

Protocol on Member/Officer Relations

1. Background

- 1.1 This protocol is intended to assist Councillors and the Clerk, in approaching some of the sensitive circumstances which arise in a challenging working environment.
- 1.2 The reputation and integrity of the Council is significantly influenced by the effectiveness of the Councillors, the Clerk and other employees working together to support each other's roles.
- 1.3 The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Close personal familiarity or special relationships with particular individuals or party political groups is to be avoided in order to maintain impartiality and avoid creating suspicion of favouritism.

2. Roles of Councillors, Officers and Employees

- 2.1 The respective roles of Councillors, Officers and employees can be summarised as follows:
 - Councillors, Officers and employees are servants of the public and they are indispensable to one another, their responsibilities are distinct.
 - Councillors are responsible to the electorate and serve only so long as their term of office lasts.
 - Officers are responsible to the Council.
 - An Officers job is to give advice to Councillors and to the Council, and to carry out the Council's work under the direction of the Council.
 - The Clerk is responsible for the management and supervision of employees.
- 2.2 Councillors, Officers and employees need to show respect for each other. They must not malign their own or each other's work in public or make unsubstantiated allegations against any individual connected with the Council.
- 2.3 Councillors have four main areas of responsibility:
 - To determine Council policy and provide community leadership;

- To monitor and review Council performance in delivering services;
 - To represent the Council externally; and
 - To act as advocates for their constituents.
- 2.4 All Councillors have the same rights and obligations in their relationship with the Clerk and other employees, regardless of their status (or political party), and should be treated equally.
- 2.5 Councillors do not involve themselves in the day to day running of the Council. This is the Clerk's responsibility, and the Clerk will be acting on instructions from the Council, within an agreed job description.
- 2.6 Councillors have a responsibility to be properly prepared for meetings.
- 2.7 If Councillors wish to request an agenda item at any meeting they have a responsibility to notify the Clerk in good time, and provide any papers at least ten days in advance of the meeting in question.
- 2.8 Councillors must remember that officers and employees work on behalf of the whole Council and not for individual Councillors. If any Councillor requests assistance they must be mindful of the officers' other commitments.
- 2.9 The Chairman and Vice-Chairman have additional responsibilities:
- for liaising with officers over the preparation of agendas for meetings, and after the meeting of any actions to be taken.
 - their relationships with Officers may be different and more complex than those of other Councillors.
 - respect the impartiality of Officers and employees and must not ask them to undertake work of a (party) political nature, or to do anything which would prejudice that impartiality.
- 2.10 The role of the Officer is to give advice and information and to implement the policies determined by the Council:
- In giving such advice to Councillors, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations.
 - An Officer may consider the views of individual Councillors, but the recommendation must be the Officer's own.

- A Councillor wishing to express a contrary view must not pressurise the Officer to make a recommendation contrary to the Officer's professional view, nor victimise an officer for discharging his/her responsibilities.

3. Expectations

3.1 All Councillors can expect:

- a commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillors (or political group);
- a working partnership;
- Officers to understand and support respective roles, workloads and pressures
- a timely response from Officers to inquiries and complaints, whilst being mindful the officer only works part-time;
- Officers professional advice, not influenced by political views or personal preferences;
- Regular, up to date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of, and sensitive to, the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from Officers and fellow Councillors;
- Training and development opportunities to help them carry out their role effectively;

3.2 Officers can expect:

- An amicable working partnership
- An understanding of, and support for, respective roles, workloads and pressures;
- Leadership and direction;
- Respect, courtesy, integrity and appropriate confidentiality from all Councillors;

- Not to be bullied or to be put under undue pressure;
- Training and development opportunities to help them carry out their role effectively;
- That Councillors will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly;
- That Councillors will at all times abide by the Nolan principles and with the Council's adopted Code of Conduct.

4. If things go wrong

- 4.1 From time to time the relationship between Councillors and the Clerk or other employees, may break down or become strained. Whilst it is always preferable to resolve matters informally, if appropriate through conciliation by an appropriate third party, the Council will maintain a formal grievance procedure.
- 4.2 Wiltshire Unitary Council's Monitoring Officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice, e.g. from the Society of Local Council Clerks or Wiltshire Association of Local Councils, who may be able to provide an independent person.
- 4.3 The Chairman of the Council will not attempt to deal with grievances or work related performance or line management issues on their own.
- 4.4 The law requires all employers to have disciplinary and grievance procedures. Operating the grievance procedure effectively enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way.
- 4.5 If a Councillor is dissatisfied with the conduct, behaviour or performance of the Clerk or other employee, the matter must be raised with the Clerk in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the Council's disciplinary procedure.
- 4.6 Any employee having difficulty must raise the issue with the Clerk, who will aim to resolve the issue informally to a satisfactory conclusion.
- 4.7 If the Clerk is dissatisfied with the conduct, behaviour or attitude of a Councillor towards them or an employee, the matter must be raised in the first instance with the Chairman.

- 4.8 If the concern in 4.7 above is with the chairman, the vice-chairman must be contacted.

5. Agreement and Adoption of the Policy

- 5.1 This policy forms part of Lydiard Millicent Parish Councils Corporate Governance portfolio and will be reviewed in line with other documents in that portfolio.
- 5.2 A copy will be given to all new employees and Councillors in addition to the signed copy held in the Clerks office.

5.3 This policy was adopted at a Council meeting held on Thursday ..xx
XXX 2021. Being recorded at minute reference xxx/21.

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Chairman

Lydiard Millicent Parish Council

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Clerk