

Dealing with conflict: A guide for resident associations and garden committees

When working in the community with other local people often on a volunteer basis, it seems like it should make sense that conflict and disruption within the group won't be a problem. After all, you're all working together to improve your local area and make life better for local people.

However, while some groups never experience conflict, it is an unfortunate fact of life that conflict in community groups can and does occur. When conflict occurs, it is tempting to ignore behaviour, turn to side meetings, or use informal means to exclude the offending member(s) by not advertising meetings to all.

These are all normal reactions and coping mechanisms, but a word of warning: ignoring or side-stepping disruptive behaviour within a community group can result in wasted time, unnecessary stress and diversion of your members' energy from doing good things (why they got involved in the first place) to avoiding or suppressing the conflict. In extreme cases, unaddressed conflict can lead to the breakdown of your group, and at the very least it can poison what should be a fun, positive and rewarding voluntary experience.

It's worth taking conflict or disruption seriously, and taking steps to address it. No community group should ever have to put up with disruptive behaviour, rudeness or other negative behaviours from members. Being an inclusive group doesn't mean allowing people to be intimidating or keep you from accomplishing your goals.

This short guide has been produced on request from local residents groups and goes through some of the types of conflict, gives a few tips and signposts to further information.

Recognising conflict: common types of conflict in community groups

Conflict can take a number of forms. At one end of the conflict spectrum is disruptive behaviour, which is anything that causes friction in meetings or gatherings and keeps the group from accomplishing actions. The most common form of this kind of conflict is a domineering or overly articulate member who speaks out of turn or intimidates others, sometimes without realising that he or she is doing so. Another example of this kind of conflict could be a member who is unused to meetings or has a priority single issue he or she doesn't feel is being addressed – in both cases this member can 'hijack' meetings or make reaching important decisions difficult.

In the middle of the spectrum are the more serious types of conflict, from personal feuds to a member falsely claiming to represent the group and making unauthorised statements that don't reflect group views.

The extreme end of the conflict spectrum sees members causing serious harm, from active sabotage to illegal activity. This type of extreme conflict or disruption is very rare in our experience.

The tips and resources in this guide are designed primarily for the low to medium types of conflict. If your group is experiencing extreme disruption such as theft of funds or other illegal activity, it is recommended you go straight to the support resources and seek independent help including from the police.



Before conflict arises

Prepare for the eventuality of conflict by ensuring your constitution or byelaws contain a **code of conduct** and procedures for dealing with breaches of this code and **termination of membership** if necessary. You could also adopt a code of conduct and procedures for handling member disputes as a separate policy at an AGM or a committee meeting.

While having a code of conduct in place will not necessarily prevent conflict or disputes, it can be essential in ensuring members have a firm foundation in order to challenge disruptive behaviour if it arises and to remove membership in a transparent and fair manner when necessary. New committee members can be offered an induction when they join. This could cover things like how the association works, its constitutional aims, what sorts of activities have been delivered previously and policies that the association have in place; this should include codes of conduct and especially the one on conflict.

See the last pages of this guide for a sample code of conduct and membership removal procedures, or contact the Community Engagement Team for advice. We have also included the 'Seven Principles of Public Life' developed by the Committee on Standards in Public Life as a reference resource.

Tips for dealing with conflict in groups

- **Be tactful**

Above all, be tactful. Community groups and especially neighbourhood associations like resident associations and garden committees are different to other voluntary organisations because everyone involved are likely to be neighbours. Each situation is unique and requires careful judgement of the right course to take. Independent advice from another resident association or a specialist can be helpful.

- **Don't tolerate or ignore 'destroyers' or 'energy drainers'**

However, being tactful does **not** mean putting up with conflict and disruptive behaviour, or mean that you cannot disagree with or challenge others. Remember that the potential for hurting someone's feelings is almost always less than the magnitude of damage that person's disruptive behaviour could do to your group, your reputation, your ability to attract and retain members and your ability to get things done.

