



Disagreement Mediation Procedure

(Approved - April 2008)

This Disagreement Mediation Procedure is intended as a framework to use when working towards resolution of a disagreement that has resulted between two parties who are:

- Compact for Devon signatories
- in disagreement over issues covered by the Compact for Devon

The Compact for Devon is not a legal contract but a mutual agreement between the signatories to agree a set of principles and working practices.

1. Who is this Disagreement Mediation Procedure for?

- Voluntary and Community Sector Groups
- Public Sector Bodies

2. What is the Compact for Devon?

The Compact for Devon is an agreement between local public sector bodies and the voluntary and community sector (VCS) to support and improve joint working between the sectors. It is underpinned by six Codes of Practice:

- Equality and Diversity
- Community Groups
- Consultation
- Funding and Procurement
- Partnerships
- Volunteering

The Compact for Devon and its Codes of Practice contain specific undertakings for each sector, as well as a series of joint undertakings, which aim to have a positive impact on joint working in the county.

3. What is the aim of this Disagreement Mediation Procedure?

The Compact process is one of learning, development and dialogue, within which it is recognised that from time to time, differences and disagreements may arise which need to be resolved. This procedure relates specifically to:

- disagreements occurring between organisations who are party to the Compact for Devon
- disagreements arising out of commitments and undertakings contained within it and its Codes

It is intended to provide a framework for facilitating dialogue between each of the parties involved, and aims to move them towards a mutually acceptable resolution. The process is about developing a deeper understanding and awareness between the two sectors. In turn this will have a positive impact on future joint working.

The Disagreement Mediation Procedure follows a staged approach. The Devon Compact Hub will oversee this process.

4. What is the Compact for Devon Hub?

The Compact for Devon Hub (the Hub) comprises two Compact Champions nominated by each of the nine strategic partnership groups in Devon, one each from the statutory sector and the voluntary / community sector, as well as 'experts' who represent specific client groups or areas of interest, such as the Primary Care Trust.

The Compact Champions act as conduits, feeding information to their constituents and giving feedback from their constituents.

Champion:	Constituent:
Statutory Sector	Their statutory colleagues on the LSPs (Local Strategic Partnership)
Voluntary and Community Sector	Their local voluntary and community groups
Experts	Their constituents in their areas of expertise

The Hub is tasked to:

- update and implement the Compact for Devon
- develop the Hub as a way of demonstrating the Compact in action
- support their constituents to actively work to Compact principles
- act as ambassadors for the Compact

The Hub will agree membership of the Compact Disagreement Mediation Group (CDMG) on a case by case basis. The CDMG shall consist of at least four members: two from the voluntary and community sector and two from the public sector. The CDMG will be a working group of the Hub.

5. What is the Disagreement Mediation Process?

Stage 1 (Organisations working together to resolve disagreement)

- 1.1 If organisation A is concerned that organisation B has breached the Compact, they should seek to resolve that difference directly with organisation B
- 1.2 Organisation A should contact organisation B and explain to them the nature of their concern, clearly stating which Compact commitment they believe has been breached
- 1.3 Organisation B should then follow its usual internal procedures for dealing with complaints
- 1.4 If the disagreement is resolved at this stage, then organisation A should inform the Compact Development Worker of the process and outcome for monitoring purposes (*Compact Development Worker, Devon Compact Hub, C/o Exeter CVS, Wat Tyler House, King William Street, Exeter, EX4 6PD , telephone : 01392 202057 / email : compact@dacvs.org.uk*)
- 1.5 Should these actions fail to provide an outcome satisfactory to both parties, either can then refer the issue on to stage 2, by writing to the Compact Development Worker
- 1.6 The letter should identify the organisations concerned, the Compact commitment(s) over which the disagreement has arisen, the nature of that disagreement and what has already been done to try to resolve the matter

Stage 2 (CDMG mediation)

- 2.1 On receiving details of the disagreement, the Compact Development Worker will endeavour to convene the CDMG within 2 - 4 weeks. The CDMG will consist of two members from each sector, and will appoint its own chair from amongst those members. The CDMG should not include anyone directly connected with either organisation involved in the disagreement
- 2.2 The CDMG will determine whether the disagreement does relate to commitments and undertakings held within the *Compact for Devon*. If it does, the CDMG will set a date to hear from both parties involved in the disagreement. This should be no later than 8 weeks from the date when details of the disagreement were received by the Compact Development Worker. The CDMG will invite both parties to nominate up to two representatives each to attend the meeting. One of these may be someone from another organisation who is brought in to support the organisation concerned
- 2.3 The CDMG will seek to mediate between the parties in order to reach a mutually acceptable solution. If the matter cannot be resolved at the first sitting, further meetings may be arranged if this will help reach a resolution

Stage 3 (Referral elsewhere for specialist mediation)

- 3.1 If it is not possible to resolve the dispute at stage 2, the CDMG will seek to provide the parties with information on any further resources available which might assist them in resolving the conflict. Such resources may include the national Compact Advocacy Programme and the national Compact Mediation Scheme

6. How will this Procedure be monitored and evaluated?

For purposes of monitoring and evaluating, all organisations should notify the Compact Development Worker (CDW) of any differences arising from the Compact, even where these are resolved within the organisation's own procedures.

Written records will be kept of all cases referred to the Compact Disagreement Mediation Group but the details of those cases will remain confidential to the CDMG.

The Chair of the CDMG will keep the Hub informed of any action being taken by the CDMG and the issues arising from the cases dealt with. A summary report of the issues will be formally presented to the Hub on an annual basis, and will form part of the annual Compact for Devon Review.

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Compact for Devon

Process for Mediating Disagreements Arising from the Compact

Purpose: To improve the effectiveness of the Compact for Devon and to provide a framework for mediating disagreements by helping parties to identify and agree a mutually acceptable outcome

