

# COLWICH PARISH COUNCIL



## PD117 PROTOCOL BETWEEN CONCILLORS AND OFFICIALS

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**PROTOCOLAL BETWEEN COUNCILLORS AND OFFICIALS**

# Protocol between Councillors & Officials

## PD117

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**This document was originally written by:**

<b>Name</b>	<b>Position</b>	<b>Date</b>
Michael Lennon	Clerk	January 2017

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# PROTOCOL BETWEEN COUNCILLORS AND OFFICIALS

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# PROTOCOL BETWEEN COUNCILLORS AND OFFICIALS

## 1 BACKGROUND

- 1.1 This protocol is intended to assist Councillors and officials, 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 Councillors, the Chief Officer and other officials 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 should be avoided.

## 2 ROLES OF COUNCILLORS AND OFFICIALS

- 2.1 The respective roles of Councillors and Officials can be summarised as follows:
  - 2.1.1 Councillors and Officials are servants of the public and they are indispensable to one and other, but their responsibilities are distinct.
  - 2.1.2 Councillors are responsible to the electorate and serve only so long as their term of office lasts.
  - 2.1.3 Officials are responsible to the Council not individual Councillors.
  - 2.1.4 Officials give advice to Councillors and to the Council and carry out the Council's work under the direction of the Council and relevant Committees.
- 2.2 Councillors have four main areas of responsibility:
  - 2.2.1 To determine council policy and provide community leadership.
  - 2.2.2 To monitor and review council performance in delivering services.
  - 2.2.3 To represent the council externally.
  - 2.2.4 To act as advocates for their constituents.
- 2.3 All Councillors have the same rights and obligations in their relationship with the Chief Officer and other officials, regardless of their status or political party, and should be treated equally.
- 2.4 Councillors should not involve themselves in the day to day running of the Council. This is the Chief Officer's responsibility, and the Chief Officer will be acting on instructions from the Council or its Committees, within an agreed job description.
- 2.5 The Council and Committee Chairs and Vice-Chairs have additional responsibilities. These responsibilities mean that their relationships with officials may be different and more complex than those of other Councillors. However, they must still respect the impartiality of officials and must not ask them to undertake work of a party-political nature, or to do anything which would prejudice their impartiality.
- 2.6 The role of officials is to give advice and information to the Council and Councillors and to implement the policies determined by the Council. In giving such advice, and in preparing and presenting reports, it is the responsibility of an official to express his/her own professional views and recommendations. An official may report the views of individual Councillors on an issue, but the recommendation should be the Official's own. If a Councillor wishes to express a contrary view, they should not pressurise an official to make a recommendation contrary to their professional view, nor victimise an official for discharging their responsibilities.

## PROTOCOL BETWEEN COUNCILLORS AND OFFICIALS

### 3 EXPECTATIONS

#### 3.1 All Councillors can expect:

- 3.1.1 A commitment from officials to the Council as a whole, and not to any individual Councillor, group of Councillor's or political group.
- 3.1.2 A working partnership.
- 3.1.3 Officials to understand and support respective roles, workloads and pressures.
- 3.1.4 A timely response from Officials to enquiries and complaints.
- 3.1.5 Official's professional advice, not influenced by political views or personal preferences.
- 3.1.6 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.
- 3.1.7 Officials to be aware of and sensitive to the public and political environment locally.
- 3.1.8 Respect, courtesy, integrity and appropriate confidentiality from officials.
- 3.1.9 Training and development opportunities to help them carry out their role effectively.
- 3.1.10 Not to have personal issues raised with them by officials outside the Council's agreed procedures.
- 3.1.11 That officials will not use their contact with Councillors to advance their personal interests or to influence decisions improperly.
- 3.1.12 Officials to use the appropriate Council procedures to raise matters of concern and not to revert to social media.

