

Legal Representation & Legal Advice



Conciliation is a non-legal process where individuals and service providers or responsible bodies (education cases) come together to try and resolve a complaint. Legal representation belongs in the legal arena and not in conciliation.

It is helpful to have good legal information. Parties are free to seek legal advice at any time during the conciliation process.

DCS staff will be happy to discuss the process of conciliation and what it involves with a legal representative on request.

No legal representative will be present at a conciliation meeting. They may be outside the meeting, or available by phone, so that either party may break from the meeting and consult them if they need to.

Sometimes it is necessary for respondents to bring a member of their legal department to address some of the Desired Agreements, e.g. policy or compensation. If they have this involvement they must act in accordance with conciliation and be mindful that:

- It is a non-legal process
- It is a non-adversarial process
- Nobody at conciliation has the authority to decide whether a breach of the law has taken place. Rather, it is up to the Complainant to decide at the end whether the matter is settled for them

The DCS has the authority to close the case, or the meeting, if the conduct of a legal representative is not in line with the conciliation process.

DCS staff cannot give legal advice. Legal advice can be obtained from Citizens Advice Bureaux, Law Centres, Solicitors or other legal advisors.