

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.

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

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

It seeks to draw out that 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, the document, ideally should not be seen as being prescriptive. Rather it should be regarded as the tool that helps ensure that the codes and policies that prescribe activities and behaviours are not compromised or breached.

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 Public Interest Disclosure (Whistleblowing) policy and procedures.

The Council's Equal Opportunities in Employment policy statement.

This guidance will not cover every specific eventuality, but the broad principles included in the document set standards for acceptable behaviour that should fit every eventuality.

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

1. GENERAL PRINCIPLES

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

Relations must be based on mutual trust, respect and courtesy and neither members or officers should seek to take unfair advantage of their position.

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 discussions 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, as such, with individual members of the Council.

2. ROLE OF MEMBERS

In accordance with National Codes of Conduct, the proposed member/officer protocol 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 casework and act if appropriate as an advocate for constituents in resolving particular concerns or grievances.
- (iv) balance different interests identified within the ward and represent the ward as a whole.
- (v) contribute to various forms for decision making.
- (vi) be available to represent the Council on other bodies as observers.

3. ROLE OF OFFICERS

- (i) advising the Council on policy matters and implementing Council decisions
- (ii) taking day to day managerial and /or operational decisions.
- (iii) providing support/advice to members on matters of Council business.
- (iv) acting within their sphere of responsibility/ accountability.
- (v) ensuring that the Council functions within the legislative framework.
- (vi) above all else, officers of the Council have a duty to serve the public in good faith and without fear or favour of anyone.

4. ROLE OF THE CHAIRMAN AND THE CLERK

When functioning as Chairman, he will work in close cooperation of the Clerk. He would not normally deal direct 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. He would not normally deal direct with other members of staff.

6. OFFICER RELATIONS WITH POLITICAL PARTY GROUPS

The Parish Council is non political and therefore officers will work on behalf of all members fairly and consistently.

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

Contact with the media on issues related to Council business is handled through the Chairman and the Clerk with support and advice as necessary from Waverley Borough Council, SCAPT or the SCAPT solicitor.

Press releases from officers will not relate to the political views of any group of any group of officers or members.

Officers, in communicating with the media, should restrict their comments to matters of fact and should avoid expressing personal opinions on Council policy or political decisions and/or views expressed by members.

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 and every document of the Council. It needs to be established that access to a document is necessary for the member to perform his 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, however, 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) Briefings for meetings should be arranged for a fixed time in advance of the meeting.
- (iv) Both 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 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.
- (ii) 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 the Scheme of Delegation, whether or not that decision requires consultation with nominated members.

Members who require 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 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 will 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. The Protocol should be kept under review and amended to reflect identified best practice.