



## Report of the Head of Democratic Services

Annual Meeting of Council – 24 May 2022

### Councillors Local Dispute Resolution

<b>Purpose:</b>	To re-adopt the Councillors Local Dispute Resolution.
<b>Policy Framework:</b>	Council Constitution.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Councillors Local Dispute Resolution as outlined in <b>Appendix A</b> of the report be re-adopted.  2) Councillors agree to attempt to resolve any grievances they may have with other Councillors through the internal mediation process whenever possible, before referring an issue to the Public Services Ombudsman for Wales.
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#### 1. Introduction

1.1 Council at its meeting on 22 June 2017 re-adopted the Councillors Local Dispute Resolution.

#### 2. Councillors Local Dispute Resolution

2.1 The concept for the Councillors Local Dispute Resolution stemmed from the Standards Committee in 2011 when they sought ways to improve standards for Councillors in the Council. As part of that process the Political Group Leaders, Presiding Member, Chief Executive, Monitoring Officer, Democratic Services & Complaints Manager and the Public Services Ombudsman for Wales (PSOW) met with the Standards Committee. Following detailed consideration and strong

support from the PSOW the Local Dispute Resolution was drafted and approved by Council.

- 2.2 The Councillors Local Dispute Resolution puts in place an Informal Mediation Process with the aim of seeking to address an issue by way of an apology in the first instance, and then through a meeting of the Political Group Leaders.
- 2.3 In order for the process to work, Councillors must sign up to the system and agree to seek to resolve any grievances (Councillor vs Councillor) they may have through the informal procedure prior to escalating to the Public Services Ombudsman for Wales.
- 2.4 The Local Government and Elections (Wales) Act 2021 introduced a new duty upon Political Group Leaders to take reasonable steps to promote and maintain high standards of conduct by the members of the group. This new duty fits in with the Councillors Local Dispute Resolution process.

### **3. Councillors Local Dispute Resolution**

- 3.1 In the first instance a member who has a complaint should approach the Group Leader of the member who the complaint is about. If this approach is not effective the complaint is forwarded to the Monitoring Officer and / or Head of Democratic Services and a meeting of the Councillor Mediation Panel (CMP) will be arranged. The CMP will aim to reach an agreed way forward to resolve the complaint.
- 3.2 The process aims to resolve complaints informally and there is an expectation by the Public Service Ombudsman for Wales that an internal process would be followed prior to any complaint to their office. However, it cannot be used to deal with complaints alleging that a Councillor has not declared a personal and / or prejudicial interest.

### **3. Integrated Assessment Implications**

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage.
  - Consider opportunities for people to use the Welsh language.
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 3.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 3.4 An IIA screening has been undertaken and no adverse implications have been noted.

#### **4. Financial Implications**

- 4.1 There are no specific financial implications associated with this report.

#### **5. Legal Implications**

- 5.1 There are no specific legal implications associated with this report.

**Background Papers:** None

**Appendices:**

Appendix A Councillors Local Dispute Resolution "Councillor vs Councillor Complaints"

### Councillors Local Dispute Resolution “Councillor vs Councillor Complaints”

