



London Borough
of Hounslow

Moving from Retributive to Restorative Justice: an introduction to Hounslow Council's Resolution Framework

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**ONE
HOUNSLOW**



**A link to the video we used to promote and communicate
the Resolution Framework and our new approach**
<https://www.youtube.com/watch?v=N10NOkhz7v8>

What's different

- Link to values and behaviours
- Dialogue is given primacy.
- Emphasis on early resolution.
- Restorative rather than retributive justice.
- Greater emphasis on mediation, coaching, facilitated and restorative conversations.
- Triage process and the Resolution Index – objective and consistent decision making.
- Use of reminders rather than warnings
- Hearings are replaced with resolution meetings.
- HR, unions and managers work together to drive and sustain the outcome.

What's the same

- Ability to investigate and take remedial action in serious cases.
- Gross misconduct may still result in dismissal, with or without notice.
- Managers expected to take responsibility.
- Colleagues remain accountable for their actions
- Ability to suspend and dismiss in serious cases.
- Right to be accompanied to the formal resolution meetings.
- Procedurally robust.
- Right of appeal.
- Fully legal compliant at and compliant with ACAS code.

Identifying the most appropriate route to resolution

Employee/their representatives complete a 'Request for Resolution'- replaces the term of 'raising a grievance or taking disciplinary action'

Triage assessment applying the *Resolution Index* to identify the most appropriate route to resolution. Don't be distracted by labels-focus on the substance of the issue.

Examples of the criteria contained within the Resolution Index

- the seriousness of the issue being raised
- the impact of the situation on the parties
- the parties' needs and desired outcomes
- previous attempts to resolve the situation and their outcomes
- the number or frequency of previous complains
- the risk of the situation to the parties and to the organisation

Triaged and scored by the Resolution Hub for early or formal resolution.

The lower the score - the more informal remedy:

- Local Resolution
- Facilitated conversation
- Coaching or Mediation
- Team Facilitation

In high scoring cases, may consider a formal resolution:

- Follows the usual formal process

Promoting Early Resolution

- Open dialogue is encouraged from day one to resolve issues early.
- Dialogue is a cultural norm and a priority in our policies.
- We use a values-based, person-centred, collaborative approach to conflict.
- Managers and employees are expected to engage in adult-to-adult dialogue, with appropriate support.

Case Study: WhatsApp Group & Alleged Bullying

The scenario

- Newly promoted manager Victoria submitted a Request for Resolution regarding inappropriate WhatsApp messages directed at her by a member of her team, Shreya.
- The (WhatsApp) message history was forwarded to Victoria by an employee Layla.
- Messages are dated Dec 2023 - Mar 2024.
- It's a private WhatsApp group on personal phones (4 staff members)
- Examples: “ If she gets that role, I swear I'll go ballistic”, “Don't let f***ing Victoria take that credit”, “ We should just keep doing things our way”, “No way I respecting her as manager”, “lets see how long she lasts”.

Key Issues:

- Allegations of bullying, hostility, undermining Victoria's leadership
- Impact on team culture and staff wellbeing
- Victoria is newly promoted and in her first leadership role

Resolution Triage Assessment

Score using the Resolution Index

Share your score!

Discussion

- What's your assessment of this case?
- How does this conduct affect your legitimate interests?
- Does the private setting change your view? Would your approach differ if this was on MS Teams, using workplace technology?
- Does time elapsed Dec 2023 - Mar 2024 matter?
- Formal investigation or informal approach?
- What intervention would you recommend?
- Is there a case to answer?
- What other issues have you identified?
- What outcome did you reach?

Outcome

Findings:

- No case of serious misconduct
- However, hostile and inappropriate language identified

Mitigating Factors:

- Private WhatsApp group
- Messages historic and were not intended for wider sharing
- No discrimination, threats, or confidentiality breach
- Messages shared without consent - GDPR

Next Steps:

- Mediation recommended
- Focus on rebuilding working relationships