

## **MARDEN PARISH COUNCIL**

### **Councillor/Officer Protocol**

Adopted on 9 September 2019

#### **1. Introduction**

- 1.1 This protocol is intended to assist Councillors and the Proper Officer (the Clerk/Responsible Financial Officer/Data Protection Compliance Officer – referred to as the ‘Officer’ hereafter) 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 and the Officer 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.

#### **2. Roles of Councillors and Employees**

- 2.1 The respective roles of Councillors and employees can be summarised as follows:

The Councillors and Officer are servants of the public and they are indispensable to one another, but their responsibilities are distinct. Councillors are responsible to the electorate and serve only as long as their term of office lasts. The Officer is responsible to the Council. The Officer’s job is to give advice to Councillors and to the Council, and to carry out the Council’s work under the direction and control of the Council and relevant working groups.

##### **Councillors**

- 2.2 Councillors have four main areas of responsibility:
  - a) To determine Council policy in conformity with legal requirements and provide community leadership;
  - b) To monitor and review Council performance in delivering services;
  - c) To represent the Council externally; and
  - d) To act as advocates for their parishioners.
- 2.3 All Councillors (apart from those with additional responsibilities identified in 2.5) have the same rights and obligations in their relationship with the Officer, regardless of their status and should be treated equally.
- 2.4 Whilst Councillors should satisfy themselves that the Officer is adhering to appropriate governance, unless requested by the Officer Councillors should not involve themselves in the day to day administration of the Council, management of Council business, external Council communications or communications between Councillors which could lead to predetermination of Council decisions. This is the Officer’s responsibility, and the Officer will act on instructions from the Council or its Working Groups, within the agreed job description.

### **Chair and Vice-Chair of the Council and Working Groups**

2.5 Council and Working Group Chairs and Vice-Chairs have additional responsibilities. These responsibilities mean that their relationships with employees may be different and more complex from those of other Councillors. However, they must still respect the impartiality of the Officer and must not ask them to undertake work which would prejudice their impartiality.

### **Officer (Clerk / RFO / DPCO)**

2.6 The role of the Officer is to give advice and information to Councillors and to implement the policies determined by the Council.

2.7 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. The Officer may report the views of individual Councillors on an issue, but the recommendation should be the Officer's own. If a Councillor wishes to express a contrary view they should not pressurise the Officer to make a recommendation contrary to the Officer's professional view, nor victimise the Officer for discharging his/her responsibilities.

## **3. Expectations**

3.1 All Councillors can expect:

- a) a commitment from the Officer to the Council as a whole, and not to any individual Councillor or group of Councillors;
- b) a working partnership;
- c) the Officer to understand and support respective roles, workloads and pressures;
- d) a timely response from the Officer to enquiries and complaints;
- e) the Officer's professional advice, not influenced by political views or personal preferences;
- f) 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;
- g) the Officer to be aware of and sensitive to the public and political environment locally;
- h) respect, courtesy, integrity and appropriate confidentiality from the Officer;
- i) training and development opportunities to help them carry out their role effectively;
- j) that the Officer will not use contact with Councillors to advance personal interests or to influence decisions improperly;
- k) that the Officer will at all times comply with the law and his/her professional standards.

3.2 The Officer can expect from Councillors:

- a) a working partnership;
- b) an understanding of, and support for, respective roles, workloads and pressures;
- c) leadership and direction;
- d) respect, courtesy, integrity and appropriate confidentiality;

- e) not to be bullied or to be put under undue pressure;
- f) that Councillors will not use their position or relationship with the Officer to advance their personal interests or those of others or to influence decisions improperly;
- g) that Councillors will at all times when acting as a Councillor comply with the Council's adopted Code of Conduct.

#### **4. When things go wrong**

##### **Procedure for Officer**

4.1 From time to time the relationship between Councillors and the Officer may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party, it is important that the Officer can invoke the Council's adopted grievance procedure.

##### **Procedure for Councillors**

4.2 If a Councillor is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the Officer in the first instance and/or the Chair. If the matter cannot be resolved informally, it may be necessary to invoke the Council's disciplinary procedure.

Review by October 2020

Signed:

Chair, Marden Parish Council

Date: