



# Alternative action masterclass

## Mediation: What happened

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

They considered that there should be training and mediation to deal with the serious differences between members of the council. They had identified that a single issue such as differences over a play area is unlikely to bring a council down, unless there are structural weaknesses and relationship difficulties within the council. In such cases, the single issue often becomes a focus for all the discontent. In this case, the monitoring officer considered that unless the current investigations were paused and the flow of complaints halted, it would be impossible to mediate and train the members and find some sort of acceptable resolution.

The ethical standards officer did not consider that investigating the current allegations and the new one would resolve the underlying issues or assist the smooth running of the council as a whole, neither would it represent a meaningful use of public resources. The ethical standards officer directed the monitoring officer to take alternative action.

### The direction

The direction was that the monitoring officer arrange for a process of mediation between all members. This would focus on resolving the disputes that had arisen between the members and seek to address the underlying issues that caused the disputes to arise. Training and guidance on conflict resolution and council procedures were also included. The overriding need to improve the functioning of the council both in the public interest, and in the interests of members themselves, was balanced against the possible unfairness either to the complainants or to the subject members involved.

Members raised considerable objections to the direction. The cost of mediation was an issue for the monitoring officer, but the monitoring officer and the standards committee were committed to employing professional mediators.

Initially only three of the members agreed to participate in mediation. Some months later the other members called for the monitoring officer to investigate the same allegations. They threatened to resign if the allegations were not investigated. The monitoring officer remained resolute, continuing to offer mediation which had initially been refused. A year after the eighteenth allegation was received, mediation was undertaken and was successful – the mediators followed up on this some three months later and concluded that the council was functioning.