

# Dispute and complaints resolution policy and procedure

## Purpose

Melaythenner Teeackana Warrana (Heart of Country) Aboriginal Corporation (MTWAC) is committed to resolving disputes and complaints raised by employees, contractors, clients, or community members. It aims to ensure a fair, transparent, and timely process for addressing concerns.

We are committed to maintaining a respectful, fair, and open environment. Disputes and complaints will be handled with sensitivity, confidentiality, and impartiality.

## Scope

This policy applies to members, employees, directors, contractors, community members, clients or stakeholders of MTWAC.

## Principles

1. **Respect:** All parties will be treated with dignity and respect throughout the process.
2. **Confidentiality:** Information shared during the resolution process will be kept confidential, with disclosure limited to those directly involved in resolving the issue.
3. **Impartiality:** Complaints and disputes will be addressed without bias or favouritism.
4. **Timeliness:** Concerns will be resolved as quickly as possible to minimise disruption and distress.
5. **Accessibility:** The complaints process will be straightforward, and assistance will be provided to those who need it.

## Procedure

All disputes will be dealt with in line with dispute resolution best practice as outlined below, unless it is related to a dispute raised by a MTWAC member, associate member, or a member of the Circle of Elders, in which case Rule 10 of the MTWAC Rule Book will apply. This is outlined further below.

### Step 1: Informal Resolution

The complainant should first raise their concern directly with the person or team involved, if appropriate. The complainant should retain file notes of the concern and discussion.

If the issue is resolved, no further action is required.

## Step 2: Formal Complaint

If informal resolution is not successful:

- **Submission:** Submit a written complaint via email, form, or letter, outlining the issue, parties involved, and desired resolution.
- **Acknowledgment:** The complaint will be acknowledged within 5 business days.
- **Investigation:** A designated officer will investigate the complaint, gathering information from all relevant parties.

If the matter relates to a high-level workplace issue that is serious in nature and cannot be resolved with line management structures and processes, the Executive Committee will hear the matter first and make decisions about the next best steps.

If the Executive Committee cannot resolve the matter, it will proceed to the MTWAC Board who will make the final decision about next best steps and if applicable, seek legal advice.

## Step 3: Resolution

- **Findings:** A written response outlining findings and proposed actions will be provided within 15 business days of acknowledgment.
- **Implementation:** Agreed-upon actions will be carried out promptly.

## Step 4: Appeal

If the complainant is unsatisfied:

- Submit an appeal in writing within 10 business days of receiving the resolution.
- An independent reviewer will reassess the case.

## MTWAC Rule Book rule 10

The MTWAC Rule Book (the Rules) determines the appropriate action for resolving disputes relating to MTWAC members, directors and/or members of the Circle of Elders. The Rules specify:

- If a dispute arises, the parties must first try to resolve it themselves
- If the dispute is not resolved within 10 business days, any party may give a dispute notice to the other parties.
- The dispute notice must be in writing and must say what the dispute is about. It must be given to the Corporation (to the Contact Person).
- The Contact Person must pass on all correspondence to the directors within 14 days.
- The directors must help the parties resolve the dispute within 20 business days after the corporation receives the notice.
- If the directors cannot resolve the dispute, it must be put to the members to resolve it at a general meeting.

### Seeking assistance from the Registrar

- If a dispute or any part of a dispute relates to the meaning of any provision of the CATSI Act or the corporation's rule book, the directors or any party to the dispute may seek an opinion from the Registrar about the correct meaning of the relevant provision.
- The Registrar's opinion will not be binding on the parties to a dispute.
- The right to request assistance from the Registrar does not create a right to request a formal mediation. However, in an appropriate case the Registrar may provide assistance in having the matter resolved.

### Escalation

If the issue cannot be resolved internally, external mediation or consultation with relevant regulatory bodies may be sought.

### Monitoring and Review

All complaints and resolutions will be logged and reviewed regularly to identify patterns and improve practices.

This policy will be reviewed annually to ensure its effectiveness.

### Contact Details

For formal complaints or further information, please contact:

**Adam Pennington, General Manager**

**Phone:** 0439 995 690

**Email:** [adam.pennington@mtwac.org.au](mailto:adam.pennington@mtwac.org.au)

For all complaints relating to members, Circle of Elders or directors, please contact:

**Adam Pennington, General Manager**

**Phone:** 0439 995 690

**Email:** [adam.pennington@mtwac.org.au](mailto:adam.pennington@mtwac.org.au)

**Rebecca Johnson, Contact Person**

**Phone:** 0473 953 104

**Email:** [Rebecca.johnson@mtwac.org.au](mailto:Rebecca.johnson@mtwac.org.au)

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