

North East Lincolnshire

Compact

working together better together

Guidelines for Resolving Disagreements

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GUIDELINES FOR RESOLVING DISAGREEMENTS

INTRODUCTION

If the Compact is to encourage and facilitate closer working, it is inevitable that from time to time disagreements will arise. It is important to establish a clear process for dealing with such issues as quickly as possible. The purpose of these guidelines is to explain how groups or organisations can raise concerns where they believe the Compact or its codes are not being followed correctly.

Not all differences between voluntary/community sector and public sector organisations will be associated with the Compact. It is important to make clear that most organisations have established complaints procedures and that these should be followed if a complaint is not Compact related.

The following procedure is specifically designed to address relationship issues arising from the Compact. It should not be used to:

- make complaints about services provided to North East Lincolnshire residents;
- challenge decisions about funding, and/or
- complain about individual Councillors, officers or employees of Compact member organisations

Should a resident wish to make a complaint regarding the service of a Compact member's organisation, an up to date list of contacts is kept by the VANEL Compact Team.

RESOLUTION OF DIFFERENCES

The Compact makes it clear that members have the right to raise concerns, be listened to positively and receive a response. Voluntary or community organisations can raise concerns individually, jointly or as an umbrella organisation on behalf of its members.

The process for addressing disagreements is as follows:

- 1 If there is a concern that a Compact member has failed to follow the guidance set out in the Compact or one of the codes of good practice, or has not made it clear why they cannot do so, both parties should meet in the first instance to clarify the situation.

Issue raised informally with organisation concerned to seek a solution

- 2 If an agreement is not reached at stage one, contact should be made with the Compact Steering Group who will appoint an independent investigator to meet with both parties and make recommendations aimed at resolving the disagreement.

At this stage, the following information should be provided:

- Contact details of organisations concerned
- Which part of the Compact/code the concern is about?
- What steps have been taken to address the concern?
- Actions expected to be taken to resolve the issue?

This information will be shared with all parties prior to any meeting. The independent investigator will make recommendations and present these to both parties.

Formal request to Compact Steering Group to investigate Compact breach

- 3 If the disagreement is not resolved by the end of stage two, the independent investigator may recommend referral to a review panel made up of representatives from all sectors. The panel should be chaired by a private sector representative or a representative from outside of North East Lincolnshire and will look at the evidence to see if both parties have received a fair hearing, and/or if there is an alternative way to resolve the disagreement. It will make recommendations to the organisations involved in the disagreement.

Resolution Panel meets with and makes recommendations to both parties based on:

- ***Review of available documentation***
- ***Procedures followed to date***
- ***Consultation with both parties on how disagreement may be resolved resulting in written agreement/action plan***
- ***Feedback into wider compact membership on how relationships may be reviewed/improved***

- 4 If a VCS organisation still considers its complaint has not been dealt with appropriately, it may contact the Local Government or Health Ombudsman. The Ombudsman will investigate the complaint in relation to the Compact and codes based on whether an organisation has had a fair hearing.

VCS organisations can also contact The Compact Advocacy Programme (CAP), run by NCVO's Campaigns Team and funded by the Community Fund and Barings Foundation. Where a VCS organisation has a dispute with a national or local public sector partner, the CAP will negotiate and campaign on behalf of the VCS organisation.

If a public sector organisation considers its complaint has not been dealt with in an appropriate manner, redress may be sought through the Charities Commission, Companies House or appropriate funding body. A list of contacts is kept by the VANEL Compact Team.

The Compact Mediation Scheme run by CEDR (Centre for Effective Dispute Resolution) offers mediation to resolve disputes between government or local public bodies and voluntary organisations. The scheme is subsidised by the Home Office.

CONTACTS

Charity Commission

<http://www.charity-commission.gov.uk>

Compact Advocacy Programme

<http://www.ncvo-vol.org.uk/compactadvocacy>

Compact Mediation Scheme

<http://communities.homeoffice.gov.uk/activecomms>

or

<http://www.cedr-solve.com>

Companies House

<http://www.companieshouse.gov.uk>

Local Government Ombudsman

<http://www.lgo.org.uk>

Voluntary Action North East Lincolnshire

<http://www.vanel.org>



Yorkshire & Humber
Regional Development Agency

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North East Lincolnshire **NHS**
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