

APPENDIXBackground

Since the Homelessness Reduction Act 2017, the Council has received increased funding for its provisions of homelessness prevention initiatives. 'Homelessness Prevention' became part of our statutory duties in accordance with this new act. One initiative accepted as good practice is mediation between neighbours, within family relationships and between landlord and tenant.

Broxtowe Borough Council formally provided a Mediation Service until 2018, however a reduction in staffing and the remaining member of staff leaving led the service not being operational. The Council were unable to recruit anyone with the required experience or qualifications to fill the vacant role. The service previously utilised trained volunteers to supplement the Broxtowe Borough Council staff employed to deliver the service. A successful mediation service depends on a number of people being qualified and able to offer mediation and supervision to volunteers. The current structure, employing one part-time post, was not considered to be effective or sustainable.

When options to offer the service in-house had been exhausted the Council considered a number of options for the provision of a mediation service, which included looking at specialist mediation providers, and also exploring options that could be provided by existing partners. The Council was provided a joint proposal by Broxtowe Youth Homelessness and Citizens Advice Broxtowe.

Broxtowe Youth Homelessness is an established partner of the Council providing support to under 25's facing homelessness and also raising awareness among younger people, in schools for example, regarding the issues surrounding homelessness.

Citizens Advice Broxtowe works closely and has established partnership links with the Council in a number of areas including Revenues and Benefits and Housing Advice.

It was decided that a trial would take place during 2021-22 of a new partnership arrangement.

The Broxtowe Mediation Partnership

Citizens Advice Broxtowe and Broxtowe Youth Homelessness work together to provide the Broxtowe Mediation Partnership.

As part of the Broxtowe Mediation Partnership, a Mediation Coordinator was recruited and is employed by Citizens Advice Broxtowe. The Coordinator has been in post since May 2021.

The Mediation Coordinator has the relevant practitioner certification, as does one of the mediators from Broxtowe Youth Homelessness.

As before, a key part of the service delivery is delivered by volunteers. The Broxtowe Mediation Partnership has reconnected with 8 of the former or new volunteers and has fully trained or is in the process of fully training them.

Referrals are made direct to the service. Referrals could at first be only made by professionals in order to control the potential cases, but now the service is able to consider referrals from anyone. The Broxtowe Mediation Partnership is being more actively promoted and promotional materials have been produced to assist with this.

Types of Mediation Offered

The mediation offered by the service concentrates on 3 main areas.

➤ Neighbour Mediation

Focusses on collaborative problem solving between those in dispute to focus on the future, whilst understanding what has happened to cause the dispute.

➤ Neighbourhood Mediation

Offered to residents in situations where many neighbours and parties are involved. It works on the principle that the community is best to resolve disputes within it.

➤ Household or Landlord Mediation

Centres around conflicts that relate to home and property, generally where family members or landlords are no longer willing to accommodate another person, potentially risking homelessness.

This does not include disputes between those in a relationship, where Courts are involved or in custody arrangements of children.

The mediation offered is therefore not tenure specific and can therefore cover a variety of different housing related circumstances.

The Broxtowe Mediation Partnership have been providing a variety of different mediation methods that are flexible to the case and are also respectful of restrictions that have been in place and concerns individuals may have regarding close contact due to COVID-19. Mediation has therefore taken place face to face but has also been offered over the phone or virtually.

Case Studies

Case Study 1

The parties were Council tenants living in flats with a communal garden. The use, access to and responsibility for the garden formed the bulk of the dispute.

Both clients were elderly, one party has a wife with dementia who cannot be left alone and would not be appropriate to bring into a mediation setting. Relationship had also broken down to the point where they did not want to be in the same room.

Assessment phone calls to each party were followed by three visits to each party over two weeks to carry out the mediation process. A resolution was reached and an agreement created

Both parties expressed how upset they were that things had got so far that mediation was needed but willingly committed to the mediation process and were able to express their concerns clearly and communicate with each other through the mediator.

Case Study 2

Neighbour dispute between Council tenant and Homeowner. Homeowner had been working from home due to COVID restrictions and had become increasingly aware of the noise her neighbours made. There were often loud banging sounds which reverberated through her home and loud music at certain times usually when the adults and the partner of the homeowner were not at home. The adults were often very noisy when in the garden. The noise caused increasing distress to the homeowner.

Face to face mediation took place and resolution reached. After a difficult and lengthy first stage of mediation where each party was able to talk about the difficulties they were experiencing, they clearly began to understand more about the other's position. There had been many assumptions made by each of them about the other.

An agreement was reached and both parties were happy with the experience and outcome and that things were working well.