- **Make it formal**

Wherever possible refer to your code of conduct or constitution in order to address conflict or challenge behaviour. Use the power of participation in a formal group by referring back to common principles everyone has agreed to by taking part. Steer away from framing the situation as an interpersonal conflict (John is being horrible to Jane) towards one that's about the group's principles (John's behaviour is not in keeping with the member code of conduct).

Having formal procedures in place for dealing with disrupted meetings can help make it less personal, so the message is clear – it's not, "we don't like you" (which is rarely the case) but rather "everyone present at meetings must stick to the agenda and additional items of discussion must be approved by the chair."



If a member or members repeatedly ignore attempts to keep the meeting on track, the chair may need to take more assertive measures from speaking with the person privately after the meeting to removing from the committee (if applicable) to membership termination (last resort).

- **Make it about the group**

Appeal to everyone's mutual dedication to the group's aims and what you are trying to achieve wherever possible. Try to shift the conflict from being about 'you' and 'I' to one that's about the group and your mutual dedication to the group's aims.

For example:

Laila and Sam are both very upset and suspicious of each other as they each want a different garden improvement design to be funded. They each feel like the other is going behind their backs to have their proposal get the most votes. A good first step the committee members can take to bring them together is to stress that the reason feelings are so high is because both of them care very much about the garden and want it to be as good as possible.

In other words, start to resolve the conflict by reminding them that they are ultimately on the same page and share the same goal, and clarify that they just differ on how to achieve this goal.

Neutralising the feelings involved won't solve the problem, but calming people down can allow the ideas/suggestions to be debated on their merits (rather than the *people* involved) and allow for one to be selected in a way that feels transparent.

- **Be transparent, open and fair**

Conflict often escalates whenever people feel unfair decisions have been made, especially if there is secrecy or perceived secrecy.

Any important decision but especially one about termination of membership should be done in a formal setting such as a committee meeting and be minuted. The person(s) involved should be communicated with at every stage and allowed to give their side of the story. Committee members should explain any decision or action, have evidence to back this up, communicate this to all interested parties and follow formal procedures if they are in place.

Confronting conflict or disruptive behaviour means you may be accused of wrongdoing or secrecy regardless of what you do. The only means to combat this is to proactively communicate and be able to show that you are not 'out to get' anyone but following the rules for the good of the group.

Case Study

Several years ago a few residents started the Kensington and Chelsea Association or KCA (name changed). As part of getting started, they invited a resident who was well-known as locally active to join the committee. Whilst the individual was liked personally and had valuable knowledge of the local area, he was very disruptive in meetings. He would start side conversations whilst others were speaking and ignore



requests from the chair to refocus on the agenda. The individual was also negative and would reject proposed solutions.

Initially the Chairman, Secretary and Treasurer weren't sure how to handle the situation. They first tried harder to accommodate the individual's views, ascribe the problems to differences of opinion, and other coping strategies. Then, in response to ongoing problems in public meetings from the individual, the other committee members tried sidelining the individual as much as possible, but this meant the committee was not working well.

After eight months as the committee's productivity kept falling and members were increasingly frustrated, one of the committee officers talked through the situation with a council officer. The council officer provided an independent assessment of the situation and helped KCA clarify their options. Independent confirmation that the individual's behaviour was unacceptable gave the KCA officers the confidence to find a way to move forward.

With the AGM approaching, the KCA officers actively canvassed for other volunteers to be on the committee to foster a healthy competition. They also clearly and assertively challenged the disruptive behaviour. Fortunately, the individual decided not to stand for election to the committee. The officers consider themselves 'lucky' that the individual took the hint and stood down, but see the crucial turning point as when they gained confidence to address the situation strategically.

In hindsight, the hardest part, according to the KCA officers, was identifying together that the problem with committee meetings was definitively the individual's behaviour, rather than another factor like their inexperience, a genuine difference of opinion, etc.

