

● INTERNAL CONFLICT RESOLUTION POLICY

Policy no: BPO5

● Policy detail

Policy description	This Policy details the framework for handling internal conflicts within AIA.
Policy applies to:	Members, activists and supporters. Those authorised to deal with internal complaints and dispute resolution. The Policy does not apply to conflicts between employees.
Policy owner:	The National Board

● Policy approval

Approved by Governance Committee:	November 2019
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1. Policy scope and purpose

1.1 Introduction

It is good practice for Amnesty International Australia (AIA) to have in place a policy to assist with resolving internal conflicts.

1.2 Purpose

This policy is a part of AIA's Risk Management Framework and has been developed with reference to the Australian Standard on Customer Satisfaction – Guidelines for complaints handling in organisations AS/NZS 10002:2014.

1.3 Scope

This policy applies to the resolution of internal conflict situations and is to be read in conjunction with the:

- Dispute Resolution Procedures
- Privacy Policy
- Code of Conduct
- Whistleblower Policy
- Amnesty International Australia's Values and Behaviours

This policy does not apply to employment complaints or disputes between staff members. These are covered by the relevant employees' conditions of employment.

2. When does a conflict situation exist

2.1 Definitions

The following definitions are not intended to be definitive and are intended to give an indication of the types of matters which would typically be covered under this policy.

A complaint is an expression of dissatisfaction, to which a response or resolution is explicitly or implicitly expected, in relation to:

- An AIA stance, event or campaign
- The operation and management of AIA
- Actions of individuals acting on behalf of AIA.

A dispute is usually a complaint which has been through the complaint handling process and has not been resolved to the satisfaction of one or both complainants.

3. Complaint handling process

The Complaints Officer is responsible for managing all internal complaints. In the event that the Complaints Officer is the subject of the complaint, the National Director will appoint an alternate person.

The complainant(s) must state in writing to the Complaints Officer, a statement of the facts, copies of documents if relevant, identifying the rights which are alleged to have been violated and a statement of the remedy sought.

Prior to the Complaints Officer accepting management of a complaint:

- The complainant(s) should be encouraged to agree the matter either between themselves or with the assistance of an appropriate person. The identity of an appropriate person will differ depending on the circumstances. However, generally, it is suggested that an appropriate person for a complaint or disagreement within the Activism Leadership Committee will be the Regional President or delegate.
- The Complaints Officer should be satisfied that the complaint is not vexatious and related to a matter of substance, such as that it is unfair, inequitable, discriminatory or a hindrance.

3.1 Complaint response timeframes

The Complaints Officer will endeavour to address all complaints as soon as possible, ideally within 30 days of receipt.

Throughout, fairness to both parties, natural justice, the right to response to allegations and commonsense will apply.

3.2 Unresolved complaints – dispute resolution

When the complainant is advised of the outcome of their complaint, they should be informed of their right to have their complaint referred through the dispute resolution process if they are not satisfied with the outcome. A complaint becomes a dispute at this point.

4. Dispute resolution

The Complaints Officer is responsible for managing all disputes through the dispute resolution process set out in **Appendix 1**.

Prior to entering into dispute resolution, it should be made clear to both parties that it is likely to be in the best interests of the organisation (in terms of time and resources) for the matter to be settled.

5 Policy Governance

5.1 Complaint Register

The Complaints Officer will maintain a register of all complaints.

5.2 Reporting

Information highlighted by the receipt of a complaint and, in particular root cause analysis, is used as a management tool to identify weaknesses or failures in systems, procedures and controls.

Statistics reporting, including root cause trends, volumes and processing times is provided regularly to the Audit and Risk Committee.

5.3 Review

This policy will be reviewed every three years, or more frequently if required, due to legislative or operational changes.

5.4 Board approval

Amendments to this policy are to be first approved by the Governance Committee prior to obtaining the approval of the Board.

5.5 Supporting documentation

Documentation related to the complaint, including details of the complaint and all relevant and related responses and executed settlement agreements, should be retained for a period of 7 years.

