

PROTOCOL ON COUNCILLOR/OFFICER RELATIONS

1. Introduction

- (a) The purpose of this protocol is to guide councillors and officers of the Council in their relations with one another.
- (b) Given the variety and complexity of such relations, this protocol does not seek to be either prescriptive or comprehensive. It tries to offer guidance on some of the issues that most commonly arise which may also serve as a guide to dealing with other issues.
- (c) This protocol reflects the principles underlying the rules of conduct which apply to councillors and officers. The purposes of those rules and this protocol are to enhance and maintain the integrity (real and perceived) of local government by demanding very high standards of personal conduct.

2. Respect and courtesy

- (a) For the effective conduct of Council business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between councillors and officers. Councillors and officers should each remember their respective obligations to enhance the Council's reputation and protect its reputation and to do what they can to avoid criticism of other councillors, or other officers, in public.

3. Undue pressure

- (a) It is important that, in any dealings between councillors and officers, neither should seek to take unfair advantage of their position.
- (b) In their dealings with officers (and especially junior employees), councillors need to be aware that it is easy for officers to be overawed, intimidated or feel at a disadvantage. Such feelings can be intensified where councillors hold official, senior and/or political office.
- (c) A councillor should not apply undue pressure on an officer either to do anything that he or she is not empowered to do, or to undertake work outside normal duties or outside normal hours. Particular care needs to be taken in connection with the use of Council property and services.
- (d) Similarly, an officer must neither seek to use influence on an individual councillor to make a decision in his or her personal favour, nor raise personal matters whether or not it is to do with their job, nor make claims or allegations about other officers. The Council has formal procedures for consultation, grievance and discipline. The one exception to this rule is the right of staff to report possible wrongdoing under the Council's 'Whistle Blowing' Policy.

4. Familiarity

- (a) Close personal familiarity between individual councillors and employees can damage the principle of mutual respect. It could also, intentionally or accidentally, lead to the passing of confidential information or information which should not properly be passed between them, such as personal details.
- (b) Such familiarity could also cause embarrassment to other councillors and/or other employees and even give rise to suspicions of favouritism.
- (c) For the above reasons, close personal familiarity must be avoided.

5. Redress

- (a) If a councillor considers that he or she has not been treated with proper respect or courtesy, he or she should raise it with the appropriate Director without delay if it is not possible to resolve it through direct discussion. If the issue still remains unresolved, appropriate disciplinary action may be taken against an employee in accordance with the Council's normal procedures.
- (b) If an employee feels the same way about a councillor and a direct discussion is impractical, inappropriate or fails to resolve the matter, he or she should raise the matter with their Director without delay. The Director will inform the Chief Executive of the matter as soon as possible.
- (c) The Director will take such action as is appropriate following discussion with the Chief Executive. This action is likely to involve approaching the individual councillor and/or Party Group Leader about the issue. Feedback should be given to the employee on the outcome of these discussions.

6. Provision of information/advice

- (a) Any councillor is entitled to apply to any Director for information and/or advice required in connection with his/her work as a councillor and, provided that the information sought does not breach the law and associated statutory regulations, it is the duty of the officer approached to give that information and/or advice, within the limits of available resources and to the best of his/her ability. Councillors for their part will seek to act reasonably in the number and content of the applications they make.
- (b) If any councillor asks for specific information relating to the work of the Executive or a particular committee or sub-committee and it appears possible or likely that at a subsequent meeting issues will be raised or questions asked on the basis of the information provided, then the appropriate Executive Member or committee Chair shall be advised of

the information sought and given.

- (c) An Executive Member or the Chair of any committee or sub-committee is entitled to apply privately to a Director for additional background information on, or for advice on, possible alternative courses of action in respect of any particular problem or policy of concern.
- (d) The Leader of each Political Group, recognised as such by the Council, is entitled for his/her own purposes as a Leader, to apply to a Director for general background information on, or for further information in respect of, an item of business coming before any Council, Executive or committee/sub-committee meeting. The appropriate Executive Councillor or Chair shall be advised of any new/additional information which has been supplied by the Director.
- (e) Technical/procedural information may be supplied, in confidence, to any Group Leader, to enable a budget to be presented by that Group which is in a legally correct form.
- (f) Information requested by a councillor to address a constituency issue may be supplied by officers to that councillor in confidence.
- (g) Any councillor may apply privately to a Director for advice, in confidence, on information supplied by that councillor to the officer.
- (h) Requests for information and advice under this section should normally be directed to the appropriate Director in the first instance.

7. General principles

- (a) It is obviously important, though, for there to be regular contact between Directors, senior employees and the Leaders of Political Groups on matters affecting the Council, and between Directors, other senior employees and Chairs on matters affecting their respective committee or sub-committee.
- (b) Employees are employed by the Council as a whole. They serve the Council and are responsible to the Director and not to individual councillors whatever office they might hold.

8. Support services to councillors and party groups

- (a) The only basis on which the Council can lawfully provide support services (e.g. stationery, printing, photocopying, transport, etc.) to councillors is to assist them in discharging their role as councillors. Such support services must therefore only be used on Council business. They should never be used in connection with Party, Political or campaigning activity or for private purposes.

9. Correspondence

- (a) Official letters entering into formal commitments on behalf of the Council must only be sent out over the name of the appropriately authorised officer, rather than over the name of a councillor.
- (b) It may however, be appropriate in certain circumstances for a letter to appear over the name of a councillor, for example in response to a letter of complaint sent direct to that councillor but this should be the exception rather than the norm and should only be done following consultation with the appropriate Director.

10. Conclusion

- (a) It is hoped that, by following good practice and securing sensible and practical working relationships between councillors and employees, we can retain the Council's reputation as an Excellent Authority.