

Disagreements or Disputes Resolution Policy

This Policy is concerned with the resolution of disagreements and disputes between any Officers, Trustees, Members and/or Member Associations of the Welsh Beekeepers' Association

1. Introduction

The resolution of disagreements and disputes between any Officers, Trustees, Members and/or Member Associations should not be confused with the resolution of Conflicts of Interest where personal benefit may be gained by any Trustee if they do not put the best interests of the association before their own interests. Specific guidance to the resolution to this type of conflict has been issued by the Charity Commission and is detailed in Paragraph 24 of the WBKA Constitution. A serious disagreement/dispute within the WBKA as a charity may cause the organisation problems in its day to day running as well as damaging its reputation and credibility in the eyes of its members. The Charity Commission (CC) will not get involved with disagreements over policy or other areas where decisions taken are lawful even if some take a strongly opposing view. The CC considers that Trustees are elected to run the charity and thus it is their responsibility to also resolve:

- disagreements and/or disputes between its Trustees and any beneficiaries, which includes Trustees.
- Complaints against those officers or Trustees as individuals or collectively as the Management Team
- and to seek to resolve complaints about or disputes between Members or Member Associations

The WBKA is a democratic organisation and majority decisions taken at quorate meetings of the Management Team should be respected even where there are strongly held opposing views. In the event that this is impractical for any reason, appeals or mediation processes are outlined below.

2. Practical Application

- a). Under normal circumstances where due time and information for consideration of all views has been given the subsequent vote taken at a quorate Management Team meeting should be considered binding on all Trustees.
- b). Where a serious dispute breaks out between any Officer, Trustee, Member and/or Member Association then when that dispute is not regarding a subject which is likely, in the normal run of business, to be considered and decided upon by the Management Team, the dispute resolution procedure should be brought into play.

3. Dispute Resolution Procedure

The dispute resolution procedure is an escalating procedure and every effort coupled with good will should be made to resolve the issue or reach a working compromise at the first stage. Escalating the dispute is more likely to risk the reputation of the Association and not be in its best interests. The ultimate conflict resolution would be by going through the courts but all other possible avenues of alternate dispute resolution (ADR) should be tried before any thought is given to that step. Any judge in a court of law would take a dim view if all possible solutions had not been tried including the use of an independent mediator.

- a). When it is realised that a serious disagreement exists which may affect the smooth running of the Association one or both of the disputing parties must raise the issue with the WBKA Chair and at least one other WBKA Officer Trustee (i.e. Vice Chair, Treasurer, General Secretary) at the earliest opportunity. The Chair or the other Officer Trustee, whoever is the most appropriate, will, within 7 days, identify a Trustee who is acceptable

to both. That Trustee should speak to the parties separately to gather information and look for areas of common ground/possible compromise in order to seek a simple internally mediated resolution if that seems a possibility. If that fails to produce a compromise within a reasonable timescale (e.g. one week) then:

b) Where the issue does not relate to actions by the Management Team then it should be raised for consideration by the other members of the Management Team in a formal manner at a scheduled meeting which would be quorate without the presence of the disputees. Where the issue relates to any member of the Management Team they shall be excluded from any deliberation. Each individual in dispute should submit a short paper (Max 2 sides of A4) outlining their reasons for the dispute and should be willing to attend the Management Team where the issue will be discussed to answer any further questions. After the written and verbal submissions the disputees will withdraw allowing the remaining members of the Management Team to discuss the issues and vote to arrive at a majority decision which they should communicate there and then or, at the latest, within 7 days. In a democratic organisation such as the WBKA such decisions should be binding on all parties. Copies of the minutes of the meeting will be shared with all participants.

c) In the event that one or both of the disputees do not accept the decision of the Management Team then two possible avenues for progress are possible. Both of the parties in dispute must agree on which of the two fall back routes to use.

Option 1) A Review Panel comprising senior members of the WBKA will be convened and chaired by the President of the WBKA (unless he or she has any other involvement in the issue, in which case the Panel Chair will be one of the Vice Presidents). They will consider all emails, reports, written submissions and minutes of the relevant Management Team meetings and their decision will be final

Option 2) An independent mediator is sought from a list which forms an Appendix to this guidance. This type of ADR has been successfully used in a wide range of disputes which could have otherwise led to very expensive court cases.