

ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	Standards Committee
DATE:	12.09.2018
REPORT TITLE:	Local Resolution Protocol
PURPOSE OF THE REPORT:	To provide information to the Standards Committee on the amended Local Resolution Protocol
REPORT BY:	Mared Wyn Yaxley Solicitor – Corporate Governance mwy@ynysmon.gov.uk
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A BACKGROUND

- 1 The Chair of the Standards Committee presented a [report to Council](#) on the Council's Local Resolution Protocol at its meeting on 15th May 2018.
- 2 The Council agreed to adopt the amended Local Resolution Protocol proposed.
- 3 A copy of the Local Resolution Protocol, as approved by Council, is attached as **Enclosure 1** to this Report.

B UPDATE

- 1 Since the Council resolved to accept the amended Local Resolution Protocol,
 - 1.1 the amended Local Resolution Protocol has been published on the Council's intranet system (MonITor);
 - 1.2 the amended Local Resolution Protocol has been published on the Council's internal policy hub (Porth Polisi);
 - 1.3 an email has been sent to all elected Members and members of the Standards Committee on 22nd June 2018 enclosing a copy of the amended Local Resolution Protocol; and

- 1.3 enquiries have been made in relation to Mediation training for members of the Standards Committee so they can action the amended Protocol as required.

C MEDIATION TRAINING

- 1 Training will be provided to the independent members of the Standards Committee and the Town and Community Councils representatives on the Standards Committee for half-a-day session on 18th September 2018. The Training will be held in Cemlyn Meeting Room, Bryn Cefni Business Centre, Llangefni at 1pm. A copy of the proposed Programme is included in **Enclosure 2**.
- 2 The invitation to the Mediation Training is not being extended to the Isle of Anglesey County Council Members' representatives on the Standards Committee on the basis they will never be requested to assist under the Local Resolution Protocol procedure. Although the Local Resolution Protocol included in **Enclosure 1** is intended for this Council, Town and Community Councils have been encouraged to adopt the generic Local Resolution Protocol which has been prepared and distributed by One Voice Wales. The Standards Committee has the discretion to be able to assist in the Town and Community Council, should they request assistance in this way.
- 3 An update from the Training session will be provided at the Standards Committee meeting on 13th March 2019.

D RECOMMENDATION

- 1 The Committee is asked to :
 - 1.1 note the contents of the amended Local Resolution Protocol which has now been adopted (**Enclosure 1**);
 - 1.2 note the update provided in this Report; and
 - 1.3 note the date, time and venue (as noted in paragraph C1 above) for the Mediation Training on 18th September 2018 and the programme details included in **Enclosure 2**.

ISLE OF ANGLESEY COUNTY COUNCIL LOCAL RESOLUTION PROTOCOL

Generally

1. The purpose of this informal Protocol is to:
 - promote high standards of conduct;
 - foster and maintain positive working relationships between members;
 - address low level behavioural complaints which do not meet the Public Services Ombudsman for Wales' (PSOW) threshold in relation to evidence and public interest;
 - deal with matters arising as quickly as reasonably possible to avoid unnecessary escalation of issues;
 - safeguard the Council's reputation.
2. The Protocol will only apply to cases of alleged misconduct against members under two paragraphs of the Code of Conduct, namely:
4(b)
allegations of failure to show respect and consideration for others;
and/or
6(1)(d)
allegations that a member has made vexatious, malicious or frivolous complaints against other members.
3. The Protocol does not apply to complaints by third parties.
4. The Protocol seeks to achieve swift resolution and reconciliation by way of a mediation process. It is a voluntary arrangement, so both parties must agree to mediate. The process has no statutory basis. It is not a legal requirement to adopt such a Protocol but both the Welsh Government and the PSOW have advised, in the strongest terms, that Local Authorities should have such arrangements in place.
5. The Protocol is not intended to interfere with, or take the place of, group or party discipline; nor self-regulation by members.
6. The Protocol is not intended to oust the jurisdiction of the PSOW but, rather, to deal with a limited category of complaints which would not meet the PSOW's threshold test for investigation.

Procedure to instigate a mediation meeting

7. A member wishing to use the Protocol must put their complaint in writing to the Chair of the Standards Committee (form attached) explaining:
 - when and where the alleged breach occurred;
 - how and why paragraph 4(b) and/or 6(1)(d) has been breached;
8. Any written complaint must be sent to the Chair of the Standards Committee within 14 days from the date of the event which is the subject of the complaint, or 14 days from the date when the event came to the knowledge of the complainant.

