



Houghton Regis Town Council

Officer/Member Protocol

Date of Approval:	Town Council 28 th September 2015
Dates of Review:	1 December 2016 (deferred); 27 th November 2017
Dates of Re approval:	26 th March 2018

Contents

- 1.0 Introduction**
- 2.0 Quick guide to Member and Officer roles**
- 3.0 Application of the Protocol**
- 4.0 Principles of Member/Officer relations**
- 5.0 Working arrangements**
- 6.0 Forms of address and conduct at meetings**
- 7.0 Personal relationships**
- 8.0 The management of officers**
- 9.0 Access to information**
- 10.0 Members' enquires**
- 11.0 Media relations and publicity**
- 12.0 When things go wrong: dispute resolution**
- 13.0 Monitoring and review**

1.0 INTRODUCTION - PURPOSE OF THE PROTOCOL

- 1.1 Together, Members and Officers of the Council combine the essential skills, experience and knowledge to manage an effective public sector organisation. They work together in the interests of the citizens of Houghton Regis. Members provide a democratic mandate to the Council whereas Officers contribute professional expertise and experience to deliver the work of the council.
- 1.2 The Protocol's purpose is to provide guidance on Member-Officer relations.

2.0 QUICK GUIDE TO MEMBER AND OFFICER ROLES

2.1 Members

- Democratically elected accountable to the electorate
- Community leaders within the town
- Add a political dimension
- Set policy and strategy, including the Budget
- Bound by a statutory Code of Conduct
- Involved in appointment of Town Clerk only

2.2 Officers

- Accountable to the Council
- Serve the whole Council.
- Politically impartial
- Provide advice and operational delivery within budget
- Bound by their contract of employment
- Responsible for the management of staff (Town Clerk)

3.0 APPLICATION OF THE PROTOCOL

- 3.1 The Protocol applies to all elected and co-opted Members of the Council and all Officers employed or engaged by the Council. The term 'Officer' refers to all the Council's employees. It also includes consultants and agency staff who work for the Council.

4.0 PRINCIPLES OF MEMBER/OFFICER RELATIONS

4.1 Basic Principles

Like all effective partnerships, Member-Officer relations are based on the following principles:-

- Mutual trust and respect of the different roles of Members and Officers;
- A common purpose; providing the best possible service to the residents and other stakeholders;
- A commitment to non-confrontational resolution of disputes.

4.2 Mutual trust and respect is based upon an understanding of the distinct contribution Members and Officers make and respect for the boundaries between those roles. A key principle for Officers is their political impartiality; they serve the whole Council and not particular groups or Members.

4.3 Expectations

Members can expect and will receive from Officers:-

- A commitment to the Authority as a whole, and not to any political group;
- A working partnership;
- An understanding of and support for respective roles, workloads and pressures;
- Timely response to enquiries and complaints;
- Professional and balanced advice based on evidence and including options, not influenced by political views or preference.
- 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;
- Awareness of and sensitivity to the political environment;
- Respect, dignity and courtesy;
- Training and development in order to carry out their role effectively;
- Integrity, openness, mutual support and appropriate confidentiality;
- Not to have personal issues raised with them by Officers outside the agreed procedures;
- That Officers will not use their relationship with Members to advance their personal interests or to influence decisions improperly;

Officers can expect and will receive from Members:-

- A working partnership;
- An understanding of and support for respective roles, workloads and pressures;
- Political leadership and direction;
- Respect, dignity and courtesy;
- Integrity, openness, mutual support and appropriate confidentiality;
- Not to be subject to bullying, harassment or to be put under undue pressure. Members should have regard to the seniority of Officers in determining what reasonable requests are;
- That Members will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly;

- That Members will at all times comply with the Code of Conduct for Members.

