



## RESOLUTION FRAMEWORK

### 1 Why have a Resolution Framework?

- 1.1 Our Values shape who we are and how we do things at Hounslow. As public servants, our purpose is to serve our residents, delivering the best services in the best way. We deliver those services through you, our people.
- 1.2 The broad range of services we provide means we are often working in different environments, supporting different people with different needs and challenges. Our individual priorities and demands don't always align, and this can lead to misunderstandings, concerns, and conflict in the way we do things and our expectations of each other.
- 1.3 We recognise that this happens in any workplace. We also know that focusing on resolving issues constructively will help to create and sustain a positive working environment where we can all thrive.
- 1.4 We want an approach that offers a safe, trusted route for all of us to raise issues of concern, to talk them through and agree what we need to do, together, to resolve the situation and achieve constructive, lasting outcomes. This is our Resolution Framework<sup>1</sup>. An overview is provided in our [Process Map](#).

### 2 How does this work?

- 2.1 We encourage early conversations with colleagues as soon as issues arise. We believe that by 'nipping it in the bud', and raising issues quickly, we can prevent misunderstandings deepening, adapt our behaviours and find a constructive and agreeable way forward. We call this [local resolution](#).
- 2.2 We recognise people sometimes need help to have resolution conversations and find a good way forward, and we can support you to do this - through our [Resolution Hub](#).
- 2.3 We also know that local resolution isn't always the right route, for example where issues are more serious, where people don't feel confident having local conversations or where earlier attempts haven't achieved an agreeable resolution. Where that is the case, our Framework offers a timely assessment of concerns, through our Resolution Hub, with alternative resolution outcomes, including formal resolution where this is appropriate.
- 2.4 Our Framework replaces our existing discipline and grievance procedures. It is legally compliant, meeting the requirements of the ACAS Code on Discipline and Grievance.

<sup>1</sup> Our Resolution Framework is based upon The Resolution Framework™ developed by The TCM Group. For more details, please visit [www.ResolutionFramework.com](http://www.ResolutionFramework.com).

### 3 Overview

- 3.1 You can use our Resolution Framework for any of the following types of issues:
- Disagreements between employees or between groups of employees.
  - Disagreements between managers and members of their team.
  - Complaints about the behaviour of a colleague, a manager or another member of the organisation.
  - Concerns about the conduct or behaviour of an employee.
  - Allegations of bullying, harassment, or discrimination.
- 3.2 Concerns around performance / behaviour related to a person's capability for their role, will be addressed through our Performance Improvement Policy. Similarly, there will be other situations where another policy or process may offer a better approach eg collective grievances regarding corporate / departmental matters, concerns relating to an Elected Member, redundancy decisions or issues raised by former employees. Any whistleblowing concern should continue to be reported through [Safecall](#).
- 3.3 Our Resolution Framework applies to all [employees](#) of the Council except teachers, for whom there are separate procedures, and those employed in schools under the control of Governing Bodies, for whom procedures adopted by the Governing Body will apply.
- 3.4 Separate arrangements on conduct and performance exist for Statutory Officers and for those employed on Joint Negotiating Committees for Chief Officers.

### 4 Key principles

- 4.1 Our Resolution Framework is underpinned by the following key principles:
- We commit to treating all our employees with dignity and respect and we are working to create a culture of inclusivity where all our employees are engaged and included. We apply our [Equality, Diversity and Inclusion Statement](#) to all aspects of the Resolution Framework.
  - We ensure that all workplace issues are treated fairly and consistently
  - We encourage managers and employees to seek an early resolution to issues quickly and effectively.
  - We provide support and resources to support managers and employees to resolve issues informally.
  - We promote a high level of trust through mindful use of language and respectful and learning oriented conversations.
  - We use a [Request for Resolution form](#) so that we recognise our intent is to resolve, not retribute.
  - We apply a triage process using a set of objective criteria to assess the most effective route to resolution in each case
  - We encourage managers and employees to seek opportunities for a restorative outcome in conduct cases wherever possible.
  - We promote the use of facilitated conversations and mediation in all suitable situations.
  - We use reminders rather than warnings.

- In situations of serious / gross misconduct or where reminders have not resolved the issues, we will address the concerns through our formal resolution process. This could result in dismissal.

