



Resolution Disputes Procedure

The Redbridge Compact helps promote partnership working and can help to reduce any disputes. This document aims to set out how disagreements and disputes can be resolved.

Aims:

- To define clear expectations for the resolution of any disputes.
- To enable better implementation of the Compact by identifying areas for improvement.
- To provide a mechanism to enable the Compact Champions Steering Group to respond formally to serious breaches of the Compact Agreement.

Scope

Compact breaches are rarely deliberate and many disputes can be settled amicably. Even in the best relationships, partners will disagree from time to time, and sometimes breaches of the Compact may happen unintentionally. Developing solutions acceptable to both parties can improve understanding and help build stronger relationships. It is important that there is an effective way to solve disagreements using this Compact. By committing to the Redbridge Compact, organisations are agreeing to try and solve disagreements in a constructive manner.

The aim will always be to ensure efficient resolution, preferably informally, for all parties concerned. The process should be comprehensive enough to respond to all complaints and be proportionate to the size of the complaint. The process should be focused on improving outcomes for the Compact as a whole.

If things go wrong

- Be realistic. As well as identifying where things have gone wrong, think about what you are expecting from the Partner to put it right:
 - Would it be very expensive to do this in the way that you want?
 - Would it involve a lot of staff or volunteer time?
 - Are there other ways of doing this particular thing that are more achievable?

- Bear in mind that there may be many good reasons why your Compact partner is not able to adhere to the Compact. For example, we all aim to provide 12 weeks for consultation, but for planning applications, the Council has a legal deadline of eight weeks, so it simply cannot provide 12 weeks for consultation. This does not mean that it will not try and meet the 12 weeks standard on other occasions, when possible and appropriate. Therefore, if any Partner cannot adhere to the 12 weeks consultation period the relevant organisation will give the reason as to why it cannot be met.

Stage 1

Informal discussion to take place

(complaints received to be resolved within 2 weeks)

- Notice of potential breaches of the Compact should be made in writing stating which section of the Compact has been breached and send it to the Compact Lead Officer in the Council, John Turkson, Principal Officer, Community Partnerships by email: john.turkson@redbridge.gov.uk in the first instance (and sharing this with relevant Compact Champions if the complainant so chooses) to voice their concern.

The Council's Compact Lead Officer will:

- Acknowledge the complaint within 5 working days
 - Include a copy of the Compact
 - Ask for further information if needed
 - Refer the complaint to the senior officer of the relevant organisation and provide:
 - A summary of relevant issues
 - Guidance on which part of the Compact has been breached
 - The name and contact details of the parties involved
 - Refer all Compact related disputes, including those successfully resolved, to the Compact Champions Steering Group for monitoring
- The parties will try to resolve the issue between themselves. The senior officer should be familiar with their own Formal Complaints Procedure. They should establish whether this is an appropriate route to take at this early stage.
 - If any organisation feels that there has been a breach of the Compact, their first action is to bring it to the attention of the organisation that they think has broken the Compact, with the aim of resolving it together to the satisfaction of both parties. All parties involved should recognise the other's right to raise any issue, and allow the other party time to listen and respond to concerns.

- The nature of the concern should be explained, clearly stating which parts of the Compact have not been adhered to. The party that has allegedly broken the Compact will then follow its own internal procedures for dealing with complaints unless the parties agree that they would prefer to discuss the dispute informally or refer it to the Compact Champions for a formal investigation.
- Hopefully, the disagreement will be resolved at this stage. However, if this is not possible, then the process will move to Stage 2.

Stage 2

Compact Champions Steering Group investigation

(disputes to be resolved within 4 weeks)

- It is important to bear in mind that the Compact Champions Steering Group has no power to bring sanctions against any organisation, but all organisations signed up to the Compact are committed to work together, to improve and develop partnership working between sectors.
- The Compact Champions Steering Group includes representatives from the public sector and the voluntary and community sector. If the complaint is about a member of Compact Champions Steering Group, the member will declare any prejudicial interest in cases as they arise.

Compact Disputes Panel

- A Compact Disputes Panel will be established to look into the issues and will seek to reach an outcome agreeable to both parties. The make-up of the Panel will be two representatives from each sector and anyone directly involved in the dispute would not take part on that Panel.

The Compact Disputes Panel will require:

- Details of complaint or relevant issues.
- What action has been taken to date to resolve the dispute?
- Names and contact details of the parties involved.
- Copies of previous letters, meeting notes or other correspondence.
- Any additional information / evidence which is relevant, including information which has become known since the original complaint.

The Compact Disputes Panel response will:

- Include details of how the organisation in question intends to resolve the complaint and address the issue in future.
- Keep the complainant informed during the process and aim to reach a resolution within the agreed timescale.
- Reserve the right to refuse consideration of complaints.
- Set the timetable for both sides to submit a statement and meet with them or their representatives to try to get an outcome agreeable to both parties.

If the Compact Dispute Panel accepts that there has been a breach of the local Compact it will:

- Provide advice on what may be done to comply with local Compact, including recommendations for policy or practice improvement.
- Highlight further options if any of those involved are not satisfied that the initial advice solves the problem.
- If resolution is possible, the procedure ends at this point and everybody will receive this decision in writing within five working days of the meeting.

If the Compact Dispute Panel decides that a breach has taken place but may decide that it is unable to make a decision due to the complexity or specialist nature of the case, the Panel will invite the National Compact Mediation Service to provide specialist support. If resolution is not possible then the recommendations at this stage will be final. There is no further appeals process and everybody involved will receive this decision in writing, alongside reasons for the decision within five working days of the meeting.

Independent Advice and Support

If the mediation does not produce a satisfactory outcome, the complainant may be encouraged to access the formal complaints process of the relevant organisation. Third Sector organisations can access independent support and advice from:

- RedbridgeCVS via email to: Ross Diamond, Chief Officer, ross@redbridgecvs.net

Or

- Compact Advocacy Programme: National Council for Voluntary Organisations www.ncvo-vol.org.uk/compactadvocacy

For further Information:

Contact details for the lead person/s on your local Compact are listed on the Council's website: <http://www.redbridge.gov.uk> or the RedbridgeCVS website: <http://www.redbridgecvs.net>