

## Dispute Resolution

The ACT Rural Fire Service Chief Officer has issued this service standard under Section 38(1) of the *Emergencies Act 2004* – A Chief Officer may determine standards and protocols.

### Purpose

This service standard defines the dispute resolution process to be followed by staff and volunteer members of the ACT Rural Fire Service (ACTRFS) for a dispute between members.

### Scope

This service standard applies to all volunteer and staff members of the ACTRFS.

### Background

The following principles apply to dispute resolution:

1. All grievances and disputes should be resolved at the lowest appropriate level, at the earliest possible opportunity, with informal avenues to be exhausted first.
2. Grievances and disputes are to be managed according to the principles of natural justice and procedural fairness.
3. The principle of “no fault” dispute resolution that strives to prevent or minimise disputes between individuals should be applied.

### Responsibilities

Staff and volunteer members	Attempt to resolve disputes or grievances at the earliest possible opportunity, following the processes in this standard.  If unsuccessful, notify brigade officers/RFS Assistant Director Membership and Engagement as appropriate.
Brigade Executive	Attempt to resolve dispute or at the earliest possible opportunity, at the earliest possible opportunity, following the processes in this standard.  If unsuccessful, notify RFS Assistant Director, Membership and Engagement as appropriate.

ACTRFS Assistant Director, Membership and Engagement	Resolve issue within 28 days or advise parties in writing of planned resolution activities. Notify ACTRFS Chief Officer (ACTRFS CO).
ACTRFS Chief Officer or delegate	Review determination. Advise parties in writing.

## Service standard

Throughout the process of dispute resolution, all parties should acknowledge the benefits of the mutual and early exchange of relevant and reasonable information. This can assist quality decision making and can promote efficiency, proportionality and cultural change.

Any party may seek the assistance of the ACT Volunteer Brigades Association (VBA), an officer or executive of their brigade, or the Senior Operations Group (SOG) to help achieve resolution.

## Initial resolution

1. The parties involved should raise the matter between them directly and if possible, resolve it in a timely manner at that level.
2. All avenues for informal and amicable resolution should be explored.

## Referral process

1. If the matter cannot be resolved between the parties directly, they should refer the matter to the relevant brigade officer or the Brigade Executive, who will apply the Brigade resolution process as set out in their Constitution, to help reach a resolution.
2. If the matter cannot be solved at the Brigade Executive level within 28 days (4 weeks), then either party or the Brigade Executive should seek the assistance of the ACTRFS Assistant Director Membership and Engagement, to help resolve the matter.
3. Within 28 days (4 weeks), the ACTRFS Assistant Director Membership and Engagement will either:
  - resolve the matter, or
  - advise the parties, in writing, of the process planned to resolve the matter.
4. The Assistant Director Membership and Engagement may use whatever resources are available (internal or external) to assist with a resolution.
5. If the matter is unable to be resolved through agreement, negotiation or mediation, the Assistant Director Membership and Engagement may determine the matter and advise the parties.

Note, if the matter involves the Assistant Director Membership and Engagement, the steps should be followed but referred to the ACTRFS CO for assistance or determination, instead of the Assistant Director Membership and Engagement.

## Review by ACTRFS CO

1. If one or more of the parties is not satisfied with the determination, they may request the ACTRFS CO to review the matter.
2. The request to review must be in writing, setting out the reasons for review and made within 14 days (2 weeks) of the advice of the determination.
3. The review of the determination will be limited to matters of natural justice and procedural fairness.
4. The ACTRFS CO may make a new determination.
5. The ACTRFS CO will advise the parties in writing of the result of the review.

## External referral

If the matter involves discrimination or harassment and either party considers that the matter has not been successfully dealt with, the normal rights of referral to an external conflict resolution, such as the Human Rights Commission, apply.

However, if at all possible, the steps in this service standard should be followed to provide the best opportunity to resolve the matter, before it is referred externally.

## Use of social media

Disputes between members can occur through various media, including social media.

The process described in this Service Standard apply regardless of the medium that is used during the dispute.

## Support


It is acknowledged that the process through a dispute resolution can be stressful. Those involved are reminded of the Employee Assistance Program or Peer Support Program as avenues to seek guidance on managing the stress of these events

## Document information

### Version history

Author	Version	Version Approval Date	Summary of Changes
Andrew Stark	1.0	15/02/2011	Previously SOP 1.11
Rohan Scott	2.0	15/07/2020	Reviewed and adapted to new template & numbering
Lynda Scanes	3.0	8/06/2021	Administrative Review
Andrew Gradie	4.0	1/03/2023	Administrative Review

### Approved by

Name	Title/Role	Signature	Date
Rohan Scott	CO ACTRFS		09/02/2023

### Document Owner

Position	Section
Assistant Director	Volunteer Membership and Engagement

Next review due: 01/02/2027

### Related documents

Document name
3.1.1 Code of Conduct and Ethics of RFS Members Service Standard
3.1.10 Management of Brigade Funds Service Standard
<a href="#">ACT Public Sector Management Standards</a>
<a href="#">ACT Social Media Standard Operating Procedure</a>

Signed documents will be scanned and filed in TRIM.