

HEXHAM TOWN COUNCIL
MEMBER/OFFICER RELATIONS PROTOCOL

1. Introduction

- 1.1 The relationship between Councillors and officers is an essential ingredient that goes into the successful working of the organisation. This relationship within the authority is characterised by mutual respect, informality and trust. Councillors and officers feel free to speak to one another openly and honestly. Nothing in this Protocol is intended to change this relationship. The purpose of this Protocol is rather to help Councillors and officers to perform effectively by giving guidance on their respective roles and expectations and on their relationship with each other. The Protocol also gives guidance on what to do on the rare occasions when things go wrong. Responsibility for the operation of this Protocol lies with the Town Clerk.
- 1.2 The Protocol must be read and operated in the context of any relevant legislation and national and local Codes of Conduct and any procedures for confidential reporting.

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. But their responsibilities are distinct. 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 authority, and to carry out the authority's work under the direction and control of the Council and relevant committees etc.

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

- 2.2 Councillors have four main areas of responsibility:

- a) to determine Council policy and provide community leadership;
- b) to monitor and review Council performance in delivering services;
- c) to represent the authority externally; and
- d) to act as advocates on behalf of their constituents.

All Councillors have the same rights and obligations in their relationship with the Clerk and other employees, regardless of their status or political party and should be treated equally.

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

2.3 Chairmen and Vice Chairmen

Chairmen and Vice Chairmen of Committees have additional responsibilities. Because of those responsibilities, their relationships with employees may be different from, and 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 which would put them in difficulty in the event of a change in the political composition of the authority.

2.4 Officers

The role of officers is to give advice and information to Councillors and to implement the policies determined by the authority.

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.

Certain officers e.g. Town Clerk, RFO have responsibilities in law over and above their obligations to the Council and to individual Councillors, and Councillors must respect these obligations and not obstruct officers in the discharge of these responsibilities.

3 Expectations

3.1 Councillors can expect from officers:

- a) A commitment to the authority as a whole, and not to any individual Councillor, group of Councillors or political group
- b) A working partnership
- c) An understanding of and support for respective roles, workloads and pressures
- d) A timely response to enquiries and complaints
- e) Professional advice, not influenced by political views or 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 that they have and positions that they hold.
- g) Awareness of and sensitivity to the public and political environment locally
- h) Respect, courtesy, integrity and appropriate confidentiality
- i) Training and development in order to carry out their role effectively
- j) Not to have personal issues raised with them by officers outside the Council's agreed procedures
- k) That employees will not use their relationship with Councillors to advance their personal interests or to influence decisions improperly
- l) That officers will at all times comply with the Code of Conduct.

3.2 Officers 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 subject to bullying or to be put under undue pressure.
- f) 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.
- g) That Councillors will at all times comply with the Council's Code of Conduct.

3.3 General Principles

- a) Close personal relationships between Councillors and officers can confuse these 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 officer is getting preferential treatment.
- b) Relationships with particular individuals or party political groups should be avoided as it can create suspicion that an employee favours that Councillor or political group above others.

4. Political Groups

The operation of political groups is becoming more of a feature within Town Councils but it is the National Association of Local Councils' policy that party politics should have no place in Town Councils. Party politics within a Town Council can pose particular difficulties in terms of the impartiality of the Clerk and other employees and the relationship between Councillors and staff generally.

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 by an appropriate third party, the Council has adopted a formal Grievance Policy and Procedure.
- 5.2** The Chair of the Council should not attempt to deal with grievances or work related performance on his/her own. The Council should delegate authority to a small group of Councillors to deal with all personnel matters.
- 5.3** If a Councillor is dissatisfied with the conduct, behaviour or performance of an employee, the matter should be raised with the Clerk. If the matter cannot be resolved informally, it may be necessary to invoke the Council's Disciplinary Procedure.

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