

Board Dispute Resolution Policy -

ARV Corporate Policy

1. Statement

This policy provides a clear, consistent framework for preventing, managing, and resolving disputes between Alpine Resorts Victoria (ARV) Board members in a fair, respectful, and timely manner. It supports the Board to meet its public sector governance obligations, act in the public interest, maintain effective working relationships and ensure disputes are addressed in good faith before they affect the effective operation of ARV.

2. Scope

This policy applies to disputes involving ARV Board members and may be extended to disputes involving non-Board subcommittee members where the Board determines that doing so is in the public interest. It covers the prevention, management and resolution of disputes that may adversely affect Board governance, decision-making, operations or the Board's ability to discharge its statutory responsibilities.

For the purpose of this policy, a dispute is more than an ordinary difference of opinion. It is a circumstance that affects, or may affect, a Board member's ability, or the Board's collective ability, to perform its duties effectively and efficiently.

This policy does not apply to normal debate or differing views regarding Board decisions where those matters are appropriately managed through established Board or subcommittee discussion and decision-making processes.

3. Requirements

3.1 Principles

ARV will ensure disputes within the scope of this policy are managed promptly, fairly, consistently and confidentially.

The following principles apply:

- Respect, courtesy and balance: Board members must treat one another with respect and courtesy. They participate in Board discussions in an active and constructive manner. There is a balanced opportunity for each Board member to ask questions, express ideas, and offer opinions.
- Board members must act fairly, impartially, and in good faith, considering all relevant facts objectively, and respecting human rights and equal opportunity obligations.
- Board members must engage constructively and take reasonable steps to prevent disputes and seek informal resolution as soon as practicable.
- Outcomes, agreed actions and identified risks must be recorded, managed confidentially, monitored until closure and notified where required by law, government policy or this policy.

3.2 Preventing Disputes

The Board will seek to prevent disputes through respectful engagement, effective governance practices and constructive decision-making processes in accordance with the ARV Board Integrity Framework (Code of Conduct) Policy and ARV's governance policies.

3.3 Informal Resolution

Disputes should be resolved informally wherever practicable.

Where a dispute arises, the Board members in dispute (the 'parties') will:

- act in good faith and in the best interests of ARV; and
- make a reasonable, thorough and conscientious effort to resolve the dispute as soon as possible in the public interest.

Where the Chairperson is not a party to the dispute, the Chairperson will lead and facilitate the informal resolution process. All Board members must support the process as required.

Where the Chairperson is a party to the dispute, the Board will appoint another Board member to perform the Chairperson's responsibilities under this policy. For the purposes of the dispute resolution process, related Board discussions and meeting minutes, that person will be referred to as the "Acting Chairperson".

3.4 Noting of an unresolved dispute

Where informal resolution efforts are ongoing, but the Chairperson (or Acting Chairperson) considers that the dispute may pose a significant risk to the effective operation of ARV, the matter may be placed on the agenda of the next Board meeting for noting and/or monitoring.

This step does not interrupt or replace the informal resolution process.

3.5 Notice of an unresolved dispute

Where reasonable, thorough, and conscientious efforts to resolve a dispute informally have been unsuccessful, the Chairperson (or Acting Chairperson) will place the matter on the agenda of the next Board meeting. The Board will invoke the **formal** mediation process if it is satisfied that:

- a dispute exists;
- proper and sufficient efforts to resolve the dispute informally have failed;
- it is in the public interest to resolve the dispute through a formal mediation process; and
- where practicable, the process can be completed before the relevant Board appointment ends.

3.6 Formal mediation

The Board is responsible for determining whether formal mediation is required and ensuring any mediation process is independent, appropriate and conducted in good faith.

Where the Board invokes the formal mediation process:

- an independent, suitably qualified mediator acceptable to all parties of the dispute will be appointed;
- where agreement on a mediator cannot be reached, the matter will be referred to the Dispute Settlement Centre of Victoria ([Dispute Settlement Centre of Victoria](#)). The Centre will be asked to organise a mediation using its mediators, in consultation with the parties and the Chairperson (or Acting Chairperson);
- if the matter is unsuitable for the Centre's free services, the Department of Energy, Environment and Climate Action (DEECA) will be contacted for advice.
- all parties to the dispute must participate actively and in good faith with the appointed mediator to resolve the dispute;
- mediation arrangements will include agreements regarding confidentiality and the correct process for storing and distribution of information about the resolution or otherwise of the dispute; and
- where the dispute remains unresolved and continues to adversely affect the Board's operation, further advice will be sought from DEECA.

3.7 Notification to DEECA

Consistent with [section 81\(1\)\(b\)](#) of the Public Administration Act (PAA), where a dispute presents an existing or emerging major risk to the effective operation of ARV, the responsible Minister and the Secretary of DEECA will be notified of the risk and of the management systems that are in place to manage it.

Notification to DEECA may occur at any time during or after the dispute process. Timing will be determined by the nature of the dispute and its potential “risk” impact to ARV operations.

It is expected the ARV Board will notify DEECA at the point when it is decided a dispute requires a formal mediation process and may seek assistance earlier where appropriate.

4. Responsibilities

Position	Responsibility
Chairperson	Leads and manages the dispute resolution process where not a party to the dispute.
Acting Chairperson	Where the Chairperson is a party to the dispute, the Board will appoint another Board member to undertake the Chairperson’s responsibilities under this policy for the purpose of managing the dispute.
Board Members	Participate in dispute resolution processes in good faith and work constructively toward resolution.
Board	Determines whether formal mediation is required and considers any escalation or notification requirements.

5. Legislation

Disputes between Board members should be resolved in accordance with the Board’s obligations and with good public sector governance practice, including:

- the establishing Act, being [Alpine Resorts \(Management\) Act 1997](#)
- the public sector values in [section 7](#) of the [Public Administration Act 2004](#) (PAA)
- the ‘duties of directors’ (Board members) in [section 79](#) of the PAA
- the requirement in [section 81\(1\)\(d\)\(iii\)](#) of the PAA to ensure that adequate procedures are in place for resolving any disputes that arise between Board members
- the Directors’ [Code of Conduct](#) and similar requirements in [section 79](#) of the PAA and in the common law (e.g. to act honestly and legally)
- Victorian public sector governance framework [Governance and integrity - VPSC](#)
- any directions, guidelines and/or statements of obligation or expectation issued by the Minister
- all other laws and obligations that bind ARV

6. Related documents

- ARV Board and Subcommittee Meetings and Decision Making Policy
- ARV Board Integrity Framework (Code of Conduct) Policy
- ARV Conflict of Interest Policy - Board
- ARV Gifts, Benefits and Hospitality Policy
- [Dispute Resolution Support Module - DEECA](#)
- [On Board - DEECA](#)
- [Dispute Resolution Guidance Notes](#)

7. Definitions

For the purposes of this policy, the following definitions apply:

Term	Definition
Dispute	For the purposes of this policy, a 'dispute' exists if: • two or more Board members have difficulty working together (e.g. due to a conflict of personalities or ideological differences); and • the situation is unduly affecting the ability of a Board member, or the Board collectively, to perform their duties in an effective and efficient manner.
Good faith	Is a sincere intention to be fair, open and honest.

8. Approval and implementation

Policy Custodian	Policy contact details	Approval Date	Approver
CEO	info@alpineresorts.vic.gov.au	Sep 2026	Board

9. Version Control

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