

Today (1st February 2018), following a process of mediation that began in July 2015, the 23 Claimants who brought proceedings in the High Court against Camphill Village Trust (CVT) have agreed with the charity's Trustees to settle the claim.

Background

In May 2014, the trustees of CVT informed co-workers and families of people being supported by the charity that they considered that the non-employed model was not sustainable, and that the co-workers would need to become employees. This came on top of a decision some years earlier to replace Local Management Committees.

Subsequently, some co-workers from Botton and some families from Delrow, Botton and The Grange communities started legal proceedings in the High Court against the charity, alleging that the trustees had acted "ultra vires" the Charity and/or in breach of their duty to act in accordance with the Charity's constitution.

That legal action was stayed, pending mediation, and in July 2015 the outline of a settlement agreement was reached.

The legal action remained stayed while all the parties have been working to implement the settlement agreement sufficiently for the legal claim to be settled.

What are the Settlement terms?

The following steps have been agreed by the parties and are now ready to be put into reality:

1. Thirty six people with support needs in Botton Village will remain in Botton, but are now being supported by Avalon, a Shared Lives provider. The former co-workers will continue to live with the adults they support as shared lives carers.

This required careful planning by all parties as well as North Yorkshire Council.

2. Two residential team leaders have been employed in CVT's Delrow Community. As the team leader for the household they live in, they are responsible for creating an environment that fosters the physical, emotional and spiritual well-being of those living in the household and for supervising all those people who live and/or work in the household.
3. Both the Claimants and CVT recognised the need for increased involvement by family members in their local community, and as a result a Family Reference Group (FRG) was trialled at Delrow. The FRG is not a decision-making body but does provide an avenue for 2-way information sharing between families and the charity.
4. An FRG will now be established in Botton and The Grange following this trial at Delrow
5. One of the Claimants will now join the board of CVT as a trustee, whilst a second Claimant will join the board when the next vacancy for a family member trustee arises.
6. As part of the mediated agreement, the membership of the Charity will be opened to families of people the Charity supports, so that all CVT beneficiaries shall be entitled to have at least one relative/guardian/family member as a CVT member.

CVT agreed in the settlement agreement to adopt a new membership policy upon settlement including the principle that all CVT beneficiaries entitled to have at least one relative/guardian/family member as a CVT company member – without pre-conditions. CVT have subsequently prepared a new membership policy. The Claimants in mediation did not endorse the new policy as drafted but agreed that they would not bring any claims arising out of the policy or encourage or assist others to do so.

With these actions in place, it has been agreed the legal claim has now been settled.

All parties recognise the commitment and energy of everyone in delivering this mediated agreement and conclusion of the legal dispute, and look forward to a positive future.