

Ilminster Town Council
Protocol on Member / Officer Relations
Approved by Council 04 December 2012 and reviewed 09.08.16

Introduction

This protocol is intended as a guide for Members and Officers in their dealings with one another and as a supplement to the Members' and Officers' Codes of Conduct. To a large extent the protocol is a statement of practice and convention which is intended to provide clarity.

The reputation and integrity of the Council is significantly influenced by the effectiveness of the Councillor, the Clerk and other staff working together to support each other's roles. The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy.

In this document Council refers to Ilminster Town Council and Councillor refers to Councillors of Ilminster Town Council.

1 General Principles

- 1.1 The ideal relationship is best defined as a partnership of Councillors and Officers working together to achieve the overall aims of the Council.
- 1.2 Members and Officers should avoid any close personal familiarity that could give rise to the suspicion of bias or undue influence.
- 1.3 Every person must be treated fairly with dignity and respect. Harassment and bullying is not acceptable.
- 1.4 In general, Councillors make policy and Officers implement the Council's policy. In most cases Councillors should avoid becoming involved in the operational and administrative aspects of service delivery.
- 1.5 Members and Officers share a responsibility to work together to achieve and implement decisions in the interests of the Council and the area it serves.
- 1.6 All dealings between Members and Officers should be conducted courteously and neither party should seek to take advantage of their position.
- 1.7 To ensure high standards of conduct Councillors are required to abide by the Councillors Code of Conduct and Officers the Employees Code of Conduct.
- 1.8 If an Officer is concerned about the behaviour of a Councillor, or if a Councillor is concerned about the behaviour of an Officer the nature of the concern should be brought to the attention of the Town Clerk.

2 Councillors

- 2.1 Councillors have 4 main areas of responsibility
 - To determine council policy and provide community leadership
 - To monitor and review council performance in delivering services
 - To represent the council externally
 - To act as advocates for their constituents
- 2.2 Councillors make decisions in Committee and Council meetings (when the topics discussed will be in accordance with the Committee Terms of Reference)
- 2.3 A Councillor acting as an individual cannot give instructions to a Council employee
- 2.4 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. Progress on actions will be reported to the relevant committee

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- 2.5 ~~Any Councillor may inspect and make a copy of any document in the possession or under the control of the Council and which the Councillor may require in the course of their duties as a Member of the Council—~~ Subject to 2.6 below, **where a Councillor requires a document to carry out their duties as a member of the Town Council they may, provided that the document is not confidential nor falls under data protection regulations, inspect the document and request a copy. In the case of any confidential document or document containing information that falls under data protection regulations it is incumbent upon the Councillor to satisfy the Mayor, Deputy Mayor and the Town Clerk that the Councillor cannot carry out their duties without having inspected the document.**
- 2.6 A Councillor ~~may~~ **should** not knowingly inspect or call for a copy of any document relating to a matter in which they have a professional, **significant personal interest or a** pecuniary interest.
- 2.7 Any document provided for a Councillor and marked as “Confidential” or “Not For Publication” shall be exclusively for the use of that Councillor and shall not be disclosed to any other person.
- 2.8 Council equipment and supplies e.g., stationery provided to Councillors must only be used to assist them in their role as members of the Council.
- 2.9 Members must not seek to influence the appointment of Council staff other than where they are properly appointed to a selection panel.

3 Officers

- 3.1 The role of Officers is to give advice and information to Councillors and to 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 their own professional views and recommendations. An Officer may report the views of individual Councillors on an issue, but any recommendation should be the Officer’s own. If a Councillor wishes to express a contrary view they should not pressurise the Officer to make a recommendation contrary to the Officer’s professional view, nor victimise an Officer for discharging their responsibility.
- 3.2 Officers are required to discharge their responsibilities in a professional manner and without political bias or favour.
- 3.3 Officers are expected to declare any prejudicial interests relating to their work to the Town Clerk.
- 3.4 Officers must not normally lobby Councillors e.g. about personal employment matters or budgetary matters; such issues should be taken through agreed procedures.
- 3.5 Council equipment and supplies e.g., stationery provided to Officers must only be used to assist them in their role as employees of the Council.

4 Expectations

- 4.1 All Councillors can expect:
- A commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillors, political group or pressure group
 - An effective and co-operative working partnership with Officers

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- Officers to understand and support respective roles, workloads and pressures
 - A timely response from Officers to enquiries and complaints
 - Officer's professional advice, not influenced by political views or personal preferences
 - Regular up to date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold
 - Officers to be aware of and sensitive to the public and political environment locally
 - Respect, courtesy, integrity and appropriate confidentiality from Officers
 - Training and development opportunities to help them carry out their role effectively (records of any such training will be kept by the Town Council)
 - Not to have personal issues raised with them by Councillors outside the Council's agreed procedures
 - That Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly
 - That Officers will at all times comply with the relevant code of conduct
- 4.2 Officers can expect from Councillors:
- An effective and co-operative 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 bullied or put under undue pressure
 - 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 Council's adopted Members Code of Conduct.

Background Papers:

Iminster Town Council Code of Conduct for Members (31 July 2012)
Governance Toolkit for Parish & Town Councils (version 3 April 2009)
The Good Councillors Guide (edition 2018)
Doing It Right (South Somerset District Council Undated)