

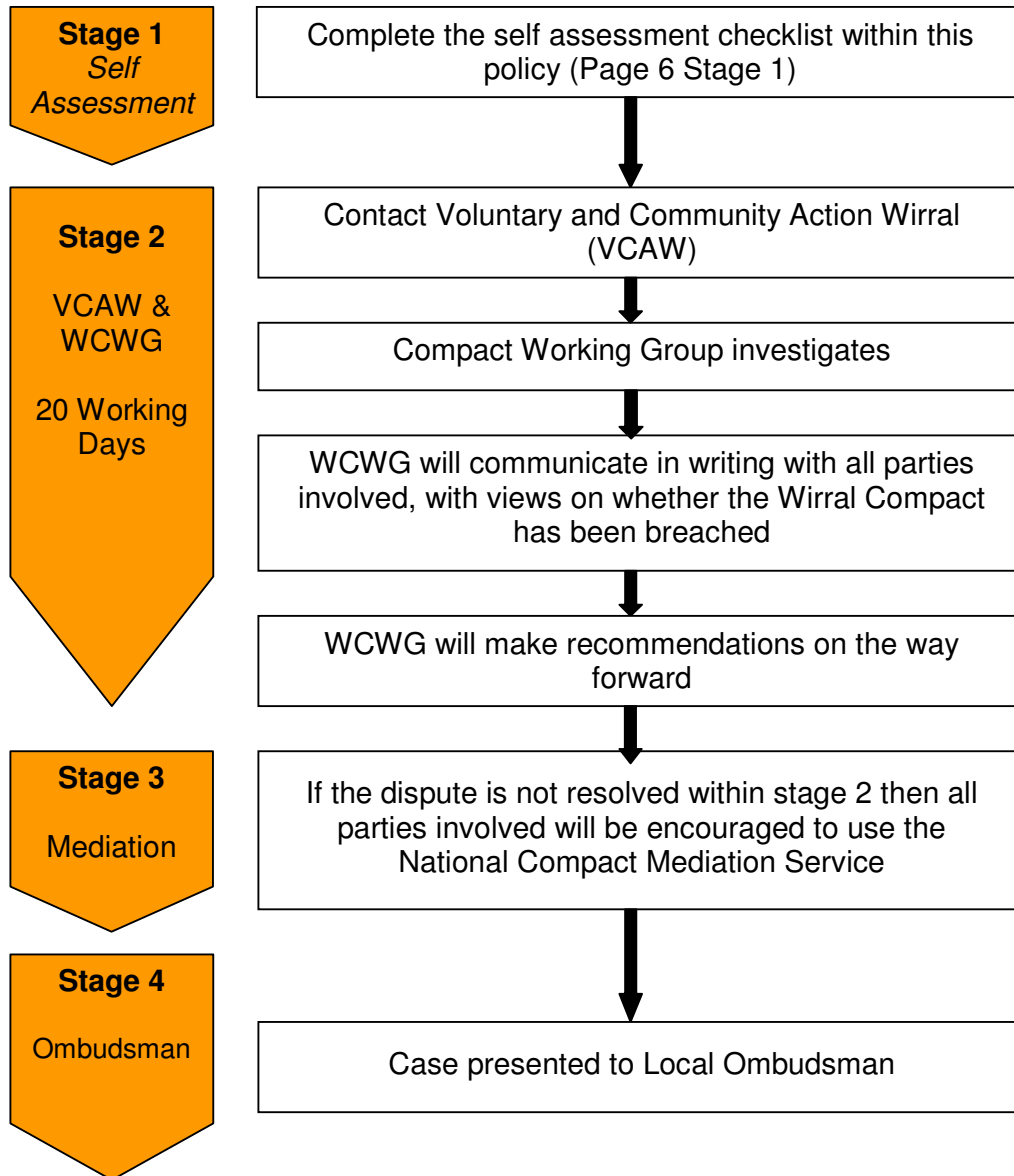


# **WIRRAL COMPACT**

# **DISPUTE RESOLUTION**

# **POLICY**

# Dispute Process Overview



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## Introduction

Having the Wirral Compact in place promotes good practice and if used correctly, helps reduce disputes. Disagreements can be useful in identifying important issues, and by approaching them in a positive and mutually respectful way they can help to improve the relationship.