Appendix 1: Dispute resolution procedures

1. Mediation principles and guidelines

At each stage of mediation:

- Parties should be encouraged to be fair and respectful to the other party, acknowledging that the longer the dispute goes on, the more damaging it is for AIA
- It is open to the parties to agree that they will accept the view of the independent person (to save AIA time and expense and possible reputational damage).
- An independent person should:
 - Identify any common interests or concerns between the parties
 - If possible, talk about general topics before getting into the specifics of the problem
 - Be an active listener
 - Encourage parties to talk openly and with respect and to try to focus on the issue (no personal remarks or irrelevant details)
 - Be clear about what the issue is, why it's important and how it might affect others (including the organisation)
 - Use five step process:
 - Identify source of conflict (Ask questions like 'how did the incident start? When did you feel upset?')
 - Encourage the parties to look beyond the incident to see the real cause (questions could include: what do you think happened here? When do you think the problem between you first arose?)
 - Request solutions (How can you make things better between you?)
 - Identify solutions that both parties can support. Point out the merits of each idea, particularly in terms of the benefits to the organisation
 - Agree on the action to be taken. Recap the agreement so all parties are clear. Try to end on a positive note

2. Mediation process

The parties in dispute should meet with an independent person to discuss the problem and to try to resolve it.

The independent person, at this stage, should act as a facilitator. In so far as possible, the parties in dispute should be encouraged to be clear between themselves about what the problem is and each should articulate their preferred outcome.

The independent person is set out in the Dispute Resolution Matrix at **Appendix 2**. In the event that the parties to the dispute - or either of them - reject the independent person, the National Director can determine at their discretion whether to appoint another independent person set out in the Dispute Resolution Matrix or appoint an external dispute resolution entity.

Where the dispute has not been resolved by the independent person, a dispute resolution entity in that State or territory (in Victoria, the relevant organisation is the Dispute Centre of Victoria) will be appointed within 30 days of the mediation process leaving a dispute still unresolved.

Appendix 2: Disputes Resolution Matrix

	Board Chair	Board Director	Board Committee Chair	Board committee member	Members Board or other committees	Regional President	ALC member	National Director	Management team member	Other staff
Board Chair	N/A	Board matter	Board matter	Board matter (in absence of Board Chair)	Board matter	Board matter	Board matter	Board matter	Board matter with advice from National Director	Board matter with advice from National Director
Board Director	Board matter	Board Chair	Board Chair	Board Chair or the relevant committee chair as appropriate, escalation to whole Board	Board matter	Board matter	Chair of the AMC. If no resolution, escalation to Board.	Board matter	Board matter with advice from National Director	Board matter with advice from National Director
Board Committee Chair	Board matter	Board Chair	Board matter	Board Chair	Board matter	Board matter	Chair of the AMC. If no resolution, escalation to Board	Board matter	Board matter with advice from National Director	Board matter with advice from National Director
Board committee member	Board matter (in absence of Board Chair)	Board Chair or the relevant committee chair as appropriate, escalation to whole Board	Board Chair	If members of the same committee: Relevant committee chair, escalated to the Board. If members of different committees (and respective chairs cannot resolve): Board Chair.		Relevant committee chair. If no resolution, escalate to Board	Chair of the AMC	Board matter	Board matter	Relevant committee chair; escalation to Board Chair

Members Board or other committees	Board matter	Board matter	Board matter			Board matter	Board matter (for Board member), if other committee member, the chair of that committee . Escalation to Board.	Board matter	Board matter	Board matter
Regional President	Board matter	Board matter	Board matter	Relevant committee chair. Escalation to Board	Relevant committee chair. Escalation to Board	Disputes involving region-specific matters to be raised either with another Regional President(who is independent) or staff member whom the disputant deals with most frequently . If there is no resolution escalation should be to the Complaints Officer .	Chair of the AMC , escalation to Board	Board matter	Chair of the AMC , escalation to Board with advice from National Director	Chair of the AMC , escalation to Board with advice from National Director

ALC member	Board matter	Chair of the AMC , escalation to Board	Chair of the AMC , escalation to Board	Chair of the AMC , escalation to Board	Board matter (for Board member), if other committee member, the chair of that committee. Escalation to Board.	Chair of the AMC , escalation to Board	Regional President, escalated to the Chair AMC	Chair of the AMC , escalation to Board Chair	Chair of the AMC	Chair of the AMC
National Director	Board matter	Board matter	Board matter	Board committee chair if appropriate, escalation to Board	Board matter	Chair of the AMC , escalation to Board	Chair of the AMC , escalation to Board Chair	N/A	HR matter	HR matter
Management team member	Board matter with advice from National Director	Board matter with advice from National Director	Board matter with advice from National Director	Board matter	Board matter	Chair of the AMC , escalation to Board with advice from National Director	Chair of the AMC	HR matter	HR matter	HR matter
other staff	Board matter with advice from National Director	Board matter with advice from National Director	Board matter with advice from National Director	Relevant committee chair; escalation to Board Chair	Board matter	Chair of the AMC , escalation to Board with advice from National Director	Chair of the AMC	HR matter	HR matter	HR matter