## 5 Reminders

- 5.1 'Reminders' replaces the term 'warnings'. Reminders offer a chance to understand the causes and the impact of a concern, agree an acceptable outcome and to draw out any learning.
- 5.2 We encourage all employees to be open and honest when a mistake is made and for managers to take that into account when reaching a decision about next steps. The "reminder" is just that, an opportunity to help us achieve the expected standards.
- 5.3 All reminders will clearly set out:
- the standards and behaviours that are expected
  - the improvements that are necessary
  - the timescales in which any improvements need to be made.
  - the consequences if the required improvements are not achieved.
- 5.4 There are three levels of reminder:
- a) **A first reminder** is a verbal reminder which a manager can issue as part of local resolution or it may be an outcome of the early or formal resolution process. Managers will explain any consequences if the issues arise again in the future. They will note that the reminder has been issued, along with any agreed action plan, on our Clear Review system. In the few areas that Clear Review is not available, managers should retain equivalent records.
- b) **A second reminder** is in writing and can be issued by managers (after a request for resolution has been submitted), as an outcome of the early or formal resolution process. Managers will explain any consequences, should the issues arise again in the future. They will provide employees with the second reminder without undue delay, and it will be recorded on the employee's personal file for 12 months. A second reminder may be issued where a 1<sup>st</sup> reminder has failed to achieve the required improvements or as an outcome of the early resolution or formal resolution meeting. There is a right to be accompanied at meetings where a second reminder is under consideration.
- c) **A third (and final) reminder** is a formal, written reminder that can be issued as an outcome of the formal resolution process. It will remain on an employee's personal file for 2 years and will clearly set out the consequences of not achieving the expected standards of behaviour or conduct, which may include dismissal. It may be issued if previous reminders have not achieved the required standards and expectations, or it may be issued as a first and final reminder in cases of serious / gross misconduct or serious dereliction of duty. There is a right to be accompanied at meetings where a third reminder is under consideration.

5.5 There is a **right of appeal** against the issue of a second or third reminder.

## 6 Roles and responsibilities

6.1 To support the development of a culture of constructive resolution in our organisation, leaders, managers, unions, employees, and HR are expected to:

- Try to resolve issues informally where possible
- Show respect for others
- Work together to resolve the issue
- Feel confident that by raising an issue it will not impact negatively on themselves or their career when the issue is raised in good faith. Anyone who does victimise another employee for raising an issue or concern may be subject to the formal resolution process.
- Always maintain confidentiality - including once the process has been concluded.

### Employee responsibilities

6.2 You should raise issues at the earliest possible opportunity in order that positions do not become entrenched, and situations do not escalate. We expect you to engage in direct dialogue to resolve any differences you encounter in the workplace and to raise with your manager any concerns that you are not able to directly resolve yourself.

### Line manager responsibilities

6.3 The role of the manager is central in resolving conflict and handling conduct and/or behaviour issues in the workplace, both at informal and formal stages. We expect our managers to create and sustain a positive working environment where employees feel able to come to them direct with their concerns and where issues can be resolved quickly, cooperatively, and amicably. As such, we expect all managers to:

- encourage and engage in respectful dialogue
- set out clearly what their expectations are
- actively seek out opportunities to resolve problems before they escalate, promoting a culture of learning and insight rather than blame and retribution
- provide reminders, which explain clearly what is required and what support is available to realign employees' behaviours with our core values
- engage actively and fully in facilitation and mediation processes, when required.

6.4 Our managers need the confidence to have difficult conversations and the [Resolution Hub](#) is available to coach and support managers to help them to achieve positive and lasting outcomes from a wide variety of concerns, complaints and conflicts.

## **7 Accountability and Governance**

7.1 To ensure that the Resolution Framework is being used fairly, consistently, and appropriately, we have put the following in place:

- a) The second reminder can only be issued once a Request for Resolution form has been processed through the Resolution Hub.
- b) The third (final) reminder generates an automatic case review by the Resolution Hub.
- c) The Resolution Hub will review a sample of anonymised cases that have been managed through the Resolution Framework. Any unforeseen or unintended consequences will be reviewed, and lessons learned for increased efficiency and fairness in the future.

## **Resolution Framework Process**

Our Resolution Framework Process reflects our policy ambitions:

- to deal with things in the moment and resolve locally where we can; or
- to submit a request for resolution where the issue will be assessed by our Resolution Hub and one of our two established routes will be recommended – either Early Resolution or Formal Resolution.

In the sections below, we have set out this out in more detail. You might also find it helpful to refer to our [Resolution Process Map](#).

### **1 Try to resolve locally**

- 1.1 We firmly believe that problems are best resolved when they are discussed early, openly and honestly. The first and most important step in resolving a concern, a complaint or any conflict at work is to have a prompt, informal conversation with the person involved to try and find an outcome that is acceptable to you both. This allows you to understand what isn't working well, the impact this is having on you and gives you an opportunity to quickly agree what actions you both will take to resolve the situation. We call this [Local Resolution](#).
- 1.2 You can try and resolve issues locally that arise in any of the situations set in the Policy Overview (section 3 of the Policy). Remember that check in meetings offer the opportunity to discuss concerns quickly and simply and agree a way forward. You can use our Clear Review system to note discussions and actions agreed, so that these can be easily reviewed.
- 1.3 If you'd like help or support in getting ready for a local resolution conversation, you can contact the Resolution Hub or your trade union.
- 1.4 The outcome of a local resolution conversation may include:
  - an agreement on how you can resolve the situation,
  - an action plan that sets out how you will achieve your agreed resolution
  - the timescales in which those actions will be achieved.
  - A first reminder issued by your manager
- 1.5 The outcome, including any agreed action plan and any first reminder that may be issued, should be noted on Clear Review (or another suitable record made if Clear Review is not accessible).

