

PROTOCOL FOR COUNCILLOR/EMPLOYEE RELATIONSHIPS

Introduction

The relationship between councillors and employees is an essential ingredient that goes into the successful working of the organisation. The relationship within Rodington Parish Council requires mutual respect, informality and trust. The purpose of this Protocol is to help councillors and employees 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.

Roles of Councillors and Employees

The respective roles of members and employees has been summarised in this extract from the National code of Local Government Conduct for Councillors.

“Both Councillors and employees serve the public and they are indispensable to one another. However, their responsibilities are different and distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. They must promote the highest standards of conduct and ethics at all times. They act collectively as an employer. Officers are responsible to the Council. Their role is to give advice and to carry out the work and decisions of the Council under the direction and control of the Council (and any Committees)”

Mutual respect, trust and confidence between councillors and employees is essential to good local government and working relationships.

Councillors

Councillors have four main areas of responsibility: determining the policy of the Council, monitoring and reviewing performance and the delivery of services, representing the Council externally, 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 council services. All Councillors have the same rights and obligations in their relationship with staff, regardless of their status and therefore should all be treated equally.

The role of the Clerk and Employees

The role of clerk is the proper Officer of the Council to carry out its functions, to give advice and information to councillors and to implement the policies determined by the Council. The clerk is assisted in this by other members of staff. The Clerk is also responsible for the management and administration of the Council. The Council may delegate some of its statutory functions and powers to the Clerk, this can only be done where no statutory prohibition applies (for example approving the Council's accounts). These are set out in the Council's Standing Orders and Financial Regulations. The Clerk must, when giving advice or presenting reports, express only their professional views or recommendations. Their personal views must not be included.

Chairman of the Council (or of a Committee)

A Chairman, or Vice Chairman, as additional responsibilities which may mean that their relationship with officers is different and more complex. However, there must remain total respect and impartiality and they must not ask them to undertake anything which would prejudice the role.

Expectations

- All Councillors can expect from employees:
- A commitment to the Council as a whole and not to any individual Councillor, group of Councillors or political group
- A professional working relationship at all times
- An understanding of respective roles, workloads and pressures
- Timely responses to enquiries
- Professional advice not influenced by political views or preference, which does not compromise the political neutrality of employees
- Awareness of and sensitivity to the political environment
- Respect, dignity, integrity, confidentiality and courtesy
- Training and development in order to carry out their role effectively
- Not to have personal issues raised with them outside the agreed procedures
- That employees will not use their relationship with councillors to advance their personal interests or to influence decisions improperly
- Confidentiality to Council business and interests at all times
- Disclosure of interests

Employees can expect from councillors

- A professional working partnership
- An understanding of respective roles, workloads and pressures
- Policy leadership and direction
- Respect, dignity, integrity, confidentiality and courtesy
- Not to have personal issues raised with them outside the agreed procedure
- Not to be subject to any form of harassment, not to be bullied or put under pressure
- That councillors will not use their position or relationship with employees to advance their personal interests or those of others, or to influence decisions improperly
- Disclosure of interests
- To comply at all times with the Council's adopted Code of Conduct.
- Appropriate Declarations of Interest and to withdraw from decisions or the work of the Council appropriately.

General Principles:

- Equality and diversity should be positively promoted at all times.
- Close personal familiarity must be avoided.
- Close personal relationships between Councillors and Officers or between Councillors and Colleagues can confuse the separate roles – not least by creating a perception in others and must be dealt with openly and appropriately.
- Special relationships, whether between individuals or political parties, should be avoided at all times.

Working Definitions

Many forms of behaviour impact upon an individual's dignity. In order that this protocol is absolutely clear the following terms of behaviour will not be tolerated within Rodington Parish Council.

Racial Harassment

Defined as unwanted, unreciprocated, offensive or hostile behaviour which causes discomfort or humiliation. It includes physical, verbal or visual conduct or treatment of a racial or racist nature related to or motivated by a person's race, colour, religion or ethnic origin.

Sexual Harassment

Defined as unwanted, unwelcome and unreciprocated conduct of a sexual nature or other offensive or hostile behaviour which causes distress or humiliation. It can be physical, verbal or visual conduct or treatment of a sexual nature related to or motivated by a person's sex or perceived sexuality.

Disability Discrimination

When a person with a disability is subject to unwanted, unwelcome and unreciprocated conduct and treatment related to their disability, which causes distress or humiliation. It can include physical, verbal or visual conduct or treatment to or motivated by a person's disability.

Bullying Behaviour

Defined as behaviour directed at one person or a group of people with the intent to intimidate or belittle the target. The behaviour may be a misuse of power either hierarchical or that gained through a group membership. Examples of bullying behaviour include remarks that are intimidating because of content or the manner in which they are made, initiation of malicious rumours, intimidation through proximity or body language, pointed exclusion of an individual from conversations or discussions

Breaches of this Protocol – when things go wrong

The relationship between Councillors and Officers does not always run smoothly. Should such a breakdown occur, efforts must be made to resolve the matter informally, if this can be achieved. If not, the formal grievance procedure should be followed which allows an officer to raise concerns about their employment in an open and fair manner. Within this procedure, a small group of Councillors has delegated authority to hear the grievance. No one Councillor should attempt to deal with the grievance on their own. There must be no conflict of interests with the Members involved in the process. If a Councillor is dissatisfied with the conduct, behaviour or performance of the Clerk, the matter should be raised by them direct with the Clerk in the first instance. If the matter cannot be resolved informally, the Councillor must then invoke the Council's disciplinary procedure.

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