

Dealing with Disputes

1. Introduction

Given that community councils are public representative bodies, dealing with important and even *contentious* matters, it is understandable that disputes occasionally arise. These disputes may be between individual members of the community council, between the community council and another individual or even between the community council and the City of Edinburgh Council. Whatever the situation, it is important that community council members remain conscious of their responsibilities and seek a sensible resolution to any kind of disagreement as quickly and amicably as possible. The following procedures may be useful as a general guide, though in handling disputes of any kind, there is no substitute for common sense, consensus and compromise !

2. Disputes Within the Community Council

The Chairperson is responsible for conducting business at meetings and it is essential that due deference is paid to the Chair by all present. The Chair decides the order of business, who will speak and for how long.

While business is being discussed, it is important that the Chair ensures that all points of view have equal time to be aired. Towards the end of a debate the Chair may summarise the arguments for and against a motion to ensure the minute secretary (and others) clearly understand the pertinent issues. If a consensus cannot be reached on any point, the Chair should take a vote with the majority verdict prevailing. **All members of the community council will be bound by this decision.**

3. Disputes Between the Community Council and Members of the Public

Individual members of the public may wish to attend meetings of their local community council to hear certain items of business being discussed. While they may not vote or otherwise interfere with the conduct of the meeting, they may be invited to speak at the discretion of the Chairperson.

A member of the public may request that their community council consider a particular issue. This request must be considered by the members. If it is considered appropriate, then the matter should be included on the agenda for the next regular meeting of the community council. The Secretary or Chairperson should write to the person who raised the issue, inviting them to speak to the matter. If the community council does not consider the request appropriate, then a letter should be sent to the individual concerned notifying them of the reasons. Details of the request and the refusal should be reported to the next meeting of the community council and recorded in the minutes. **The person should be advised that if they are aggrieved by this decision then they may refer the matter to the City of Edinburgh Council.**

4. Conduct of Community Council Members

Although the Chairperson has overall responsibility for conduct at meetings, each individual member of a community council is responsible for their own behaviour and has a duty to comply with the Code of Conduct. However sensitive an issue may be and however strongly people may feel, it is absolutely essential that community council members maintain a respectful demeanour. Personal differences must not be allowed to undermine the correct conduct of business. This is equally true whether it involves a disagreement between two community council members or between a community council member and another person.

In the event that a debate becomes too heated, the Chairperson must intervene and bring the meeting to order. If any of the protagonists has resorted to inappropriate language or behaviour, it is the responsibility of the Chairperson to immediately ask the 'offender' to apologise. (Common sense suggests that this is the best way of preventing long-lasting and damaging grievances from emerging).

5. Disputes *with* the City of Edinburgh Council

Where a community council experiences difficulties with a department of the City of Edinburgh Council, it should first attempt to resolve them with the appropriate officer. If problems persist, then the community council should approach the line manager of the officer concerned. If a satisfactory resolution still cannot be achieved, then the community council should seek the assistance of the director of the department concerned.

For complaints and suggestions about anything that the City of Edinburgh Council does, contact the Quality and Customer Care Unit on 200 2000 (or e-mail: customer.care@edinburgh.gov.uk). Copies of the City of Edinburgh Council's 'Suggestions and Complaints Guide', with a Freepost form, are available in local area offices or phone the above number.

6. Disputes and the City of Edinburgh Council

In the event that a disagreement or dispute has arisen which the community council is unable to resolve, then the community council may wish to ask the City of Edinburgh Council to help. However, this does not mean that the City of Edinburgh Council should be the first point of contact in such a situation. **The City of Edinburgh Council should only be approached as a last resort, once all reasonable steps have been taken by the community council to deal with the problem.**