assist. The decision will be delivered to each participant in person.

Step 8 ~ Cont'd

If you have chosen to have your centre Field Officer to support both parties to resolve the issue they will remain impartial at all times. They are supporting the process rather than the members. Your Field Officer may recommend further support from a Management Team member or another Field Officer.

Step 9 – If the matter remains unresolved

If the matter remains unresolved including if one person wishes to appeal the decision of the Field Officer or Convenor/Association President/HR Manager the matter may be put in writing and sent to the Association President and HR Manager.

The Association Management Team may act as a final panel to review problems and seek resolution. The Association Management Team may seek the support of Life Members, Federation Members or other suitably qualified people from other Associations and outside Playcentre.

Please note that the Playcentre Federation, Ministry of Education or other external agencies provide Complaints Procedures if this process does not resolve the matter.

Ministry of Education – phone (09) 632 9400 www.moe.govt.nz

What to expect during the Dispute Resolution Process

- Your verbal or written concern should be acknowledged, in writing, within 24 hours from when it is received.

As a Centre Member, you can expect your Field Officer and/or appropriate members of the Association team to be brought in to help resolve your concern. You can expect your Centre President to remain part of the process to represent the Centre (note that your Field Officer will step in if your dispute concerns your Centre President. The Field Officer will be acting as a mediator between both parties to resolve the issue . They cannot be a support person for any member involved in the dispute.

- You will need to attend one or more meetings to discuss your concern and to talk about what would resolve your concern for you. More information about those meetings can be found in the NSPA Dispute Resolution Process.
- You will need to play an active and positive part in the resolution process.
- You may be asked not to discuss the matter with other members of your Playcentre, the community, or within the organisation so that the other people involved have time to respond and matters are dealt with fairly and constructively, as well as confidentially.
- The details of your concern will be given to the other person/people so they can respond. Present your concern with this in mind.
- You will have the opportunity to be supported at all meetings by a friend or family member of your choice.

- The preferred outcome in most situations is that the people directly involved can eventually have a meeting together to agree the way forward and continue working alongside one another at Playcentre.
- You will need to be prepared to play your part in making the resolution work.
- You may be provided with relevant NSPA policies or procedures pertaining to your concern. These may include our Philosophy document or other guidelines.
- You will be expected to act professionally at all times, not doing anything to undermine what you agree to, or to damage the reputation of any other person involved.
- If you do not feel your concern has been resolved after this process,
 - as a Centre Member you can approach the President of the Association and put your concern in writing to the Association Management Team.

The Association Management Team may act as a panel to review problems and seek resolution.

- As an Honoraria volunteer you can approach the Association Management Team and put your concern in writing to them

- *Please note that the Playcentre Federation, Ministry of Education or other external agencies provide Complaints Procedures if the Disputes Resolution Process does not resolve the concern for you.*

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Policy Accepted:	Association Meeting, October 2012
Review Date:	2015