Top tips from KCA's experience:

1. Get outside help, advice and independent opinion at a much earlier stage, as soon as it is clear if committee meetings aren't going well.
2. Be quicker to identify what is a genuine difference of opinion or productive disagreement and what is disruptive behaviour. Know the red flags to look for: hijacking the agenda, unwilling to follow chair's leadership, etc.
3. Don't be afraid to challenge individuals who are being disruptive or causing conflict. While avoiding conflict can seem like the better option, in the long run it causes more problems. KCA found out after the committee member stood down that three of their members had left KCA specifically because of the disruptive individual and that the individual had been damaging KCA's reputation by being rude to external partners.
4. Document any issues or behaviour in writing as it happens to help build a case or see patterns, and to have evidence if stronger steps need to be taken.
5. Have in place a light touch agreement on conduct and agreed procedures about what to do if the committee realises that meetings are not productive.
6. Finally, accept that sometimes people are not suitable to be part of a committee or to work through an association – this doesn't necessarily mean they are bad or ineffective people, but that a group work isn't for them.

When you need further help or independent advice

Advice from another tenant and resident association/garden committee/community group

Perhaps the best place for advice is from other local people in nearby groups who operate similarly to you and may have faced a similar situation in the past.



You can always search our online listing of resident associations and garden committees on the RBKC website by visiting www.rbkc.gov.uk/residents, where every association who has registered with the Council and elected to share their contact details is listed.

If you'd like a more tailored list of associations or a recommendation of nearby associations to contact, the Community Engagement Team can also help.

Confidential and Local Mediation (CALM)

CALM is a voluntary organisation that specialises in conflict resolution through mediation and operates in West London. In mediation, an independent person (one of CALM's accredited mediation specialists) helps you to reach an understanding with someone when there is a dispute. Mediation offers a safe space to discuss problems and a step-by-step approach in which feelings are explored and listened to. It is voluntary to take part and both sides are treated equally. The trained mediators help you to communicate, to search for common ground and to work towards a solution everyone can accept. On average, 80% of CALM mediated community cases reach an agreement.

CALM is unique as it focuses primarily on community conflict and conflict between neighbours. They offer free or low cost mediation depending on your situation.

infocalm@calmmmediation.org

020 7603 4014

www.calmmmediation.org

Community Engagement Team

The Community Engagement Team is available to talk through a situation with you and refer you on to further support as appropriate.

communityengagement@rbkc.gov.uk

020 7598 4633

www.rbkc.gov.uk/residentassociation

Kensington and Chelsea Social Council (KCSC) advice and training

KCSC provides support to voluntary organisations and community groups in Kensington and Chelsea. They can provide guides and training on effective chairing, running effective meetings and more.

info@kcsc.org.uk

020 7243 9800

www.kcsc.org.uk/get-on-board

Legal advice for garden committees

The Council has commissioned external legal advisers for Garden Square Committees for ad hoc advice. Please note that advice is only free if the Council is responsible for your garden levy and otherwise is available at cost. The advisers are:

Pemberton Greenish Solicitors
45 Cadogan Gardens
London



SW3 2AQ

The person to contact is Mr. Robert Barham:

Telephone: 020 7591 3386

Fax 020 7591 3300

Email r.barham@pglaw.co.uk

More information specific to garden squares may be found on the relevant webpage:

www.rbkc.gov.uk/councilanddemocracy/counciltax/gardensquares.aspx

Metropolitan Police

Report serious issues like fraud, victimisation or physical intimidation to the police. In cases we have seen where committee members have been suspicious of mishandling of finance or serious improper use of funds, they went straight to the police and the police welcomed this approach.

Dial the non emergency hotline: 101



Example Code of Conduct

All committee members should:

- ✓ Act in the best interest of the association
- ✓ Declare all relevant personal and financial interests to the secretary
- ✓ Never use their position to seek preferential treatment for themselves, their family or relatives.
- ✓ Attend meetings – if unable to do so send apologies beforehand to the secretary and read the papers for the meeting beforehand
- ✓ Accept collective responsibility for the decisions of the committee
- ✓ Not divulge any association business which is treated as confidential to other persons or organisations.
- ✓ Support that chair at all times in ensuring that members meet the code of conduct

During a meeting:

