



Sawbridgeworth Town Council

Document 5.1

PROTOCOL

COUNCILLOR AND OFFICER RELATIONS

(Helping to Ensure Good Governance)

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1. Introduction

- 1.1 Mutual trust and respect between Councillors and Officers is essential to ensure good governance. They are essential to the partnership necessary for the effective running of Sawbridgeworth Town Council.
- 1.2 In order to ensure that relationships do not go awry, it is advisable to have a written protocol, which can cover matters, such as:
 - The respective roles and responsibilities of Councillors and Officers
 - Relationships between Councillors and Officers
 - Clarifying where the Town Clerk should go to if he or she has concerns
 - Clarifying who is responsible for making decisions

2. Background

- 2.1 This protocol is intended to assist Councillors and Officers in approaching many of the sensitive circumstances, which arise in a challenging working environment.
- 2.2 The integrity of the Council is significantly influenced by the effectiveness of Councillors and Officers working together to support each other's roles. The pursuit of rapport, trust and collaboration is an elusive and continuing challenge for each Councillor and Officer. These conventions are intended to be an important support to that process.
- 2.3 The aim is to produce effective professional working relationships characterised by mutual trust, respect and courtesy between Councillors and Officers. Close personal familiarity between individual Councillors and Officers should be avoided, since this distorts the productive, professional relationship.

3. Roles of Councillors and Officers

- 3.1 The respective roles of Councillors and Officers can be summarised as follows:
 - Councillors and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct
 - Councillors are responsible to the electorate and serve only so long as their term of office lasts

Mutual respect between Councillors and Officers is essential to good local government.

4. Councillors

- 4.1 Councillors have four main areas of responsibility:
 - Determining the policy of the Council giving it political and public leadership and strategic direction.
 - Monitoring and reviewing the performance of the Council as a body in

implementing policies and delivering services

- Representing the Council externally
- Acting as advocates on behalf of their constituents

It is not the role of Councillors to involve themselves in the day-to-day management of the authority's services.

5. Chairmen and Vice Chairmen of Committees

- 5.1 Chairmen and vice chairmen of Committees have additional responsibilities. Because of those responsibilities, their relationships with the Council's employees may differ from, and be more complex than those of Councillors without those responsibilities, and this is recognised in the expectations they are entitled to have. However, such Councillors must still respect the impartiality of Officers, must not ask them to undertake work of a party political nature, or to do anything that would put them in difficulty in the event of a change in the political composition of the Council.

6 Officers

- 6.1 The role of Officers is to give advice and information to all Councillors and to implement the policies determined by the Council.
- 6.2 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. Whilst an Officer may report the views of individual Councillors on an issue, if the Councillor wishes to express a contrary view he/she should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view, nor victimise an Officer for discharging his/her responsibilities.

7 EXPECTATIONS

- 7.1 Councillors can expect from Officers:
- 1 A commitment to Sawbridgeworth Town Council as a whole, and not to any individual Councillor or group of Councillors or political group
 - 2 A working partnership
 - 3 An understanding of and support of respective roles, workloads and pressures
 - 4 Timely response to enquiries and complaints
 - 5 Professional advice, not influenced by political views or preference, which does not compromise the political neutrality of Officers
 - 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 that they have and positions that they hold
 - 7 Awareness of and sensitivity to the public and political environment
 - 8 Respect and courtesy

- 9 Training and development in order to carry out their role effectively
- 10 Integrity, mutual support and appropriate confidentiality
- 11 Not to have personal issues raised with them by Officers outside the agreed procedures
- 12 That Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly
- 13 That Officers will at all times comply with the relevant Code of Conduct
- 14 Support for the role of Councillors as the local government representatives of Sawbridgeworth Town Council, within any scheme of support for Councillors that may be approved by the authority

7.2 Officers can expect from Councillors:

- 1 A working partnership
- 2 An understanding of and support for respective roles, workloads and pressures
- 3 Leadership and direction
- 4 Respect and courtesy
- 5 Integrity, mutual support and appropriate confidentiality
- 6 Not to be subject to bullying or to be put under undue pressure. Councillors should have regard to the seniority of Officers in determining what reasonable requests are, having regard to the power relationship between Councillors and Officers, and the potential vulnerability of Officers, particularly at junior levels
- 7 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
- 8 That Councillors will not raise personal issues with Officers and vice-versa and will not normally raise council business with an Officer when they are off duty
- 9 That Councillors will comply at all times with the relevant Code of Conduct

8. Limitations upon behaviour

- 8.1 The distinct roles of Councillors and Officers necessarily impose limitations upon behaviour. By way of illustration, and not as an exclusive list:
- Close personal relationships between Councillors and Officers can confuse these separate roles and get in the way of the proper discharge of the Council's functions, not least in creating the perception in others that a particular Councillor or Officer may secure advantageous treatment
 - The need to maintain the separate roles means that there are limits to the

matters on which they may seek the advice of Officers, both in relation to personal matters and party political issues

- Relationships with particular individuals or party groups should not be such as to create public suspicion that an employee favours that Councillor or group above others. The issue of Officer attendance and advice to political groups is specifically covered below

9. When Things Go Wrong

9.1 Procedure for Officers

- 1 From time to time, the relationship between Councillors and Officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager or Councillors, Officers will have recourse to the Grievance Procedure or to the Monitoring Officer at East Herts District Council, as appropriate to the circumstances
- 2 NOTE: The Monitoring Officer at East Herts District Council may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. The Society of Local Council Clerks, NALC or ACAS may be able to provide an independent person

9.2 Procedure for Councillors

In the event that a Councillor is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the Town Clerk.

Where the Officer concerned is the Town Clerk, the matter should still be raised with the Town Clerk. If the matter cannot be resolved informally, it may be necessary to invoke the Council's disciplinary procedure