

The Havering COMPACT Guidelines for Dispute Resolution

The Havering Compact provides a framework to support partnership working between organisations in the statutory sector and those in the voluntary and community sector. Its agreements are voluntarily entered into in the knowledge that a fully co-operative style of working will achieve more for the people and communities of Havering.

The scope and implications for the Compact are such that its agreements will be subject to differences in interpretation and expectation at various times. One of the principal benefits of the Compact is to enable differences to be aired in a mutually supportive framework.

Relationships are (usually) strengthened by an open and honest examination of practice but all disputes risk becoming a drain on resources, a distraction for management focus and damaging to good will.

It is important for the continued credibility of Compact that disputes have a satisfactory conclusion.

The aims of these guidelines are to:

- Support the early acknowledgement of (potential) disputes
- Facilitate their speedy fair resolution
- Encourage good practice and promote positive relationships within the spirit of the Compact.

These guidelines are concerned strictly with the process that has been gone through leading up to a particular decision or action. They do not cover the substance of the decision itself, and cannot over-ride a statutory requirement.

Principles of the Havering Compact Dispute resolution process:

- As far as possible disagreements over the application of the framework should be resolved directly between the parties involved.
- Strict confidentiality applies (within organisations) while the dispute resolution process is underway. Any agreement should include a statement covering the elements of the dispute that may be may public.
- The parties remain in control of the process and any settlement agreed, and retain any rights to other forms of redress (e.g. via an organisation's established complaints procedure; Ombudsman etc).
- This process only applies to parties that are signatories to the Havering Compact. In the case of partnerships where not all members are signatories to the Havering Compact, it will be assumed, for the purposes of resolving any dispute, that the partnership itself is a signatory and agrees to the principles of the Compact.

Dispute Resolution Process

Stage One

Discussions between key decision makers within the partnership organisations to explore the areas of concern.

Stage Two

Written confirmation of above explicitly setting out the Compact agreements that are in dispute and how the 'initiating' organisation thinks the matter should be resolved.

This letter must be acknowledged in 10 working days. And a substantial reply containing a suggested resolution, made within 15 working days.

If the initiating organisation is content, the issue can be resolved at this point.

If not...

Stage Three

The named Compact contact at the 'initiating' organisation writes to the named Compact contact of the 'disputed' organisation explaining why the response has not led to resolution.

The named Compact contact of the 'disputed' organisation responds within 15 working days setting out their view of how the matter can be resolved.

If the 'initiating' organisation does not feel the suggested resolution satisfactorily addresses the issue...

Stage Four

The matter is deemed to be a Havering Compact issue. The Compact Chair representing the voluntary and community sector organisations and one of the Compact Champions from the statutory sector, not involved in the dispute, will meet to hear the dispute. Both parties will be invited to attend. The meeting will be chaired by an independent person agreed by both parties.

If either organisation still does not accept the recommendation...

Stage Five

They will agree to meet with an independent mediator. If agreement still can't be reached, they should refer to the following mediation services. The cost to be borne by the **initiating** organisation.

Ombudsman for Health: www.ombudsman.org.uk (free service)

Ombudsman for Local Government: www.lgo.org.uk (free service)

Compact Mediation Service: www.cedr-solve.com/compact (fee charged - will not be prohibitive for small groups)

Useful Information

To download a leaflet on the Compact Mediation Scheme visit www.cedr-solve.com

The Compact Advocacy Programme

The Compact Advocacy Programme was set up, and is run, by the voluntary and community sector for the sector. Based at the National Council for Voluntary Organisations (NCVO), it provides practical support and wider campaigning to the sector in cases where the Government has breached the Compact.

Since 2002, the Compact Advocacy Programme has been instrumental in ensuring compliance with the Compact at a national level through advocacy, and campaigning and lobbying government departments on behalf of the sector. The Programmes work at a national level has shown that with the help of an advocacy service Compacts can be given "teeth" and can transform the way the voluntary and community sector and government interact with each other.

For more information on the Compact Advocacy Programme and the support offered to the sector visit www.ncvo-vol.org.uk/compactadvocacy

For further information on Compacts visit www.thecompact.org.uk