This guidance has been produced to help organisations through the difficulties associated with disputes. It is understood that this guidance may not be suitable for all organisations and if a dispute arises that an organisation is comfortable dealing with internally; you may also decide to undertake any other mediation, appeals or complaints procedure if you feel it is right for you. The Compact Working Group do ask to be made aware of any disputes; this will help identify trends or training needs.

The Wirral Compact Working Group supported by the Compact secretariat will monitor the complaints we are informed about so that we know if this dispute resolution process and our contribution have been useful. We will use this information when reviewing our work when reporting to Wirral Compact champions and members.

## Four Stages of Dispute Resolution

### STAGE 1

If you think that you have cause for complaint you should always try to solve the issue between yourselves first, in the spirit of the Wirral Compact. Using the self assessment checklist will help you to take the first positive steps towards resolution. This means that all those involved should always recognise the other's right to raise the issue, and should give the time to listen and respond to concerns.

Have you written down the reason for your dispute?

Have you read the Wirral Compact and relevant codes?

Have you contacted the other party/parties and informed them of your grievance?

Have you put your complaint in writing and received a written response?

Do you feel that you have taken all possible measures to resolve this dispute?

## **STAGE 2**

If addressing the issue between yourselves does not solve the problem, you may wish to approach Voluntary and Community Action Wirral (VCAW). A member of the staff team will support you to complete the dispute template and arrange either a meeting or correspondence of your template to the working group.

### **Voluntary and Community Action Wirral Community Engagement Team**

**0151 645 4038**

The Wirral Compact Working Group will help to facilitate the resolution of disputes, in line with this procedure. We will acknowledge receipt of your approach within five working days, and aim to resolve the dispute within 20 working days.

A panel of Group members will carry out an initial investigation. The box below describes how this will happen. The panel may ask to meet those representing one or both sides in the dispute.

The Group will then decide if a breach has taken place. Everybody involved will receive this decision in writing, along with reasons for the decision, within three weeks of the issue being received. They may decide that they are not able to make a decision, due to complexity or specialist nature of the case. In such a case, the Group will advise on alternative courses of action.

If the Wirral Compact Working Group accepts there has been a breach of the Wirral Compact it will:

- provide advice on what may be done to comply with the Wirral Compact, including recommendations for policy or practice improvement.
- highlight some options if any of those involved is not satisfied that this solves the problem.

If the Working Group decides that a breach has not taken place, the matter should be dealt with by other means.

### **STAGE 3**

If the dispute is not resolved, you may decide to seek an independent view that will include the option of using the national Compact Mediation Scheme. This is provided by CEDR Solve (the Centre for Effective Dispute Resolution). There is a charge for this service.

Please contact CEDR Solve on 020 7536 6060 or email [info@cedr-solve.com](mailto:info@cedr-solve.com)

### **STAGE 4**

If mediation does not produce a satisfactory outcome, the complainant's case may be presented to the Local Government Ombudsman (see Annex 1). The Wirral Compact Working Group will be able to advise you on how to do this.

## Guidelines for Initial Investigation

Representatives of the Wirral Compact Working Group will:

- declare interest in any issue that arises
- separate hearsay from facts
- avoid making judgements on blame
- keep all investigations confidential, sharing only with the WCWG
- check whether there have been any previous problems in dealings with the individual or organisation
- contact the complainant to:
  - clarify the complaint
  - clarify the outcome sought
  - explain the limitation of the outcomes available at this stage
- check whether the complainant needs support, for example interpretation and language services, advocacy or access to induction loops etc.
- make sure they understand the background to both parties and obtain relevant documents
- contact the subject of the complaint to hear their side
- conduct dealings with both parties in as informal and relaxed way as possible.
- record all information gathered, ensuring that everyone is happy with their understanding of the situation
- report to the wider Wirral Compact Working Group.

The Group will then contact everyone involved to advise them of the outcome.

## Wirral Compact Dispute Resolution Template

**Making your complaint (see notes on page 5 regarding trying to resolve the issue informally first)**

Details of the complaint:

|  |
|--|
|  |
|--|

What outcome do you want from making this complaint?

|  |
|--|
|  |
|--|

Details of the organisation raising the complaint:

|               |  |               |  |
|---------------|--|---------------|--|
| Contact Name: |  | Organisation: |  |
| Tel. no:      |  | Address:      |  |