

## **OFFICER/MEMBER PROTOCOLS.**

### **Developing the way that members of Staff and Councillors work together for the good of the local community.**

The purpose of this document is to provide guidance and direction in the way that members and officers interrelate in carrying out the Council's business. This includes relations with the press and media.

It has been written largely as a statement of current practice as of November 2018.

Throughout this document members of staff are referred to as officers. He can mean, he, she or they.

This protocol seeks to show there are clear benefits in ensuring that, from their different roles, members and officers develop effective and efficient internal working relationships that best serve the collective goal of improving the quality of life in the local community.

In giving guidance and direction, this document should not be seen as being prescriptive. Rather it should be regarded as the tool that helps ensure the codes and policies that prescribe activities and behaviours are not compromised. A Councillor must observe Cranleigh Parish Council's Code of Conduct whenever conducting the business of the authority, conducting the business of their elected or appointed office or acting as a representative of the authority.

The relevant codes and policies are:-

- Member Code of Conduct.
- Staff (officer) Code of Conduct.
- The Council's Dignity and Respect at Work Policy and procedures for dealing with Bullying and Harassment at Work.
- The Council's Disciplinary and Grievance Procedures.
- The Council's Equality Policy

A copy of each policy can be found on the Cranleigh Parish Council website [www.cranleigh-pc.gov.uk](http://www.cranleigh-pc.gov.uk)

This guidance in these documents will not cover every specific eventuality, but the broad principles in the documents set standards for acceptable behaviour that should be applied in all eventualities.

For the avoidance of doubt, the guidance in all Council Policies is obligatory. Further clarity can be obtained by contacting the Clerk to the Parish Council or the Monitoring Officer at Waverley Borough Council.

## 1. GENERAL PRINCIPLES

Members and officers should aspire to conduct their relations on a professional basis at all times.

Relations must be based on mutual trust, respect and courtesy and neither members nor officers should seek to take unfair advantage of their positions.

Close personal relationships between members and officers can damage professional relationships and can prove embarrassing to other members and officers. They could give rise to suspicions and/or the appearance of improper conduct or behaviour. Close personal relationships should, therefore, be avoided.

Officers must at all times display political impartiality and members must at all times accept the political impartiality of officers.

Members and officers must have mutual respect for confidentiality where that is important to the relationship and where that does not compromise the duty of officers to serve the public. Officers must make that clear before entering into any confidential discussion with members.

For the sake of clarity, it should be clearly understood that officers have a contract of employment with the Council as a corporate body and not with individual members of the Council.

## 2. ROLE OF MEMBERS

In accordance with National Codes of Conduct, the role of members is to:-

- i. collectively be the ultimate policy makers and oversee a number of strategic and corporate management functions.
- ii. represent their communities and bring their views into the Council's decision making process.
- iii. deal with individual concerns from residents and act if appropriate as an advocate for residents in resolving particular concerns or grievances.
- iv. balance different interests identified within the community and represent the community as a whole.
- v. contribute to decision making.
- vi. be available to represent the Council on other bodies as observers.

## 3. ROLE OF OFFICERS

In accordance with their contract of employment, the role of officers is to:-

- i. advise the Council on policy matters and implementing Council decisions
- ii. take day-to-day managerial and /or operational decisions.
- iii. provide support/advice to members on matters of Council business.
- iv. act within their sphere of responsibility/ accountability.
- v. ensure that the Council functions within the legislative framework.
- vi. above all else, serve the public in good faith and without fear or favour of anyone, as a duty to the Council.

#### 4. ROLE OF THE CHAIRMAN AND THE CLERK

When functioning as Chairman, the member will work in close cooperation of the Clerk. The Chairman would not normally deal directly with other members of staff.

#### 5. ROLE OF CHAIRMEN OF COMMITTEES AND OFFICERS

The Chairmen of Committees work in close cooperation with the Committee Clerk. The Committee Chairman would not normally deal directly with other members of staff in that role.

#### 6. OFFICER RELATIONS WITH POLITICAL PARTY GROUPS

Regardless of any member's party political allegiances, officers will work on behalf of all members fairly and consistently.

#### 7. PUBLICITY, PRESS RELEASES AND OTHER CONTACT WITH THE MEDIA

The Clerk as the Proper Officer of the Council is authorized to receive all communications from the press and media and to issue Press Statements on behalf of the Council. In the absence of the Clerk, media communication will be handled by the Assistant Clerk. In the absence of both of these officers, enquiries will be referred to the Chairman who will act as the spokesman on this occasion. Support and advice as necessary will be sought from the Surrey and Sussex Association of Local Councils, or Waverley Borough Council as appropriate.

All communications made by the Clerk will relate to the stated business and day-to-day management of the activities or adopted policy of the Council. Press releases from officers will not relate to the political views of any group of any group of officers or members. The Clerk is not expected or authorized to speculate on matters that have not been considered by the Council. If such questions arise, the Clerk should refer the enquirer to the Chairman or a Committee Chairman as considered appropriate.

