

---

<b>REPORT TO:</b>	<b>ENVIRONMENTAL &amp; DEVELOPMENT SERVICES</b>	<b>AGENDA ITEM:</b> 8
<b>DATE OF MEETING:</b>	<b>THURSDAY 10<sup>th</sup> JULY 2003</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>ALAN TWELLS ENVIRONMENTAL PROTECTION MANAGER STUART BATCHELOR COMMUNITY &amp; LEISURE DEVELOPMENT MANAGER</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>MEDIATION SERVICES</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:ES14</b>

---

## **1.0 Recommendations**

1.1 That Committee approves the negotiation with Tamworth Mediation Services to set up a mediation service for South Derbyshire on a 'pay by use' service level agreement.

## **2.0 Purpose of Report**

2.1 This report is to outline the possible options for the setting up of a mediation service within South Derbyshire through the Crime & Disorder Partnership.

## **3.0 Detail**

3.1 Mediation Services are now well established throughout the UK , supporting numerous organisations and local authorities. It is a process by which third party mediators help to try and resolve disputes between people. This can involve anything from resolving conflicts between neighbours, family members or amongst schoolchildren, to mediating between victims of crime and their offenders.

3.2 Through the South Derbyshire Crime and Disorder Partnership's Anti-Social Behaviour Action Team, a feasibility study was undertaken into the possibility of setting up a Mediation Service within South Derbyshire.

3.3 The feasibility focussed on two main options.

3.4 The first was to set up an in house service, where the permanent staff are paid directly by the local authority and any partners. The mediators would then be trained volunteers. Funding for this type of arrangement would be in the region of £40-£60,000, dependent on the number of full time staff required. One of the other issues is that the trained volunteers are difficult to recruit and tend to stop for short periods of time before moving on.

- 3.5 The second option is to enter into a 'pay by use' arrangement with an existing Mediation Service. The main benefits from this are that it is easier to set up, there are existing well established services, the funding is considerable less and it can be operated for a trial basis to determine the effectiveness of the service. The main problem is finding an established organisation that is willing to provide mediation service. After contacting a number of organisations, Tamworth Mediation Service were able to offer a possible service. They already operate a 'satellite' family mediation service out of the CVS office within Swadlincote, which deals with referrals from legal practices.
- 3.6 The cost of a 'pay by use' referral service would be in the region of £100 per consultation visit. On average most cases only have 2-3 visits, but this can increase to more if it was necessary. Funding for such referrals would need to be allocated. However, possible funding could be available within the Council from the homelessness strategy work and the crime & disorder partnership fund. Other possible sources of funding could be from 'Connexions', where young people are involved.
- 3.7 In the many areas of work being undertaken within the Authority and it's partners these could all have a potential benefit from access to a mediation service. For example:-

Victims of crime	Anti-Social behaviour problems
General neighbour disputes	Young persons
Family mediation	Homelessness

- 3.8 Successful mediation can be a way of helping to resolves disputes and conflicts before they escalate into more serious problems. The main benefits from a 'pay by use' service would be as follows:-
- Access to fully trained mediators
  - Covering a wide range of areas
  - Ability to determine it's success without major resource implications
  - Dispute resolution for a wide range of areas.
- 3.9 The success of any service always depends on the willingness of each party to agree to mediation. The success of such a service is difficult to predict, but with regular feedback on cases the benefit of the service to the Authority and its partners could be monitored.
- 3.10 The provision of Mediation services is also part of an inspection focus within the CPA (Corporate Performance Assessment) process for the 'Clean, Green, Safe & Active Open Space' CPA assessment.
- 3.12 As this is the early stages of setting up the service Members are being asked to approve in principle the setting up of the service and enter into negotiation with Tamworth Mediation Services for a 'pay by use' arrangement.

#### **4.0 Financial Implications**

- 4.1 No firm financial commitments have been set up to provide such a service. Initialiy it is anticipated to have a budget in the region of £5,000 in order to pay for each referral case. Funding would come from a number of sources, such as the homelessness strategy funding, Crime & Disorder Partnership fund and possibly

Connexions. The Crime and Disorder Partnership has already allocated £2 000 to a service.

4.2 The level of funding and contractual arrangements will be finalised if the scheme is approved in principle.

## **5.0 Corporate Implications**

5.1 The ability of the Council to access such a service could have an impact on the effectiveness of services, particularly within Community & Leisure Development, Environmental Health and Housing Services. Early dispute resolution could reduce the potential escalation of these to more serious offences.

## **6.0 Community Implications**

6.1 Whilst it is not anticipated that there will be a significant number of referrals, the impact to the lives for the parties involved could be significant.

## **7.0 Conclusions**

7.1 The provision of a mediation service within South Derbyshire will result in a number of benefits for the dispute resolution of problems. This can then lead to the control of disputes that could potentially lead to an escalation, with more serious consequences.

7.2 Tamworth Mediation Services are prepared to offer a service on a 'pay by use' basis, which would reduce significantly the resource implications to the Authority and also allow the use of an already well established service.

7.3 Funding arrangements will need to be secured, but it is anticipated that money will be available from a number of areas both internally and externally.

## **8.0 Background Papers**

8.1 Anti-Social Behaviour Team Action Plan

8.2 CPA Diagnostic Assessment for 'Clean, Green, Safe & Active Open Spaces'