- ✓ All members at the meeting are responsible for conducting themselves in a way that does not cause offence to others or limits the ability of others to participate in the meeting.
- ✓ Members must speak in a polite and respectful manner
- ✓ Members must not use rude, obscene or abusive language
- ✓ Members must not behave violently
- ✓ Members must not insult or demean others in the meeting
- ✓ Members must not use racist, sexist or other discriminatory language
- ✓ Only one person shall speak at a time and speakers should not be interrupted. The chair of the meeting shall decide who shall speak if two or more people try to speak at the same time
- ✓ Members need to be sensitive to others whose first language is not English and are not used to speaking in public
- ✓ Avoid lengthy discussion of and points of detail on the minutes of previous meetings and matters arising unless there is a fundamental problem
- ✓ Respect the authority of the chair
- ✓ Raise items of any other business with the chair before the meeting
- ✓ Avoid naming individuals
- ✓ Avoid public criticism of individuals
- ✓ Avoid straying from items on the agenda or introducing side issues
- ✓ Voters should always be prepared to accept the majority decision and not take such a decision as any form of personal slight or criticism.
- ✓ It is the responsibility of the chair with the assistance and co-operation from all members to ensure that the Code of Conduct is adhered to during meetings.

Communication on behalf of the association:

- ✓ Statements to the media or other organisations on behalf of the Association should be made by the Chairperson or committee members with the prior approval of the Committee.
- ✓ Correspondence sent on behalf of the Association must be signed by the Secretary or Chairperson.



Example Procedures if the Code has been ignored

All committee and association members must comply with the Constitution and Code of Conduct at all times. Any serious breach of the Constitution or Code of Conduct may result in committee members, following a majority vote of the Committee, being asked to resign and if appropriate, termination of membership according to the procedures set out in section 3, Termination of membership.

1. Committee meetings

- ✓ If a member feels that another member has ignored the Code he/she should raise this with the chair either at the time or immediately after the meeting.
- ✓ If the chair agrees, the member will be advised that they have breached the Code of Conduct and that their behaviour therefore is not acceptable.
- ✓ If the member persists with this behaviour, the chair will put to the meeting a motion that the member be asked to leave the meeting immediately. A simple majority of members present will suffice to pass such a motion.
- ✓ Continued unacceptable behaviour from the individual may result in the committee putting a motion to a general meeting that the individual's membership is either suspended for a period or terminated according to procedures in point 3.

2. General members

- ✓ Any resident who feels that they have not been treated fairly and equally by the Association can raise this with the Committee who will respond within twenty eight (28) days.
- ✓ Any complaints received about the conduct of the Association or individual members will be taken to the Committee who will respond within twenty eight (28) days. The Committee will only deal with complaints that relate to the activities of the Association and its members in relation to the Constitution and Code of Conduct. Committee members will not deal with neighbour or inter-personal disputes in the area.

3. Termination of membership

In the event of breaches of the Constitution or Code of Conduct membership of the Association can be suspended or ended by a two thirds majority vote of the Committee (of those present). Notification of suspension of a member must be given in writing to the member with a copy of the Constitution attached.

Appeals

Any member who has been suspended or had their membership terminated shall have the right to appeal. If a member wishes to appeal they have the right to ask the Secretary to arrange a special meeting to hear their appeal.

Appeals must be made to the Secretary within twenty eight (28) days of receipt of the letter suspending them. A special meeting must be held to hear the appeal within twenty one (21) days of the Secretary receiving notification from the member. The appeals panel shall include at least three ordinary members of the association who are not on the Committee. Any member appealing suspension shall have the right to bring a third party and also, if they wish, to be represented by the third party. The decision of the appeals panel shall be binding on both parties.



The Seven Principles of Public Life (also known as the ‘Nolan principles’)

These principles apply to all aspects of public life. The Committee on Standards in Public Life has set them out for the benefit of all who serve the public in any way.

- Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

- Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

- Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

- Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

- Openness

Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

- Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

- Leadership

Holders of public office should promote and support these principles by leadership and example.

Visit <http://www.public-standards.gov.uk/> for more information

