

# Towns and parishes – when things go wrong

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# A case study from Muchsquabbling in the Marsh Parish Council

# The symptoms

- Council at war with itself
- Point scoring at meetings
- Disruption of service provision
- One councillor can halt a meeting
- Meetings abandoned
- Other councillors seek to protect themselves
- Multiple complaints to the Standards Board, monitoring officer and county association

# The complaint

- A against B,C,D,E,F, (basically trivial)
- B against A (trivial)
- C against A (trivial)
- D against A (trivial)
- A against B referred to monitoring officer for investigation and determination by local standards committee

## Barriers to recovery

- The monitoring officer – does not have everyday involvement and has no feel for context
- The county association is a voluntary membership body – has no authority as ‘policeman’ but gets overloaded with calls
- The clerk was drawn in to take sides in the mêlée, was bullied and resigned
- Time delay caused unnecessary pain and suffering

## Who else suffers?

- The parishioners lose confidence and 'do their own thing'
- All parish councils in the neighbourhood lose credibility

# The causes

- Poor clerking for many years previously, from a person who refused training himself and prevented the councillors from accessing training
- This produced inconsistency in the councillors' knowledge of procedures
- Personality clashes
- Lack of chairmanship skills

# The cure

- Monitoring officer and SALC chief executive worked together, exchanged information to ensure they were not ‘divided and conquered’
- Both gave as much support to clerk as possible but she left – felt bullied
- SALC persuaded the council to employ an experienced clerk to take over, with no inclination to be emotional or take sides



# The professional clerk

- New clerk just adhered to the law and good practice and refused to be polarised with either 'side'
- Stood for no nonsense
- Made it quite clear to all councillors what her position was
- Worked closely with SALC and the monitoring officer

## What we had to overcome...

- Disempowerment – neither SALC nor the monitoring officer had real power to intervene, but that didn't stop their determination to help the council through the crisis
- Considerable press interest
- Inability to admit to blame, not just one councillor

## What we did...

- Recognised further hearings were pointless, what was needed was mediation work and training
- Worked with the Standards Board for England, who were encouraged to serve a direction under *The Local Authorities (Code of Conduct) (Local Determination) regulations 2003*, as amended by the 2004 regulations
- A direction is not bad news!

## ...and...

- Supported the new clerk to ensure all council business was legally transacted and procedures followed
- A SALC area chair acted as observer at meetings so we had the actual story
- Gained support from principal authority members
- Monitoring officer devised an action plan with support from local standards committee in discussion with SALC chief executive

# How the patient recovered

- A directive from the Standards Board that was worded to provide exactly what was needed
- Three sessions with SALC/monitoring officer/clerk
  1. Lancing the abscess – informal
  2. Code of Conduct training – formal
  3. Statutory responsibilities and the role of the council in creating a council which is focused on providing facilities and serving the parishioners

# The tools

- In depth knowledge from the medical team
- The well-worded direction
- Informal and welcoming setting in session one – clerk's house
- No-one made to feel uncomfortable
- Honesty but courtesy where the members themselves identified the problems
- No place to hide
- The future is more important than the past

# Lessons learned

- The partnership approach with the county association is crucial (neither county association nor monitoring officer can be effective alone)
- People have to be allowed space to admit mistakes without judgment or ridicule
- The handshake was the turning point
- Monitoring officer may lack knowledge of parish council law and procedure – the law for principle authorities is different

# The medical team

- Monitoring officer/SALC/clerk all signed up to patient's treatment programme
- District standards committee
- Standards Board for England contacts
- The press – backed by a relationship of mutual trust



# The breakthrough

- The councillors responded positively and wanted to make things better



# Some challenges to the Standards Board for England

- What obligation is there for councillors to comply with the direction?
- Basis of mediation is the right to withdraw at any stage – how does this fit in with a direction and what is the carrot for councillors to engage in the process?
- What if the Standards Board had not agreed with monitoring officer – what would you have done?

- How can we be authorised to ‘get in’ more quickly and effectively?

# Final prognosis

- A happy, effective, and efficient council working for its parishioners



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