

# Brecon Beacons National Park Authority

## Local Resolution Protocol



**Adopted 3 May 2013**

**Review Date: 2014**

# **BRECON BEACONS NATIONAL PARK AUTHORITY**

## **LOCAL RESOLUTION PROTOCOL**

### **MEMBER'S SELF REGULATORY PROTOCOL**

#### **1. General Principles**

- To promote high standards of conduct and behaviour as a means of strengthening respect and trust among members. It is NOT intended to replace the Code of Conduct, rather it is intended to sit alongside the Code. It provides a mechanism for the Authority to deal with behaviour by a Member against another Member which may not reach the threshold for an Ombudsman's investigation, to be dealt with internally by the Authority.
- The protocol does not replace the Member-Officer Protocol set out in the Authority's Constitution.
- Members will make all reasonable attempts to resolve disputes through agreed internal processes subject to their obligations under the Members' Code of Conduct.
- Referral to external regulators will become a last resort subject to Members' obligations under the Code of Conduct.
- Members will avoid personal confrontation in any public forum, especially committee meeting and through the media
- These commitments will not stifle legitimate political debate or scrutiny
- Member discipline will become the cornerstone of self-regulation with the Chairman taking responsibility for Members.
- Members will commit to training and development in support of this protocol.

#### **2. Working to avoid problems**

To minimise the number of instances of alleged breaches Members commit to attending relevant Member training events - in particular those relating to the Code of Conduct or probity courses within the scope of their role.

### **3. Role of Chairman**

A complaint by a Member relating to the behaviour of another Member will initially be referred to the Chairman, by either the Monitoring Officer (if the complaint is made to him or her) or to the Chairman directly by the Member making the complaint.

Upon receiving a complaint, it is the role of the Chairman to take responsibility for addressing the complaint and ensuring discipline among Members in their behaviour towards other Members. Discipline should be informal and resolved through face to face meetings. The Chairman will need to retain some records but the process will not be “document heavy”. The emphasis should be on training, education, mediation and conciliation.

When appropriate, a sanction such as removal from a committee or an outside body may be used. In extreme cases or after persistent breaches the matter will be referred to the Public Services Ombudsman for Wales.

Prior to the imposition of any sanction or training, the Chairman shall seek the approval of the Standards Committee which will seek to ensure fairness and consistency in the sanctions imposed under this protocol.

Where the complaint relates to the Chairman, the Deputy Chairman shall consider the complaint.

### **4. Persistent and Serious Breaches**

In the case of persistent breaches, or areas where the Chairman has concerns that the conduct of an individual member or members is damaging to relations between Members or to the reputation of the Authority, then the Chairman will meet with the Chief Executive Officer and the Monitoring Officer to agree a way forward. Consideration will be given to references to the Ombudsman, by the Chairman, for persistent low level breaches.

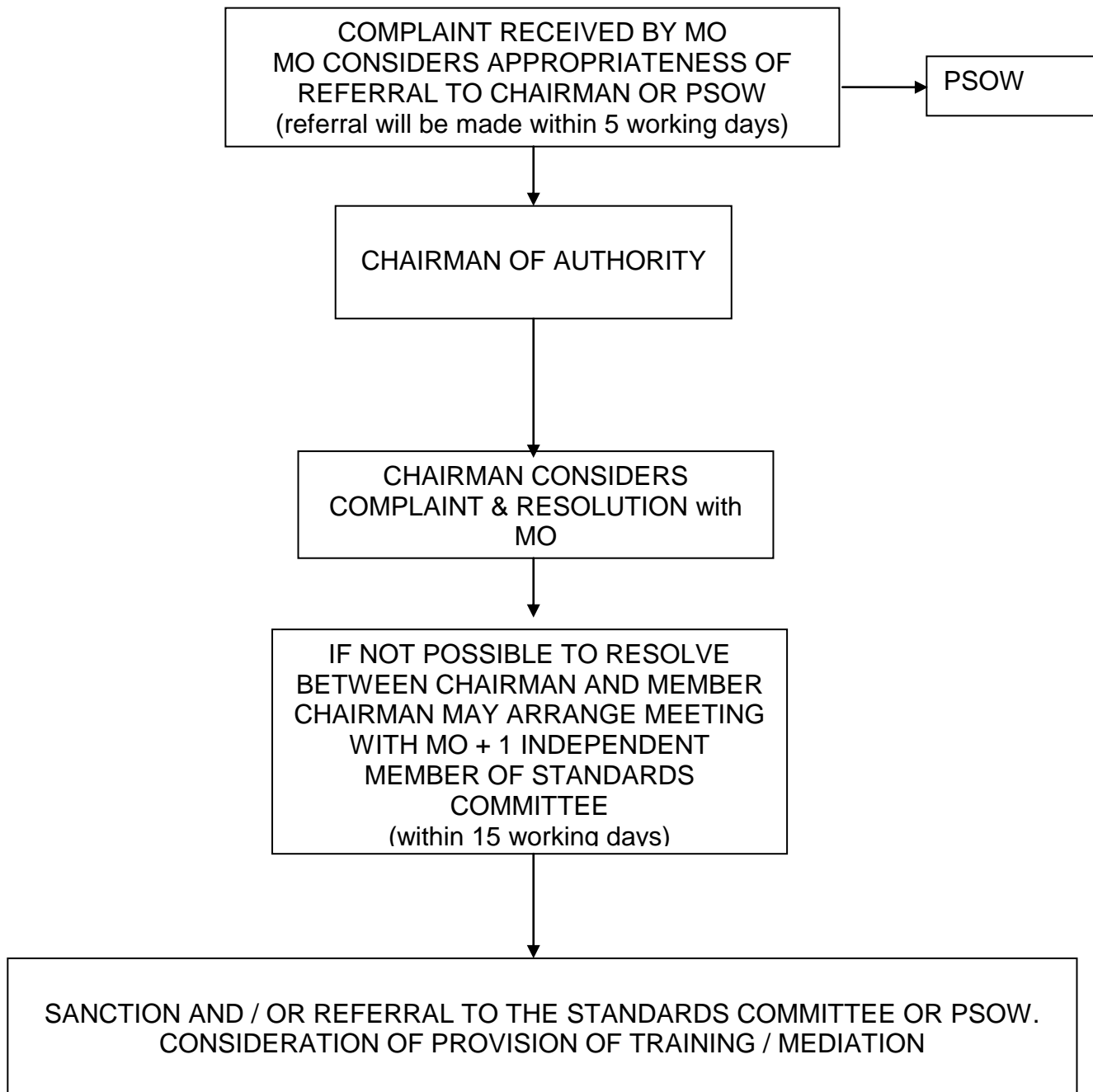
### **5. Standards Committee**

- Owing to any potential issues of conflict, any involvement will include no more than one independent member of the Standards Committee. This will be subject to a rotational basis and in accordance with availability.
- The Standards Committee Members will play a supporting/advisory role to the Chairman. This process will be initiated at the request of the Chairman, in a particular case.
- Such meetings will be private and informal.

- Any documentation, attendance notes, file notes or advisory notes passing between the Chairman and the members of the Standards Committee shall remain private and confidential.

This protocol will be reviewed by May 2014.

## MEMBER / MEMBER COMPLAINTS FLOWCHART



PERSISTENT BREACHES: THE CHAIRMAN WILL MEET WITH CHIEF EXECUTIVE AND MONITORING OFFICER TO AGREE A WAY FORWARD. CONSIDERATION WILL BE GIVEN TO REFERRING THE MATTER TO THE OMBUDSMAN BY THE CHAIRMAN FOR PERSISTENT, LOW LEVEL BREACHES.