

Problem Solving & Disputes Resolution Procedure

Introduction

It is expected that any matter of concern can be identified and discussed informally at an early opportunity enabling matters to be resolved without difficulty. Any matter that cannot be resolved informally at this stage should be addressed through the Home-Start Problem Solving and Dispute Resolution Procedure. **(PSDR Procedure)**.

PSDR Procedure

This procedure has been developed for use where schemes have a concern or problem with Home-Start UK action or practice, or with the action or practice of other schemes or where Home-Start UK has concerns about the actions or practice of a scheme. There is a fast track procedure which may be used if there are reasonable grounds to believe a scheme is in serious breach of its legal obligations or obligations as set out in the Home-Start Agreement.

Initiation

Initiation of PSDR Procedure by a scheme

- The chairperson should present the problem in writing to **complaints@home-start.org.uk**. If the parties cannot resolve the problem, it should be referred to stage 1 of the process.

Initiation of PSDR Procedure by Home-Start UK

- The Chief Executive Officer of Home-Start UK, should present the problem to the scheme chairperson in writing. If parties cannot resolve the problem it should be referred to Stage 1 of the process.

A problem between one scheme and another scheme(s)

- The chairperson should present the problem to the chairperson of the scheme with which there is perceived to be a problem. If the two schemes cannot resolve the problem, then the Head of Network Services at Home-Start UK should be presented with the problem and asked to assist in its resolution. If problems cannot be resolved then Stage 1 of the process should be followed.

Stage 1:

If a scheme is not satisfied with the response from Home-Start UK

- The chairperson should write to the Senior Leadership Team at HSUK outlining the reason for the complaint and requesting a reply in writing.
- A response to the complaint would normally be expected within 10 working days as to action taken or planned. (This may be a meeting or written communication).

- Any meetings held between the Senior Leadership Team and the chairperson should be recorded and agreed in writing.

In the event of the complaint remaining unresolved it should be progressed to stage 2 of the process.

Home-Start UK is not satisfied with the response from the scheme

- The chairperson should be contacted by the Senior Leadership Team at HSUK in writing, outlining the reason for the complaint and requesting a reply in writing.
- A response to the complaint would normally be expected within 10 working days as to action taken or planned.
- Any meetings held between the Senior Leadership Team and the chairperson should be recorded and agreed in writing.
- Depending on the nature of the complaint it may be appropriate to undertake an interim review of the relevant quality standards. Such review should be conducted by a member of the QA Team who has not been involved with the scheme. The resulting report and action plan will then form the basis for further work to progress the issues of concern. It may be necessary to undertake a further or wider review or investigation to fully identify the issues to be addressed.

If the complaint is still unresolved, it should be progressed to stage 2 of the process.

A scheme is not satisfied with the response from another scheme

- The scheme(s) should contact the **CEO@home-start.org.uk** outlining the reason for the complaint, with any evidence, and requesting a reply in writing.
- A reply would normally be expected within 10 working days as to action taken or planned.
- If the Head of QA agrees the complaint is a matter for concern, they should take responsibility for taking it further and discussing the matter with the Senior Leadership Team, excluding the Chief Executive Officer. If SLT agree the complaint is a matter for concern they will make recommendations for action to resolve the issue in writing to all parties within 10 days of receiving the complaint.

If the matter remains unresolved then it progresses to stage 2, the final stage of the process, the appeal panel.

Stage 2 Appeal Panel

The final stage for resolving complaints about actions or practice in breach of the Agreement will be taken to the Chief Executive Officer (CEO).

The CEO together with a national committee (other than the country the complaint is based) will appoint a panel of at least three representatives (one of which will be the CEO) to hear the appeal to consider the facts of any unresolved complaint and decide the outcome by which the parties will abide.

Procedure

- The CEO & 2 HS UK trustees should normally meet within 20 working days of this being requested and announce its decision in writing, with reasons, within seven days of the meeting.
- The CEO & 2 HS UK trustees should receive all documents relating to the problem 10 working days before the meeting.
- A trustee from the scheme and a trustee or senior staff member from Home-Start UK (or in the case of a concern between two schemes, a trustee from the other scheme) will each be given the opportunity to appear in person to present the problem; they may be accompanied by a support person if they wish. Any associated costs should be met by each party involved.
- The CEO & 2 HS UK trustees will make recommendations for further action and confirm this in writing within 5 working days.

Outcome of Appeal

- Home-Start UK will be expected to abide by the outcome of the appeal and rectify any poor performance or identified malpractice within a specific timescale.
- The Home-Start scheme will be expected to abide by the outcome of the appeal and rectify any poor performance or malpractice within a specific time scale and with support from Home-Start UK.
- In the event of a scheme choosing not to abide by the findings of the appeal panel or take action within the given timescales Home-Start UK will pursue its remedies pursuant to the Home-Start Agreement which includes the right to terminate the Agreement and the withdrawal of the licence to use the intellectual property of Home-Start UK without notice.

There is no procedure for any further appeal through the Home-Start system. However, this does not exclude any rights to take proceedings through external processes.

The Fast Track Process

There is a fast track process which will be implemented if Home-Start UK has reasonable grounds to believe that the scheme is in serious breach of its legal obligations or obligations as set out in the Home-Start Agreement. In such circumstances the matter will be referred, without delay, to Stage 2 of the **PSDR Procedure**.

Serious breaches will include, but not be limited to:-

1. Failure to comply with Home-Start's policy, code of conduct and procedures for safeguarding/child protection and promoting the welfare of children
2. Mismanagement or misuse of the finances and property of the scheme
3. Acting unlawfully and failing to meet legal requirements
4. Action which could bring the name of Home-Start into disrepute, or damage its reputation and/or jeopardise the sustainability of Home-Start
5. Non-compliance with the Home-Start Quality Assurance process

The Senior Leadership Team will make recommendations for further action and any sanctions below and confirm these in writing within 5 working days.

Sanctions will include, but are not limited to:-

1. Special measures (may include offering support from HSUK at the appropriate cost to the scheme):
 - When a scheme have not addressed any of the requirements of the QA Action plan following a review
 - The legal and/or safeguarding indicators, within the QA system have not been met at review.
 - Abuse of the QA Reviewer
 - Criminal activity is identified
2. Withdrawal of the licence

Notwithstanding the fast track system, if Home-Start UK considers that the breach by the scheme is so serious that immediate action is required, it shall be entitled to pursue its remedies under the Home-Start Agreement and terminate the Agreement with the scheme without having had resort to the fast track system.

There is no procedure for any appeal for the Fast Track process.