

4.4 Checklist—resolving disputes

- Have I raised my concerns with the franchisee first?
- Have I informed the franchisee of the following in writing:
 - the nature of my particular problem
 - my desired outcome
 - what action I think will settle the dispute?

Note: You may also wish to include the alternatives you will consider if the matter is not resolved to your satisfaction.

- In determining what action to take, have I considered the following:
 - costs
 - the complexity of the issues in dispute
 - whether outcomes need to be flexible?
- Have I tried to agree with the franchisee about how to resolve the dispute?
- Where I cannot agree with the franchisee within three weeks about how to resolve the dispute, have I referred the matter to a mediator agreed on by both me and the franchisee?
- Where we cannot agree on who will be the mediator, have I referred the matter to the Mediation Adviser so that it can appoint a mediator?
- Have I fully prepared for mediation? (Check with the mediator about what preparation may be required.)
- If mediation has not been successful, have I considered other options such as contacting the ACCC or taking private legal action?