

LEIGH PARISH COUNCIL - MEMBER / OFFICER (CLERK/RFO) RELATIONS PROTOCOL

1. Introduction

- 1.1 The relationship between councillors and officers is an essential ingredient that goes into the successful work of the council. This relationship should be characterised by mutual respect, informality and trust. Councillors and officers should feel free to speak to one another openly and honestly.
- 1.2 The purpose of this protocol is to help councillors and officers continue this relationship, and give guidance on their respective roles and expectations on their relationships with each other.
- 1.3 The protocol also gives guidance on what to do on the rare occasions when things go wrong within this relationship.
- 1.4 The protocol should be read and operated in the context of any relevant legislation and national and local codes of conduct.

2. Roles of councillors and officers

2.1 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 another, although they have different responsibilities. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the council. Their 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 its committees or sub-committees. Mutual respect between councillors and officers is essential to the successful working of a local council.

2.2 Councillors are responsible for determining the policy of the council and providing strategic leadership, representing the council externally when properly authorised to do so, and 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 council.

2.3 Chairmen and vice chairmen of the council and its committees or sub-committees have additional responsibilities. Due to the nature of those responsibilities, their relationships with officers may be different from and more complex than those of councillors without those responsibilities. 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 which may compromise the nature of their role.

2.4 The role of officers is to give advice and information to the councillors and to implement the policies determined by the council. 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, without favouring any political party view.

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2.5 Certain senior officers, e.g. Proper Officer and RFO, have responsibilities in law over and above their obligations to council and/or individual councillors, and councillors must respect these responsibilities and must not obstruct officers in the discharge of their duties.

3. Expectations

3.1 Councillors can expect from officers:

- a commitment to the Council as a whole, and not to any group or individual councillor
- a working partnership
- an understanding of and support for respective roles, workloads and pressures
- a timely response to enquiries and complaints
- impartial, professional advice, not influenced by political views or preference
- regular, up to date information on matters that can reasonably be considered appropriate and relevant to councillors
- awareness of and sensitivity to the political environment
- respect, dignity and courtesy
- training and development in order to carry out their role effectively
- integrity, mutual support and appropriate confidentiality
- that officers will not use their relationship with councillors to advance their personal interests or to influence decisions improperly

3.2 Officers can expect from councillors:

- a working partnership
- an understanding of and support for respective roles, workloads and pressures
- respect, dignity and courtesy
- integrity, mutual support and appropriate confidentiality
- not to be subjected to bullying or harassment or to be put under undue pressure
- 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
- that councillors will at all times comply with the council's Code of Conduct and other policies

4. Limitations upon behaviour

4.1 The distinct role of councillors and officers necessarily imposes limitations upon behaviour. By way of illustration, and not as an exclusive list:

- close personal relationships between councillors and officers can often confuse these separate roles and get in the way of the proper discharge of the Council's functions, not least by 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 councillors 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

5. When things go wrong

5.1 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, there are formal procedures if this is not possible.

5.2 An officer may have recourse to the council's formal grievance policy and/or reporting to the District Council's Monitoring Officer to raise a Code of Conduct complaint.

5.3 A councillor may have recourse to the council's formal disciplinary policy.