

# Managing Conflict in the Wildlife Sector

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## Abstract

*Volunteers join wildlife rehabilitation groups to work with animals. But, for better or worse, they also have to work with people: other members, veterinarians, the public and members of other organisations. It is these human interactions, and knowing how to respond when they go wrong, that can be the most challenging aspects of running rehabilitation groups. Grief, anger and stress, all of which are part of the emotional roller-coaster of wildlife care, can compound interactions that may already be fraught.*

*This paper will discuss the need for processes to identify, investigate and address or even avoid problematic interactions.*

*Keywords: conflict, workplace law, bullying, harassment, animal welfare*

## Introduction

All animal rehabilitation groups begin with the primary aim of helping animals. Yet achieving this aim effectively requires members of the group to act together effectively, and in a way that complies with the law. Conflicts may be infrequent, but they are often extremely destructive, in some cases causing members to leave. Conflicts with members of the public, veterinarians or other groups can also materially damage the reputation or effectiveness of the group to care for animals. It is therefore imperative that groups develop clear and appropriate processes for handling conflict.

A recent survey of NSW wildlife carers [1] found that “stress and volunteer burnout” were prevalent, with “group politics .... in-fighting and bullying,” being among the contributing factors. The survey also found that fewer than 25% (n=671) of respondents said their group dealt with conflict and disciplinary matters ‘Very’ or ‘Extremely’ well. There is clearly a compelling reason to address this issue.

Common causes of conflict in animal rehabilitation groups are animal welfare (the perception that another member may have poor standards of care) and bullying or harassment. These issues are both presumably covered in the constitution and policy documents of the organisations, but they are also covered by legislation. In NSW, animal welfare is covered by the Prevention of Cruelty to Animals Act [2], while bullying and harassment are covered nationally by the Fair Work Act [3]. In 2014, the Fair Work Act was modified to define bullying and harassment as health and safety issues, and the volunteer sector is now explicitly covered in this respect.

In the volunteer sector generally, bullying is a significant problem, and the single most important cause of complaints [4].

Volunteer organisations will often seek to resolve these issues through their own processes (both animal welfare and bullying/harassment), but because they are covered by legislation, it is also an option for members (or members of the public) to use public authorities to address serious cases, or in cases where the internal processes are ineffective. For example, the Police, the RSPCA and the Animal Welfare League have statutory authority to investigate animal welfare issues, while bullying or harassment can be reported to the authorities such as SafeWork NSW [5,6].

It is however preferable that the internal processes are effective in addressing problems, so that they do not require referral to an external body. Unfortunately, as the NSW survey indicates, an effective response is not a given. Most organisations do not have the professional resources (such as an HR department) that would be available in a workplace with paid employees, and members do not generally have training to deal effectively with these issues. In addition, members often know each other, making it difficult to be impartial.

Developing clear, simple and fair processes to deal with these issues is therefore vital for the sector. In the rest of this paper, I will concentrate on the processes that address conflicts such as bullying and harassment, though in many cases the same processes will apply to other forms of conflict. Animal welfare issues are obviously relevant in this context but are covered more fully in other presentations.

Excellent external resources are available eg [7] to assist in developing robust processes. In this paper I will concentrate on examples that are directly relevant to the wildlife sector.

## **Training and policy**

Training is an essential part of the process that transforms a member of the public into a wildlife carer. Most of that training relates to the care of animals. But it is equally important that other areas are covered, including members' responsibilities under the law (licence conditions and codes of practice, animal welfare and health and safety), as well as the group constitution and policies. These group policies should include (but not be limited to) a Code of Conduct and Social Media policy. The Code of Conduct and Social Media policies should define the expectations of behaviour between members, with other groups (including veterinarians and other wildlife groups) and members of the public.

Because bullying is known to a significant issue [1,4], training should explicitly cover the legal definition bullying and identify the internal processes to address it.

Bullying is legally defined as **repeated** and **unreasonable** behaviour that **creates a risk to health and safety**. Bullying is a pattern of behaviour that persists over time, not a single isolated incident. The following are examples of bullying behaviour: offensive language or comments, unjustified criticism, deliberately excluding someone from workplace activities and withholding information that is needed for work, shouting, repeated teasing or practical jokes, or exerting unreasonable pressure.

It is equally important that members understand what is **not** bullying. Fair Work Australia notes [8] *"A manager can make decisions about poor performance, take disciplinary action, and direct and control the way work is carried out. Reasonable management action that's carried out in a reasonable way is not bullying."*

*Management action that isn't carried out in a reasonable way may be considered bullying.”*

This quote highlights the special responsibility of management. Because of their power within the organisation, managers at all levels (including species co-ordinators, branch executive and the board) have the capacity to define the culture of the organisation. If their power is used effectively and fairly, they can help establish a culture in which poor behaviour is not tolerated. However, if their power is not used, or is not used *appropriately*, they can easily do the reverse. For this reason, groups should consider both additional training for members in governance roles and develop governance structures that mandate fair and impartial responses. Additional training/qualification for higher levels or specialist roles in the organisation is probably desirable for several reasons (eg a species co-ordinator should be more highly trained in that species than a normal member).

