

2.6 - CONFLICT RESOLUTION

Adult membership of The Scout Association, ACT Branch is granted under the conditions outlined in Policy Statement 2.1 Appointment of Adult Leaders and in the Branch Constitution.

In the ACT Branch adult appointments are “determined” (issued, withdrawn, resigned, transferred, suspended or cancelled) by resolution of the Branch Executive Committee on the recommendation of the Appointments Committee. The BEC having made such a “determination” shall not be under any obligation to state the reasons for such action.

On all occasions when conflict arises the procedures used to resolve the situation must ensure that youth members are protected and that natural justice is not denied to parties concerned.

1. Handling of Minor Behavioural Problems or Differences of Opinion

On those occasions where a conflict, dispute or situation arises which is contrary to P&R or is considered to be detrimental to the Association or its members, and cannot be resolved by the persons involved in the dispute, the matter will be referred to an Adult Leader responsible for the next higher level of management who, after hearing from both sides in the dispute, will mediate.

If this does not successfully resolve differences or satisfactorily settle the matter, then the Region Commissioner will be fully briefed when he/she will use best endeavours to resolve the matter.

In the event that the matter cannot be resolved at this level, the Region Commissioner will initiate action to have the alleged offending party or parties either warned, disciplined, suspended or have their membership cancelled using the procedure set out in section 2 below.

In the event of conflicts or disputes between members not within Regions, the action outlined in this section will be taken by the Chief Commissioner.

2. Handling of Major Behavioural Problems

Step One

A warning must be given in the presence of a witness who can verify the details of the discussion. The warning must be specific to the misdemeanour and the discussion must be recorded.

Step Two

If there is no improvement in the behaviour, or the situation, or if there is a repeat of the same misdemeanour then a final warning shall be given to the individual concerned. The Adult Leader responsible for the next higher management level or their delegate must be present when this occurs; the individual must be advised that this is a final warning and the discussions must be recorded in writing.

Step Three

If there is still no improvement in the behaviour or the situation gets worse then a recommendation for disciplinary action is to be made to the Region Commissioner or

his/her delegate. The Adult Leader making this recommendation to the Region Commissioner must advise the accused person of his/her intention to do so.

Step Four

The Region Commissioner or his/her delegate will investigate the matter and make a determination. However, if suspension is contemplated then the procedure set out in section 3 below is to be followed.

Step Five

The offending person will be advised of the decision. Upon receipt of this advice, the member may appeal to the Chief Commissioner.

Step Six

Where the Chief Commissioner deems appropriate, a Commissioner or other responsible person or persons may be appointed to investigate the matter further, to consider an appeal or clarify any related aspect they deem appropriate.

Step Seven

A member involved in making an appeal shall have the right to be heard in person to state his/her case.

Step Eight

The Chief Commissioner will, following that investigation, review the matter and advise the parties concerned of his/her decision. This could include lifting of a suspension or terminating Association membership of any person.

Step Nine

Where the Chief Commissioner's recommendation is termination of membership, then the determination is the prerogative of the Branch Executive Committee. This decision will be final.

Step Ten

In the event of the Branch Executive Committee deciding to cancel membership, the person concerned will be immediately advised in writing.

3. Procedure for Suspension

In circumstances where the conflict, dispute or situation is such that it is alleged that an individual by his/her actions:

- has infringed the Association's "Duty of Care" to one of its members or a member of the public.
- committed a significant breach of the "Code of Conduct", and or
- is considered to have brought the Association into disrepute.

The Region Commissioner or his/her delegate upon receipt of advice of such allegations will immediately suspend the appointment of the member concerned.

The member must be advised in writing of this suspension, which must be regarded as a temporary measure. A person thus suspended must refrain from participation in any activity connected with the Movement, and must not wear uniform or badges. Any Association papers or funds held by the person must be passed to the Region Commissioner or his/her delegate. Any appointment held in the Movement by such a person is to be considered vacant for the time being. Any case of difficulty arising in this regard should be referred to the Chief Commissioner and the Branch Office.

The Region Commissioner shall immediately upon enacting the suspension advise the Chief Commissioner and the Branch Office in writing.

Steps five to ten (above) would then be followed.

4. Delegated Authority to a Contingent or Major Activity Leader

Where members of the Association are participating in an activity at Regional, Branch, National or International level such as Regional Camp, Branch Scout Rally, Cuboree or Jamboree, the person appointed to take charge of that activity, or of the Branch contingent to it, has the authority to withdraw any members from the activity for inappropriate behaviour. This may include making suitable arrangements for their return home. Any further disciplinary action will be referred to the appropriate Region Commissioner or Chief Commissioner.

AUTHORITY

This statement was approved by the Branch Executive Committee on 24 March 1999.