### **2 Submit a Request for Resolution Form**

- 2.1 If either:

- local resolution has not been successful,
  - you don't feel confident resolving your concerns through local resolution,
  - the concerns relate to serious misconduct,
- you can submit a [Request for Resolution](#) to the Resolution Hub to resolve the issues. You can do this if you are an employee or a manager. You can submit a request in any of the situations set out in our Policy Overview (section 3 of our Policy).

## **What happens after a Request for Resolution Form has been submitted?**

### Assessment

- 2.2 The operational branch of the Resolution Hub will assess your request, using our Triage Assessment Index.
- 2.3 The Resolution Hub will contact any of the parties involved if they need more information to understand the issues fully and complete the assessment.
- 2.4 Once the assessment is complete, the Resolution Hub will identify the most appropriate route to resolution. This will either be:
- The Early Resolution Route; or
  - The Formal Resolution Route

### Suspension

- 2.5 In cases of serious or gross misconduct, it may be necessary to consider suspension before any formal resolution proceedings begin. In this situation, the manager must immediately contact a senior member of the [People Business Partnering Team](#) to jointly agree and action next steps. The Resolution Hub will ensure completion of the Request for Resolution form and Triage Assessment as soon as possible after the issue has been raised.
- 2.6 If you are placed on suspension, this is a precautionary measure which enables us to conduct a full investigation into the concerns raised. You will be paid as normal during any period of suspension. We will keep your suspension under regular review and aim to complete the investigation as soon as possible.
- 2.7 Where the issues raised involve financial or criminal misconduct or safeguarding issues, the Resolution Hub will need to inform other teams, for example Audit & Investigation and alternative investigations may be necessary

### Trade union representatives

- 2.8 Where the concerns relate to a trade union representative, we will discuss the situation with a full-time official of the trade union, providing the employee agrees to this.

## **3 Early Resolution Route**

- 3.1 The Early Resolution Route does not mean that your issue is being viewed any less seriously but is rather an opportunity to seek a successful early resolution through restorative approaches.
- 3.2 The Resolution Hub will identify the most appropriate course of action through the triage process.
- 3.3 If you consider that the early resolution route recommended will not address your concerns satisfactorily, the Resolution Hub will seek to understand your reasons and consider, with you, how best to resolve your concerns, knowing that informal approaches are often the most effective. If your view is that this route will not resolve your issues you are able to pursue the formal resolution route.

#### Assessment Outcomes:

#### 3.4 Local resolution:

- 3.4.1 Under [local Resolution](#), you have a direct conversation with the person concerned without anyone else being involved in that discussion. We can support you in preparing for this conversation.

#### 3.5 Supported interventions:

- 3.5.1 Where the outcome is a supported intervention, a member of the Resolution Hub, or another trained specialist, will work with you and the other person to help resolve the conflict. The interventions are:

[facilitated conversation](#)

[mediation](#)

[coaching](#)

[team facilitation](#)

- 3.5.2 Where a supported intervention is identified, your decision to participate is voluntary. However, these approaches are proven to be highly effective in achieving long-lasting, positive outcomes and we therefore expect you to give them serious consideration and not to rule them out without good reason.

- 3.5.3 There is no right to be accompanied, at these are informal discussions. We would encourage you to seek any support you might find helpful in preparing for these meetings, either through the Resolution Hub or your trade union, so that you can best engage with the process and stand the best chance of finding a good way forward.

#### 3.6 Early resolution meeting

- 3.6.1 If the outcome is an early resolution meeting, your manager will arrange to meet with you to discuss their concerns, to ensure you are clear of the standards expected and agree any actions necessary to achieve this. You have the [right to be accompanied](#) at this meeting.



3.6.2 Your manager will give you 5 working days' notice, in writing, of the meeting arrangements. You must make every effort to attend. If you or your representative cannot attend, you can suggest another date within 5 working days of the original date.

3.6.3 If you do not attend and do not have a good reason, your manager may make a decision based on the information they have available.

### 3.7 Outcomes of Early Resolution Meeting

As a result of this meeting, your manager may develop an action plan with you to achieve the required standards of behaviour. Your manager can also issue a 1<sup>st</sup> reminder (which will be noted on clear review) or 2<sup>nd</sup> reminder (which will be issued in writing and recorded on your personal file for a period of 12 months). Any reminder will be issued, without undue delay, after the Early Resolution Meeting.