Other training may also be helpful. One of the reasons that poor behaviour occurs is that many of the situations volunteers encounter are emotionally fraught. Most volunteers will be emotional about issues of animal suffering, and may also be fatigued, overwhelmed or even suffering from grief or other personal issues. They may be dealing with members of the public who do not share their views about animals, who may be afraid or angry and impatient. It can be extremely difficult to maintain your composure in this context.

However, training in empathy [9] and mindfulness has been shown to be effective in improving behaviour and reducing stress. Role-playing of common stressful situations (such as angry members of the public, or conflicts between members and between coordinators) may also help members depersonalise the examples and help them cope with them better. As before, members with more responsibility in the organisation may require additional training.

### **Governance structures**

If training is important because it helps prepare individuals, governance structures are important because they help organisations have a fair and consistent response *independent* of which individuals may have responsibility. The following are guidelines for effective governance structures. Many of these structures echo the principles of our legal system.

Many wildlife organisations started as small group of friends, and the transition to a more formal structure is sometimes uncomfortable. But it is vital, if the organisation is to grow. The tight bonds that join 20 like-minded people together cannot be the same as join 200. New people must be able to feel as valued and protected as the original members. This requires that organisations begin to operate less along lines of friendship, and more along agreed rules.

### *Impartiality and fairness*

Impartiality is one of the most important aspects of a fair system for resolving disputes or conflict. As in our legal system, it has several aspects:

- The person/s investigating the conflict or dispute should not be involved in the dispute in any way, and should not be partial to one side over the other (for example by being friends with one party and not the other)

- The “investigation” of a dispute should be separate from the “judging”, and the people judging must also be impartial (similar to the distinction between the police and the judiciary)
- If there is a process of escalation (such as an appeal), the different levels of governance should be independent of each other
- Each conflict must be solely considered on its own merits. A record of prior behaviour should *not* be influence a finding of whether a member is at fault.
- In keeping with the legal process, prior behaviour *should* influence the organisation’s *response* to an incident: an isolated incident is different from a long-standing pattern of behaviour.

In practice, impartiality is very hard to achieve in small organisations, where many people know each other, memories are long, and there are only a few executive members. But even in small organisations, processes must be fair.

This means that there may be occasions when external assistance is needed to investigate or resolve disputes. For example, it may be possible to involve members from other branches, or to seek the assistance of a qualified pro-bono volunteer, external to the organisation. For example, organisations may seek to appoint an external disputes officer, such as a Justice of the Peace. Alternatively, for more serious issues, it may be appropriate to involve an external body such as SafeWork NSW directly. Other external resources that groups should consider include counselling and mediation.

Issues around impartiality also have implications for the executive positions in wildlife groups. If the same person has multiple roles (for example on the branch executive and organisation executive) it makes it more difficult for the escalation processes to be independent. It also makes it more difficult to deal with a conflict in which they are involved, either directly or indirectly, eg through friendship. There is potential for members to be protected or victimised by people with influential, entrenched or multiple executive roles. For this reason, executive positions should preferably be rotated and/or have term limits. Similarly, organisations should establish clear rules about conflict of interest, for example requiring individuals to stand aside from involvement in disputes involving their friends (or enemies), and when people have multiple roles.

### *Transparency, consistency and expectations*

The processes relating to disputes, and how they are to be resolved, must be clearly articulated and documented. For less serious matters, there should be a process of warnings.

Members who are being investigated should understand the process (eg a flow chart) and have a defined time scale for it to be resolved. If action is taken against one member, it should be consistent with the actions against other members who been found to have behaved similarly, unless there are specific, articulated reasons. These reasons would include prior behaviour (ie if the incident was an isolated event, or if it formed part of a pattern.)

Documentation is also critical for defining expectations. For example, a common conflict in wildlife groups is between a member and species co-ordinator (can the co-ordinator take an animal from a member, and in what circumstances etc). In this case it would be helpful to formally define and agree the roles and responsibilities of both *before* a dispute arises. Each member or executive role would effectively have a “contract” describing their role.

## Conclusions

Conflicts and disputes are unwelcome in any organisation. They are often confronting, personally damaging and can cause enormous distress. In the longer term, they have profound effects on the organisation: its reputation, its capacity to attract and retain volunteers, and its capacity to raise funds.

Unfortunately, problems that are ignored do not get solved and often get worse. Indeed, in some cases they may become systemic.

Improving the management of conflict is vital. I propose that a combination of improved training, and more robust governance structures will strengthen the sector.

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## References

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