#### 3.2 Officials can expect from Councillors:

- 3.2.1 A working partnership.
- 3.2.2 An understanding of, and support for, respective roles, workloads and pressures.
- 3.2.3 Leadership and direction.
- 3.2.4 Respect, courtesy, integrity and appropriate confidentiality.
- 3.2.5 Not to be bullied or to be put under undue pressure.
- 3.2.6 That Councillors will not use their position or relationship with officials to advance their personal interests or those of others or to influence decisions improperly.
- 3.2.7 That Councillors will at all times comply with the Council's adopted Code of Conduct.
- 3.2.8 Councillors to use the appropriate Council procedures to raise matters of concern and not to revert to social media.

#### 3.3 Some General Principles:

- 3.3.1 Close personal relationships between Councillors and officials can confuse their separate roles and get in the way of the proper conduct of Council business, not least by creating a perception in others that a particular Councillor or official is getting preferential treatment.
- 3.3.2 Special relationships with individuals or party-political groups should be avoided as it can create suspicion that an official favours that Councillor or political group above others.

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### 4 POLITICAL GROUPS

- 4.1** The operation of political groups is becoming more of a feature within parish councils, but it is worth repeating that it is the National Association of Local Councils (NALC) policy that party politics should have no place in parish councils. NALC believes that Councillors are there to serve their community as members of the community and should not be side tracked by party political issues. NALC believes that party politics within a parish council can pose particular difficulties in terms of the impartiality of the Chief Officer and other officials, and the relationship between Councillors and the officials generally.
- 4.2** Party political groups have no power to require the Chief Officer or any other official to attend group meetings or to prepare written reports for them, and officials can, and must, refuse to do so. The Chief Officer and other officials are responsible to the Council as a whole and must not act under instructions from any individual Councillor, even if they have been styled as 'Leader' of the council.
- 4.3** The Chief Officer will ensure that any reports or advice offered to a political group are statements of relevant facts, with an appraisal of options and will not deal with the political implications of the matter or options or make any recommendations. It is not the Chief Officer's job to make recommendations to a political group.
- 4.4** If a report is prepared for one political group, the Chief Officer will advise all other political groups that the report has been prepared, or that advice was given.
- 4.5** The Chief Officer may seek advice or guidance on matters relating to party groups or how to operate within a political environment, from Staffordshire Parish Councils Association (SPCA), NALC or from the Society of Local Council Clerks.

### 5 WHEN THINGS GO WRONG

- 5.1** From time to time the relationship between Councillors and the Chief Officer (or other officials) may become strained or break down. Where this occurs the Council will follow its grievance policy (PD125).
- 5.2** Stafford Borough Council's Monitoring Officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. For example, the Society of Local Council Clerks may be able to provide an independent person. The Chairman of the Council should not attempt to deal with grievances or work-related performance or line management issues on their own.
- 5.3** The law requires all employers to have disciplinary and grievance procedures. Adopting a grievance procedure enables officials to raise concerns, problems or complaints about their employment in an open and fair way.
- 5.4** If a Councillor is dissatisfied with the conduct, behaviour or performance of the Chief Officer or another official, the matter should be raised with the Chief Officer in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the Council's disciplinary procedure.

<b>SIGNED</b>	
COUNCILLOR WENDY PLANT, PARISH COUNCIL CHAIRMAN	

## PROTOCOL BETWEEN COUNCILLORS AND OFFICIALS

<i>I CONFIRM THAT I HAVE RECEIVED AND READ A COPY OF THE COUNCIL'S PROTOCOL BETWEEN COUNCILLORS AND OFFICERS AND BY SIGNING THIS FORM ACCEPT THE TERMS THEREIN</i>	
<b>COUNCILLORS:</b>	
Cllr Bloor	
Cllr Boyce	
Cllr Dunn	
Cllr B Forster	
Cllr M Forster	
Cllr Hall	
Cllr Hardwick	
Cllr Hill	
Cllr Martin	
Cllr Meakin	
Cllr Mosley	
Cllr Plant	
Cllr Upton-Loach	
Cllr Walters	
<b>OFFICIALS:</b>	
Revd Mr Michael Lennon (Chief Officer)	
Mr Anthony Egan (Deputy Chief Officer)	
Mr Philip Russell (Head Lengthsman)	
Mr Ian Deans	
Mr Dan Lowbridge	
Miss Francesca Alineri-Willis	
Miss Nicola Martin	