



MEMBER EMPLOYEE PROTOCOL

AIM

Balsall Parish Council's aim is to produce effective professional working relationships between members and officers.

This protocol is intended to assist councillors and officers in approaching many of the sensitive circumstances which arise in a challenging working environment.

COUNCIL'S COMMITMENT

To engender mutual respect, trust and courtesy between councillors and officers

To maintain the reputation and integrity of the council through effective joint working of the councillors and clerk

To produce a productive professional relationship between councillors and officers

ROLES OF COUNCILLORS AND OFFICERS

Councillors and officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct. Councillors are responsible to the electorate and serve only as 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.

Councillors' main responsibilities are to:

- determine the policy of the authority and giving it public leadership
- monitor and review the performance of the authority in implementing policies and delivering services
- represent the authority externally
- 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, and should be treated equally.

Councillors should not involve themselves in the day to day running of the council. This is the clerk's responsibility, and the clerk will be acting on instructions from the council or its committees, within an agreed job description.

Chairs and vice-chairs of committees

Chairs and vice-chairs of committees have additional responsibilities. Because of those responsibilities, their relationships with employees may differ from, and be 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 do anything which would put them in difficulty in the event of a change in the composition of the authority.



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Officer's main responsibilities are to:

- give advice and information to councillors
- 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. 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, nor victimise an officer for discharging his/her responsibilities.

EXPECTATIONS

Councillors can expect from officers

- commitment to the authority as a whole, and not to any individual member or group
- a working partnership
- understanding of and support of respective roles, workloads and pressures
- timely response to enquiries and complaints
- professional advice which does not compromise the political neutrality of officers
- 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 public environment
- respect, courtesy, integrity and appropriate confidentiality from officers
- not to have personal issues raised with them by officers outside the agreed procedures
- that officers will not use their contact with councillors to advance their personal interests or to influence decisions improperly

Officers can expect from councillors

- a working partnership
- an understanding of and support for respective roles, workloads and pressures
- leadership and direction
- respect, courtesy, integrity and appropriate confidentiality
- not to be subject to bullying or to be put under undue pressure
- councillors should have regard to the seniority of officers in determining what are reasonable requests, having regard to the power relationship between councillors and officers
- 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 relevant Code of Conduct

Limitations upon behaviour

The distinct roles of Councillors and Officers necessarily impose limitations upon behaviour.

Close personal relationships between councillors and officers can confuse these separate roles and get in the way of the proper discharge of the authority's functions, not least in creating the perception in others that a particular councillor or officer may secure advantageous treatment.



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The need to maintain the separate roles means that there are limits to the matters on which they may seek the advice of officers in relation to personal matters.

The clerk's advice will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the council.

POLITICAL GROUPS

It is NALC policy that party politics should have no place in parish councils. Parish councillors are there to serve their community as members of the community. Party politics within a parish council can pose particular difficulties in terms of the impartiality of the clerk and other employees, and the relationship between councillors and the staff generally.

The clerk is responsible to the council as a whole and should not take action under instructions from any individual councillor.

WHEN THINGS GO WRONG

Procedure for officers

The relationship between councillors and the may break down or become strained. Whilst it is always preferable to resolve matters informally through conciliation by an appropriate third party, it is important that the council applies the formal Grievance Procedure.

Solihull District Council's Monitoring Officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. For example, the Society of Local Council Clerks may be able to provide an independent person. The chair of the council will not to deal with grievances or work related performance or line management issues on their own. The council has delegated authority to a Staffing Sub-Committee to deal with all personnel matters.

If a councillor is dissatisfied with the conduct, behaviour or performance of the clerk, the matter should be raised with the clerk in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the council's Disciplinary Procedure.

This policy is cross-referenced to the following Balsall Parish Council's adopted policies and procedures:

- Job Description
- Disciplinary and Grievance Procedure
- Equal Opportunities Policy
- Elected Code of Conduct
- Dignity at Work and Bullying & Harassment Policy
- Member Officer Protocol

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