



Alternative action masterclass

Case example: Mediation

Over a period of just under a year, there have been 17 fit for fit allegations from the seven members of a factionalised parish council. Of those 17, four were not referred for investigation because they were either too trivial or did not appear on the allegations to be a breach of the Code of Conduct. There is now an eighteenth allegation. At this point six allegations have been investigated by the monitoring officer and dismissed by the standards committee panel. The remaining seven are with the local investigator who has started his investigations.

All the allegations centred on a particular issue – a play area. One group on the council believed that the other had repeatedly tried to block progress in improvements to the play area; the other group maintained that certain councillors were treating the decisions of the council with disregard. The allegations included:

- failure to disclose interests
- using position as a member improperly to secure an advantage
- bringing the office of councillor into disrepute
- conduct as chairman
- instructing contractors without the council's authority
- making derogatory and insulting statements
- failure to withdraw from meetings
- assaulting the complainant
- calling a special meeting knowing certain members were away

The behaviour of certain councillors had exacerbated the problems. That behaviour included:

- publishing material critical of the council in newsletters and on the internet
- ordering equipment and underwriting it on a personal basis
- acting contrary to parish council resolutions
- openly criticising members and the clerk by email
- encouraging members of the public to disrupt parish council meetings

There is a significant animosity between certain members.

Evidence came to light during the course of the earlier investigations that there was a lack of understanding of the parish council as a public body and that there were concerns about how council meetings were run. These allegations were not referred for investigation.

In hearing the earlier cases the standards committee had come to the view that while there was no breach of the Code, there were wider problems in the council.

How will you deal with allegation number 18?