5.0 WORKING ARRANGEMENTS

5.1 Members and Officers work together on a regular basis in meetings, committees and less formal settings. It is inevitable that relationships will form and to ensure the principles of Member-Officer relations are upheld, the following guidance applies:

6.0 FORMS OF ADDRESS AND CONDUCT AT MEETINGS

6.1 In formal Council, committee or sub-committee meetings:-

- Members should normally be referred to as Chair or Councillor X and normal courtesies shall be observed;
- Relations can be friendly and cordial but not over familiar, as the public or other Members and Officers could perceive this as inappropriate or favouritism;
- Comments should be constructive and not personal to individual Members or Officers;
- Officers will not allow themselves to be drawn into a party political debate.
- This guidance also applies to informal meetings to the extent that all present consider it necessary. Members and Officers should ensure that their interaction does not embarrass others, suggest favouritism or personal dislike or otherwise damage working relationships.

7.0 PERSONAL RELATIONSHIPS

7.1 If a friendship or closer relationship (including relatives) exists or forms between a Member and an Officer, this needs to be addressed openly.

8.0 THE MANAGEMENT OF OFFICERS

8.1 Although Officers will support, advise and respond to Members' requests, the law and Council policy is clear that only the Town Clerk can manage Officers. This means that:-

- day to day management of Officers is the responsibility of managers and ultimately the Town Clerk;
- Officers will comply with all reasonable requests from Members but individual Members cannot instruct Officers to do any piece of work or take any course of action;
- Officers will not seek any Member's support in any employment or other dispute or a Council appointment or promotion;

8.2 Members are responsible for the recruitment and appointment of the Town Clerk;

8.3 The Town Clerk is responsible for the recruitment of all other Officers;

8.4 A Member's role in any formal action against an Officer or grievance involving an Officer is limited to reporting an Officer's actions to their manager and/or as a witness.

9.0 ACCESS TO INFORMATION

9.1 To carry out their duties effectively, Members must have broad access to Council information. The following principles apply here:-

- Members' access to information will be compliant with their statutory and common law rights;
- Officers will not withhold information from a Member who is entitled to receive it.

9.2 Under no circumstances should Council information identified as RESTRICTED or copied on Pink Papers be forwarded to external sources.

10.0 MEMBERS' ENQUIRIES

10.1 Members' enquiries may be communicated by any means including meetings, telephone and email.

10.2 Officers will make every effort to provide a substantive response to a Member enquiry within 2 working days, but if a substantive response cannot be provided Officers will acknowledge receipt of the enquiry and provide a timescale within which a substantive response will be sent.

10.3 Where an enquiry imposes a disproportionate burden on an Officer's work, this should be explained and discussed with the Member concerned.

10.4 To assist Officers Members are asked to make appointments to meet with Officers if this is the preferred method of communication.

10.5 Members are requested to respond to Officers within 2 working days so that the work of the Council can continue.

11.0 MEDIA RELATIONS AND PUBLICITY

11.1 Members and Officers will comply with the Council's Media Policy.

11.2 Members are free to speak to the media on any matter on behalf of a political party or as an individual but should make this clear in any statement made;

12.0 WHEN THINGS GO WRONG: DISPUTE RESOLUTION

- 12.1 The Council's experience is that Members and Officers work well together, however it is good practice to have a clear process to handle issues.
- 12.2 The key principle for dispute resolution is that both Members and Officers are committed to informal, non-adversarial solutions. Where a dispute arises, the first step should be for both parties to seek to resolve any differences informally between themselves or, where necessary, with the assistance of the Town Clerk, the deputy Town Clerk or a senior Member.
- 12.3 When an informal resolution is not possible, the following processes will apply.

Formal complaints about Officers

Members should make any formal complaints about Officers to the Town Clerk or in the case of the Town Clerk to the Chair of Corporate Services Committee. The matter will be investigated and the Member will be informed of the complaint's progress and outcome.

Members must:-

- respect the confidentiality of the investigation and disciplinary process;
- not seek improperly to influence the action taken against an employee;
- accept the decision.

Formal complaints about Members

An Officer's complaint about a Member should be reported to the Town Clerk.

If informal resolution is not possible the matter will be reported to the Monitoring Officer who will, where appropriate, investigate the complaint and report on the outcome.

13.0 MONITORING AND REVIEW

- 13.1 The Protocol will be monitored and reviewed by Town Council on an annual basis.