

Informal Resolution Procedure

1. Introduction

Informal resolution forms a core part of the College's Disciplinary and Complaints Committee Regulations and will be considered when appropriate, to deal with concerns raised about members in relation to their College roles, and is encouraged where appropriate, in line with the College's commitment to early, fair, and proportionate handling of concerns. This procedure outlines the approach taken by the College to resolve concerns informally, prior to or instead of initiating formal complaints or disciplinary processes. All stages of this procedure will be carried out in accordance with the College's Values.

2. Guiding Principles

The following principles shall apply to all informal resolution processes undertaken pursuant to this procedure:

- **Voluntary Participation:** Informal resolution shall only proceed where all parties have agreed to participate.
- **Confidentiality:** All discussions and outcomes shall remain confidential, subject to legal or safeguarding obligations.
- **Respect and Fairness:** All parties shall be treated respectfully and afforded the opportunity to be heard.
- **Timeliness:** Informal resolution shall be pursued promptly to avoid unnecessary escalation.
- **Non-Retaliation:** No party shall suffer detriment for engaging in informal resolution.

3. Scope and Eligibility

Informal resolution may be considered appropriate where:

- The matter is interpersonal or behavioural in nature.
- The concern relates to professional conduct impacting the College role.
- There is no allegation of serious misconduct.
- All parties are willing to engage in dialogue.
- A formal process is not required or preferred.

Informal resolution shall not be pursued where:

- The matter involves alleged breaches of law or College policy.
- There exists a significant power imbalance that may affect fairness.
- One or more parties decline to participate.

4. Procedure

4.1 Initial Concern Raised

Where a concern is raised with the Complaints Manager, they shall determine whether the matter may be suitable for informal resolution under this procedure. If so, the Complaints Manager shall carry out any such preliminary enquiries as they consider appropriate, including seeking clarification from the parties involved.

4.2 Assessment and Feasibility

The Complaints Manager, on behalf of the College Registrar, shall assess the nature of the concern and determine whether informal resolution is appropriate. This may include gathering preliminary facts and perspectives, without conducting a formal investigation.

4.3 Agreement to Proceed

Where informal resolution is deemed appropriate, the Complaints Manager shall seek consent from all parties to proceed. The process, expectations, and confidentiality boundaries shall be explained clearly.

4.4 Informal Resolution Methods

The Complaints Manager will help progress with any of the following steps, or any other action they deem appropriate in the circumstances:

- **4.4.1** Engage in separate discussions with the complainant and/or the subject of the concern.
- **4.4.2** Facilitate a joint meeting with all parties, subject to their agreement.
- **4.4.3** Offer mediation or other facilitated dialogue.
- **4.4.4** Recommend restorative practices or conflict coaching, where appropriate.

The informal resolution methods described above may be facilitated by:

- Senior staff who hold a formal mediation qualification, or
- An Honorary Officer or Lay Trustee with appropriate experience and/or training.

In exceptional circumstances, an external facilitator may be engaged where this would best support a fair and constructive process, while also avoiding unnecessary cost.

- **4.4.5: Formulation of Terms of Reference**

Where informal resolution is pursued, the Complaints Manager may formulate Terms of Reference to guide the process. These shall be proportionate to the nature of the concern and agreed upon by all parties prior to commencement. The Terms of Reference may include:

- *A brief summary of the concern and context.*
- *The scope of issues to be addressed.*

- *The objectives of the informal resolution process.*
- *The roles and responsibilities of each participant.*
- *The proposed method(s) of resolution (e.g., mediation, dialogue).*
- *Any boundaries or exclusions (e.g., topics not under consideration).*
- *Confidentiality expectations and limitations.*
- *Timeframes for resolution and follow-up.*

The Terms of Reference shall be documented and shared with all parties. Amendments may be made with mutual agreement during the process.

4.5 Agreement and Follow-Up

Where informal resolution is achieved, the Complaints Manager shall:

- Document any mutually agreed upon outcomes or commitments.
- Establish a follow-up plan to check on progress or compliance, where possible.
- Allow for escalation to formal processes if resolution is not achieved.

5. Documentation

Minimal documentation shall be maintained to protect confidentiality. Records shall include consent to proceed, the general nature of the concern, and any agreed outcomes.

6. Roles and Responsibilities

- **Complaints Manager:** Responsible for guiding the process, ensuring fairness, and supporting communication.
- **Participants:** Expected to engage in good faith and seek constructive resolution.
- **Oversight Body (if applicable):** May monitor patterns or systemic issues and ensure accountability.

7. Evaluation

Following conclusion of the informal resolution process, anonymous feedback may be sought to inform future practice and continuous improvement.

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