### 3.8 Right of Appeal

You have the right of appeal against a 2<sup>nd</sup> reminder. If you wish to do so, you need to set out your grounds for appeal, in writing, to your manager within 5 working days of the 2<sup>nd</sup> reminder being issued

## 4 Formal Resolution Route

4.1 In the event of serious or gross misconduct, or where reminders have not resolved the concerns, the outcome of the triage assessment the Resolution Hub may identify that the Formal Resolution Route is appropriate. The outcomes of formal resolution are set out at paragraph 4.11, and these could include dismissal with or without notice.

4.2 If suspension maybe necessary, we will follow our approach at paragraph 2.5 of the process, to ensure this is addressed quickly and fairly.

### Process for Formal Resolution

#### Chair appointed

4.3 The Resolution Hub will appoint a Chair, from within the service, to oversee the process.

#### Investigation

4.4 The Chair will determine whether an investigation is necessary. If so, the Chair and the Resolution Hub will identify a suitable investigator, from outside the service area, and arrange for the investigation to be conducted before any formal resolution meeting.

4.5 An initial investigation plan will be agreed with the investigator. The investigator is able to extend the scope when necessary to establish the full picture. The purpose of the investigation is to discover all the relevant facts and information in a fair, reasonable and objective manner.

- 4.6 Once the investigation is concluded, the investigator will present a report to the Chair. The Chair will determine whether a formal resolution meeting is necessary or whether other resolution outcomes are preferred.

#### Formal Resolution Meeting

- 4.7 The formal resolution meeting is a chance to discuss the concerns and to agree a suitable way forward.
- 4.8 Where a formal resolution meeting is to take place, this will be arranged by the Resolution Hub.
- 4.9 You have a right to be accompanied at a formal resolution meeting which the Chair will lead. The Chair may invite others if they consider this necessary for a full and fair understanding of the issues. This could include, for example, the investigator, manager, People Business Partnering Team and witnesses.
- 4.10 The information you need to know about the formal meeting arrangements is as follows:
- You will be invited in writing to the formal resolution meeting, and we will give you 5 working days' notice of the arrangements.
  - We will share with you any written evidence we will be considering, before the meeting
  - The Chair will arrange to meet you, and any other parties involved, either separately or together, without unreasonable delay. There will be an opportunity to discuss the concerns and how they can be resolved.
  - We will let you know who will be attending the meeting in advance. If you will be asking any witnesses to attend, please let us know who this will be prior to the meeting
  - You have the [right to be accompanied](#) at the meeting.
  - Where possible, meeting times will be agreed with all parties. You must make every effort to attend. If you or your representative cannot attend, you can suggest another date within 5 working days of the original date. If you do not attend, due to circumstances outside your control, the Chair will re-arrange the meeting and may involve Occupational Health in case of illness. If you do not attend and do not have a good reason, the Chair may make a decision based on the information they have available.
  - Arrangements and timescales may be varied by the Chair in consultation with the Resolution Hub to deal with any practicalities, sensitivities, or equality considerations. If timescales are varied, you will be informed of progress.

#### **Formal Resolution Meeting Outcome**

4.11 Following the formal resolution meeting, the Chair will review the facts and decide the outcome and recommendations for resolution. These could involve any of the following:

- No further action is required
- An Early Resolution Intervention
- Issue of a 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> (and final) reminder
- An action plan to address areas of concern
- Dismissal with or without notice

4.12 You will be notified of the outcome in writing, without unreasonable delay and you will be informed that you can appeal the decision if you are not content with the action taken.

4.13 We will refer formal action outcomes to the relevant statutory body, where this is required.

### **Right of Appeal**

4.14 You have a right of appeal against the outcome of the formal resolution meeting and will have 5 working days from receipt, to exercise this right. Your appeal will be in writing and must set out your grounds of appeal.

4.15 Appeals, other than against a dismissal, should be made to the Chair of the formal resolution meeting. Appeals against a decision to dismiss should be made to the Director of People, Equality & OD and the Employment Dismissal Appeals Panel procedure will be applied.

### **Appeal**

4.16 The Resolution Hub, in conjunction with the Chair, will appoint a more senior or peer manager for the appeal. They must be an independent person<sup>2</sup>.

4.17 The Appeal Chair, with advice from the Resolution Hub, will determine attendance required for the appeal. A People Business Partner may be present in an advisory capacity.

4.18 You will receive 7 days' notice of the appeal and have the right to be accompanied. Any written submissions must be provided at least 3 days prior to the appeal meeting.

4.19 The decision of the appeal manager will be conveyed to you without undue delay in writing and will be the final stage of the process

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<sup>2</sup> An independent person is defined as someone who will not have been involved in a manner which prevents them from determining an objective outcome