PSS Shared Lives Guidance

**Disputes - Protocols for Shared Lives Plus Role**

**What is a dispute?**

A dispute is any situation which has developed between Shared Lives carers, either individually or as a group, and scheme worker(s) or management over an issue where, for whatever reason, it has not been possible to find a resolution in the normal day-to-day running of the Shared Lives scheme.

**Statement of Principles**

1. Shared Lives is a working partnership between all members of any scheme, including carers, scheme workers, managers and people using Shared Lives and their families.
2. Shared Lives Plus, as a membership body open to all involved in Shared Lives, provides information, assistance, guidance and support to Shared Lives carers, scheme workers and management and will not engage in any activity which will express preference for or act to the detriment of any or either side during a dispute, except where one party is clearly acting unlawfully or contrary to our Principles of Partnership and guidance.
3. Where there is a dispute, we see ourselves in a *mediation* role, supporting those involved on both sides, to work towards a sustainable and mutually agreed solution.
4. Shared Lives Plus is not a trade union, promoting only one side of the argument. Instead we will help all people involved to get things right for the benefit of people using Shared Lives and the integrity of the Shared Lives model.
5. All mediation and support will be carried out in a fair, open and transparent manner, whilst respecting the need to be discreet about private and sensitive affairs. We will not share confidential information without the permission of the relevant person (other than where this is necessary for the purpose of safeguarding a child or vulnerable adult), but can be trusted to be open and fair about our objectives.

**How does it work?**

1. Call Shared Lives Plus – 0151 227 3499 - where you will be put in touch with the appropriate member of staff to deal with your issue. Talk to them about the dispute and give them as many details as possible.
2. We will agree with you any next steps, which may include you identifying the main issues, gathering information, writing a letter or email, or requesting a meeting. We will be available to assist if requested with these steps and where appropriate and practical, attending any planned meeting, provided both parties agree.
3. We will write to you via email and confirm the next steps to be taken
4. On some occasions it may be necessary to meet in person. When this happens we will be sure to make clear to all parties involved the basis for the visit.
5. We will continue to work with both parties until there can be a mutually agreed resolution.

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| **Our mediation role.** |
| The mediation we offer is about helping Shared Lives carers (either individuals or groups) and scheme staff/management who are in dispute to arrive at mutually acceptable agreements and to assist them find ways of improving their future working relationship. As mediators we will take a neutral position but will be available to contribute information and/or advice based on the good practice which Shared Lives Plus promotes and the expectations of regulators. |
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| **Our support role.** |
| We will help people to speak and have a voice. We will provide information and work with individuals (or groups) to help them identify the issues they have, and support them to put in writing or voice their concerns in a constructive way. We will also work with them on the steps they may need to take to make progress towards a resolution. |
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| **Our representation role.** |
| Shared Lives Plus represents the collective wider views of carers, and scheme staff/management, to government, local authorities and other relevant agencies. Shared Lives Plus cannot act as an individual’s representative in any formal or legal setting. We will signpost you however towards other services which may be able to provide these services. In addition, carer members of Shared Lives Plus are, through the organisation’s own insurance cover, entitled to £25,000 of legal expenses to provide representation in the event of a criminal charge being made against them as a Shared Lives carer or de-approval proceedings being initiated by the Shared Lives Scheme. |

*NB: Examples below provided for reference only.*

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| **Examples** | **Our Possible Role** |
| A group of carers are concerned about delays, sometimes of up to three months, in receiving carer payments. Approaches to the scheme and the finance department have not been successful. They want help from Shared Lives Plus to address this issue. | * Support carers to gather concrete evidence of the problem. * Assistance if needed to formulate a letter to scheme management requesting the problem be addressed in a reasonable timescale. * If unresolved, support to put in a formal complaint and referred to legal helpline. |
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| A breakdown in communication between a carer and the Shared Lives scheme. The carer provides excellent support for the service user living with her, but over the last year will only accept minimal contact with the scheme, does not see its value to her or the person she supports and promotes a negative view of the scheme both among other carers and externally. She blames this on ever-changing management, scheme staff and paperwork; she therefore has no confidence in the support and monitoring offered. The carer asks for support from Shared Lives Plus when the scheme management propose de-approval; she feels they fail to recognise their part in the difficulties that have arisen. | * Presence at a mediation meeting if all parties agree. * Support for each side to express their concerns. * Establish any common ground. * Agree areas where communication is needed and how this will be achieved. * Refer Shared Lives carer to the legal helpline and to explore use of legal expenses cover. |
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| Scheme management has introduced a new financial recording procedure for carers. Scheme workers have taken out the new paperwork to the carers they support and explained it to them. There has been a lot of negative feedback about the new system, which is creating a lot of ill-feeling between carers and scheme staff. The scheme management plans to meet with carers to discuss the situation but carers have told some scheme staff that they won’t be able to be open about their opposition, in case it affects the possibility of new Shared Lives arrangements. The scheme ask Shared Lives Plus for their help. | * Presence at a mediation meeting if all parties agree. * Both parties supported to explain their position. * Areas of common ground identified. * Shared Lives Plus provides info. On regulatory requirements and examples of good practice financial processes developed in other schemes. * Plan for joint review of new system by joint working party of carers and scheme staff. |