No other officer of the Council, unless authorized by the Clerk, is permitted to speak or communicate with the press or media on any matter affecting the Council or its business. No member or officer may be quoted in media/press releases without their specific consent.

Members may issue their own media releases. However, they must not:-

- Use Council resources for that purpose where the media issue is to publicise an individual Councillor or the views of a political party.
- Impute or ascribe particular views to officers or otherwise refer to officers without that being agreed with the Clerk in advance.

#### 8. COUNCILLOR ACCESS TO DOCUMENTS AND INFORMATION

Members are entitled to have such access to information as they reasonably need to carry out their role as members of the Council.

Members do not have the right to inspect any or every document of the Council. A member must establish that access to a document is necessary for that member to perform their responsibilities (the 'need to know' principle).

## 9. OFFICER ATTENDANCE/PARTICIPATION AT FORMAL MEETINGS OF THE COUNCIL

Parish Council Meetings will be attended by the Clerk and, as necessary, the Assistant Clerk. The Chairman may call on the Clerk or Assistant Clerk in attendance to speak. Officers may ask to speak if factual information is being reported incorrectly, for a point of clarification or if relevant data could be overlooked.

At a Parish Council Meeting, the Chairman will require the Clerk to present a report and recommendations on each matter.

At Committee Meetings the Chairman of Committee will require the Committee Clerk to present a report and recommendations on each matter.

Other officers may attend meetings and may at times be invited to speak by the Chairman of that meeting.

## 10. OFFICER ATTENDANCE /PARTICIPATION AT INFORMAL MEETINGS

Officers may be asked to attend informal meetings. Members and officers in attendance may both contribute to the discussion as they see necessary.

## 11. ACCESS TO OFFICERS BY MEMBERS

Members may contact officers for information. To help manage workloads and to help the smooth working of the Council, the following guidelines should, so far as is practicable, be observed.

- i. enquiries may be made at the office, by telephone or e-mail.
- ii. where there is a need for immediacy, ideally, the member should telephone the officer to ensure that a meeting on the same day is practicable.
- iii. Member briefings for meetings of the Council should be arranged for a fixed time in advance of the meeting.
- iv. Members and officers should aim to keep meetings short and focused.

## 12. OFFICERS DEALING WITH MEMBERS ENQUIRIES:- RESPONSE TIMES

Officers will aim to respond to straightforward enquiries within 2 working days, more complicated enquiries within 5 days and enquiries requiring research within 15 days or an agreed extended period.

## 13. EFFECTIVE WORKING RELATIONSHIPS BETWEEN MEMBERS AND OFFICERS

This is best achieved by working together in partnership.

Members should:

- i. avoid putting officers under pressure to the extent that it could be regarded as harassment and /or bullying. Members should be particularly sensitive when dealing with less senior officers in the absence of the Clerk.
- ii. not require officers to do things that are not consistent with Council policy, not within normal budgetary controls and not part of the officer's normal duties.
- iii. avoid criticising officers, at public meetings or in the media.
- iv. avoid actions or words that may appear to others to be attaching blame to an officer(s) particularly when the officer(s) is not present.
- v. avoid words or actions that may serve to undermine the professionalism and integrity of officers.

Officers should

- i. Treat members with courtesy and respect at all times.
- ii. Not use undue influence over a member or put a member(s) under undue pressure.
- iii. Avoid words or actions that may undermine respect for members.

#### 14. SCHEME OF DELEGATION

Members should not challenge, publicly, a decision made in good faith by an officer under any agreed Scheme of Delegation, whether or not that decision requires consultation with nominated members.

Members requiring information on why a particular decision has been made may ask the relevant officer to explain the basis on which the decision has been made including any pre-prepared guidelines of the Council used to aid decision making.

#### 15. DEALING WITH BREACHES OF THIS PROTOCOL

By members:

An officer who feels that they have been treated by a member in a way that is contrary to the principles and ideals set out in this document should follow the steps in the Council's Disciplinary, Dismissal and Grievance policy and procedures.

Members who are breach of this protocol will be dealt with using, as appropriate, one or more of the approaches set out below:-

- Monitoring Officer
- Standards Committee

By officers:

A member who has a complaint that an employee has acted contrary to the principles and ideals set out in this document should raise the matter with the Chairman and the Clerk.

Officers who are in breach of this protocol may be dealt with under the Council's Disciplinary, Dismissal and Grievance procedure.

#### 16. CONCLUSIONS

Members and officers, in following the guidelines of this Protocol, will ensure continuity of the sound officer/member relations that have been built up within Cranleigh Parish Council.

Having a written Protocol will enable members and officers to build on and improve the past by identifying practices and approaches that work best to ensure effective working relationships. This Protocol should be kept under review and amended to reflect identified best practice.

April 2019

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