9. The Chair of the Standards Committee will share the complaint with the member who is the subject of the complaint.
10. The member receiving the complaint will have 14 days, from receipt, within which to send a written reply to the Chair of the Standards Committee setting out their response.
11. Having received a reply from the member complained of, the Chair of the Standards Committee will:-
 - copy the full response to the complainant; and
 - arrange a mutually convenient and private meeting between the complainant and the member who is the subject of the complaint, together with two independent members of the Standards Committee. This will take place as soon as reasonably practicable.
12. The meeting shall take place in private.
13. If no response has been received under paragraph 10 above, within the 14 day period, then no meeting shall be arranged. In order for the mediation process to succeed, the agreement of both parties is required.
14. **The Mediation Meeting**
 - 14.1 The informal “panel” of the Standards Committee shall consist of any two independent members of the Committee, on a rotational basis. Members of the Standards Committee will only facilitate a mediation meeting if they have received training for this purpose.
 - 14.2 Paperwork shall be limited to the initial complaint and response.
 - 14.3 The purpose of the meeting will be for the parties to come to an agreed resolution. The Standards Committee members will not come to a view or make any findings but may make informal recommendations to the parties. Any such recommendations shall not be binding.



**LOCAL RESOLUTION PROTOCOL FORM –
TO INSTIGATE THE MEDIATION PROCESS**

A: Your Details

Surname:	Forename(s):	Title:
Address and Postcode:		
E-mail Address:		
Daytime contact telephone number:		
Mobile Number:		

Please state by which of the above methods you would prefer me to contact you

B: About your complaint (please continue your answers to the following questions on a separate sheet(s) if necessary)

- C.1 Name of the member you are complaining about:

- C.2 What do you think they did wrong?

- C.3 Do you think they broke the Members' Code of Conduct and why?

- C.4 Describe how you have been affected by the conduct which is the subject of your complaint

- C5. When did you first become aware of the matter which is the subject of your complaint?

C.6 Have you already tried to resolve your complaint with anyone else, e.g the member direct, group leader etc? If so, please give brief details of how, when you did so and any outcome.

C.7 What is your expectation at the end of the process?

Signature: _____

Date: _____

When you have completed this form, please send it to:

The Chair of the Standards Committee

Email : mxwcs@ynysmon.gov.uk

Please note that a copy of your completed form will be shared with the member who is the subject of your complaint.

Rebecca David-Knight,
 Centre for Public Scrutiny,
 12th June 2018
RDK@PublicGovWales.org.uk



Building relationships into the future: Conflict resolution through mediation

Context

This proposal has been developed to assist effective implementation of the Isle of Anglesey County Council's Local Resolution Protocol via the delivery of bespoke mediation training that is mindful of conflict within political environments.

The proposed content specifically aims to address the key functions of the informal Protocol which is to promote high standards of conduct, to foster and maintain positive working relationships between Members, to avoid unnecessary escalation of issues, and to safeguard the Council's reputation.

What is the purpose of the training seminar?

The purpose of the training is to equip independent members of the Council's Standards Committee with the knowledge, skills and techniques necessary to assist Members resolve conflict through facilitated communication.

Learning Objectives

Through engagement in the learning seminar, participants will be equipped to:

- Understand the pre-mediation process in Anglesey including the development of a strategy for co-mediation with colleagues before the mediation meeting takes place.
- Understand ethical issues related to mediation, particularly as it relates to confidentiality, self-determination, and voluntary participation.
- Develop self knowledge of mediator's conflict styles, history, and attitudes and how their personal experience may influence their aptitude for or approach to conflict resolution.
- Use enhanced verbal and non-verbal communication skills to ascertain greater insight into the dynamics of the conflict and reveal underlying interests.
- Explore and analyze the issues of the conflict sufficiently to be able to summarize parties' positions, related feelings, and underlying interests.
- Assist Members to develop agreements that are perceived as sufficiently fair as to achieve voluntary compliance that fosters or maintains positive working relations.

Content Overview

Part 1 – An Introduction to Mediation

- Definitions of mediation and conflict resolution

- Exploring qualities of a mediator in a local government setting
- Skills needed for effective mediation
- Values underlying mediation
- Co-mediation and teamwork

Part 2 – Exploring Emotion and Conflict: Building Trust and Credibility with Members

- Managing anger in mediation
- Understanding and encouraging empathy
- Active listening; learning from the Samaritans' 'Listening Wheel'
- Using emotional intelligence to understand 'positions' and 'interests'

Part 3 – The Mediation Process in Anglesey

- Preparatory work; analysing conflict and understanding 'ripple effects' in political environments
- Establishing ground rules
- Ensuring each side tells 'their story'; validation prevents escalation
- Evaluating ideas for resolution (building on pre-mediation meeting preparatory work)
- Strategies for negotiating solutions
- Follow up to build relationships into the future – options for resolution

Methods of delivery

A multi-method approach will be taken which will involve the use of discursive presentations, role play and real-life anonymised case studies.

The learning seminar would be delivered by Rebecca David-Knight, Lead Consultant for Wales – Centre for Public Scrutiny.