

Torpoint Town Council Resolution Policy

DATE OF REVIEW – February 2021

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Contents

- 1. Introduction**
- 2. General Principles**
- 3. Options for Resolution**
- 4. Steps to Resolution**
 - 4.1 The Request**
 - 4.2 Initial Resolution Assessment**
 - 4.3 Options for Resolutions**
 - 4.3.1 Informal Resolution Meeting**
 - 4.3.2 Mediation**
 - 4.3.3 Investigation**
 - 4.3.4 Formal Resolution Meeting**
 - 4.4 Other Action**

1. Introduction

Torpoint Town Council is committed to fostering mutual respect and understanding with all our employees; between colleagues; between colleagues and their managers; and within teams.

This Council recognises that a positive working environment and good working relationships have a positive impact on employee well-being and employee engagement. A positive working environment can also lead to better performance, improved employee retention and reduced stress-related sickness absence. Focusing on resolution is good for our Council, it is good for our employees and it is good for our community.

This Council also recognises that conflict in the workplace is normal and, in many cases, inevitable. When it does happen, we wish to support staff and councillors to work together to resolve any disputes and conflicts constructively and speedily.

2. General Principles

It aims to bring complaints, conflicts, or disputes to a satisfactory and constructive resolution.

This policy draws on five core principles:

1. Fairness
2. Mutual respect
3. Empathy
4. Dignity
5. Dialogue

It is suitable for the following types of issue:

- Disagreements between colleagues.
- Disagreements within or between teams.
- Disagreements between councillors and members of staff.
- Concerns or complaints about the allocation or distribution of resources.
- Concerns or complaints about the actions or the inactions of the employer.

3. Options for Resolution

The main opportunities for resolution available through this Policy are:

- Resolution meetings between parties.
- Mediation
- Coaching
- Formal investigation to establish the facts
- Resolution hearing
- Appeals

4. Steps to Resolution

4.1 The Request

a) A resolution request can be made to:

- A line manager
- A line manager's manager (in larger councils).
- A staffing committee or other committee with responsibility for staffing
- Full Council

b) The resolution request may result in one (or more) of five courses of action:

- A resolution meeting between the parties.
- Mediation (by an internal or an external trained mediator).
- Coaching/mentoring
- Formal investigation leading to a formal resolution meeting.
- No further action.
- That the matter is referred to the Monitoring Officer under the Council's Code of Conduct

4.2 Initial Resolution assessment

- a) The resolution assessment is an opportunity for the parties to identify the most suitable route to resolution. Emphasis is placed on early resolution and mediation, and the parties will be provided with suitable information about the mediation and resolution processes.
- b) The use of this resolution procedure and mediation is both voluntary and confidential. The Council encourages and promotes mediation as a reasonable way to achieve resolution and expects all parties to give a reasonable level of consideration to mediation.
- c) When receiving a request for the use of this procedure the Council will consider:
 - The seriousness of the issues being raised.
 - The parties' willingness to engage in a resolution meeting or a mediation process.
 - Previous attempts to resolve the situation.
 - The number or frequency of previous complaints.

4.3 Options for Resolution

This policy is primarily designed to address issues which affect at least one employee. Members of Council may also request to use this policy where they believe it may help to resolve differences and the authority may choose to support this action by providing mentoring, coaching, training, or mentoring.

Use of this policy does not affect any individual's statutory rights. This policy does not allow the Council to take any disciplinary action however where the process fails all parties are entitled to use other Council policies or processes to resolve the matter.

4.3.1 Informal Resolution meeting

The resolution meeting is an early attempt to identify and resolve a disagreement, a conflict, or a dispute. It provides an opportunity for parties to discuss situations in a supportive, constructive, and empathetic forum.

Workplace disagreements, disputes and conflicts can be resolved at the resolution meeting stage. Facilitators should be trained in resolution skills and how to facilitate resolution meetings.

The Council may find the involvement and support of an independent third party useful.

4.3.2 Mediation

Mediation is different because it is about collaborating rather than blaming. Any agreement made during mediation comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do. Mediation is both voluntary and confidential.

When the request is made by an employee the Town Clerk will co-ordinate the mediation process and when mediation includes a member of the Town Council, the Town Mayor or Deputy Mayor will liaise with the Town Clerk who will co-ordinate the mediation process.

4.3.3 Investigation

When one of the parties has a complaint or concern that they feel has not been resolved satisfactorily by a resolution meeting or through mediation, the Council may undertake an investigation.

If an investigation is deemed suitable and necessary, the Council should follow a robust investigation procedure. The key purpose of the investigation is to discover all the relevant facts and information in a fair, reasonable, and objective manner.

4.3.4 Formal resolution meeting

The formal resolution meeting is an opportunity for the parties to meet with a suitably qualified third party to identify a suitable resolution to the disagreement. The meeting should be run with the same principles as early resolution meetings and the meeting should be chaired by a third party who is trained in resolution and/or core mediation skills.

The outcome of the meeting will be a formal agreement between the parties during the meeting.

4.4 Other Action

Attempts to resolve differences and misunderstandings using this policy does not prevent any party referring to other council policies to address the issue. These policies may include:

- Grievance Procedure
- Disciplinary Procedure
- Capability Procedure
- Officer / Member Protocol
- Council's Code of Conduct