

PROTOCOL FOR COUNCILLOR AND OFFICER RELATIONSHIPS

INTRODUCTION

1. Mutual trust and respect between Councillors and employees is at the heart of good governance for councils. They are essential elements of the partnership necessary for the effective running of a local authority.
2. This protocol is a written guide to the basic elements of the relationships between Councillors and employees and seeks to:
 - a. promote trust, openness, fairness and honesty;
 - b. define roles to clarify responsibilities, avoid conflict, prevent duplication and secure compliance with the law and codes of conduct;
 - c. maintain and enhance the integrity of local government which demands the highest standards of personal conduct.
3. This protocol should be read and operated in conjunction with the Council's constitution, codes of conduct relating to Councillors and employees and relevant legislative requirements.
4. Unless the context otherwise requires, reference to a Councillor will include reference to a co-opted member.

UNDERLYING PRINCIPLES

5. Councillors and employees must at all times observe this protocol.
6. Councillors and employees must always respect the roles and duties of each other as set out below.

THE ROLE OF MEMBERS

7. It is the role of Councillors:
 - a. To represent the people within their communities and bring their views into the Council's decision making process through working individually or in partnership
 - b. To promote the interests of the people of Nottinghamshire when acting collectively as the Council's decision-makers
 - c. To promote the social, economic and environmental wellbeing of the community.
 - d. Collectively to agree the policy of the County Council
 - e. To deal with individual casework and act as an advocate for constituents in resolving concerns or complaints.
 - f. To balance different interests within their electoral division and represent the division as a whole.
 - g. To represent the Council on external bodies as required.
 - h. To promote the highest standards of conduct and ethics.

THE ROLE OF OFFICERS

8. It is the role of officers:

- a. To serve the community of Nottinghamshire and to deliver the highest standards of service in the most cost effective, efficient and professional manner.
- b. To implement the policies and decisions made by Councillors.
- c. To provide professional and technical advice.
- d. To carry out the functions delegated to them, including the management of staff.
- e. To provide help, support and advice to Councillors in respect of their duties and responsibilities
- f. To report to Government departments, as required.
- g. To represent the Council on external bodies as required.

THE RELATIONSHIP BETWEEN EMPLOYEES AND COUNCILLORS

9. The relationship between employees and Councillors should be characterised by mutual respect and courtesy and recognition of each other's roles and responsibilities.

10. Collaborative working between Councillors and employees is essential but close personal familiarity can lead to damaging assumptions by others. Councillors and employees should inform the Monitoring Officer of any relationship either personal or family, or business connection which might be seen as unduly influencing their work in their respective roles. The Monitoring Officer will consider what action, if any, should be taken.

11. With the exception of staff specially appointed to support political groups, employees work to the instructions of their managers not individual Councillors.

12. Councillors must not require employees to change their professional advice or take any action which the employee considers unlawful or illegal or which would amount to maladministration or breach of a statutory duty.

13. Councillors should not raise matters relating to the conduct or capability of a Council employee or of employees collectively at meetings held in public or in the press. Any concerns should be raised using the procedure set out at paragraph 25 below.

14. The advice provided and actions taken by employees should be sensitive to the political nature of the organisation, but their advice should always be independent and unbiased.

15. Members must consult with the Monitoring Officer and the Chief Finance Officer about legality, maladministration and financial impropriety and if they have doubts as to whether a particular decision is or is likely to be contrary to the policy framework or budget.

16. The Council has a statutory duty to positively promote equality. Councillors and employees should not by their manner, speech, or in any written communication, be discriminatory with regards to a person's age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief,

sex or sexual orientation.

OFFICER RELATIONSHIPS WITH PARTY GROUPS

17. It must be recognised by all employees and Councillors that in discharging their duties employees serve the Council as a whole and not exclusively any political group, combination of groups or individual Councillors.

18. Employees may properly be called upon to provide advice and information to political groups but must at all times maintain political neutrality. All employees must, in their dealings with political groups and individual Councillors, treat them in a fair and even handed manner.

19. Employees must respect the confidentiality of any party group discussions at which they are present and unless they are requested to do so by that party group, must not relay the content of such discussions to another party group or to any other Councillor.

20. The only basis on which the Council can lawfully provide support services (eg stationery, typing, printing, photocopying) to Councillors is to assist them in discharging their role in their official capacity as Councillor. Such support services must therefore only be used for Council business. They must never be used for party political or campaigning activity or for private purposes.

EMPLOYEES TO KEEP COUNCILLORS INFORMED ABOUT LOCAL ISSUES

21. To enable them to carry out their divisional role effectively, Councillors need to be fully informed about matters affecting their division. Corporate Directors must ensure that their staff are aware of the requirement to keep local Councillors informed.

22. Whenever a public meeting is organised by the Council to consider a local issue it is recommended that all Councillors representing the divisions affected should be invited to attend the meeting.

MEDIA RELATIONS

23. All relations with the media must be conducted in accordance with the Council's agreed procedures and the law on Local Authority publicity.

24. Employees will make every effort to keep Councillors informed of media interest in Council activities relevant to their responsibilities and the electoral divisions they represent, especially regarding strategic or contentious matters.

COMPLAINTS/CONCERNS PROCEDURE FOR COUNCILLORS

25. If a Councillor is dissatisfied with the conduct, behaviour or performance of an officer they should raise the matter privately with the relevant Corporate Director. If their concerns relate to a Corporate Director the concern should be raised with

the Chief Executive. If the concerns relates to the Chief Executive then the concern should be raised with the Monitoring Officer and Service Director responsible for Human Resources.

PROCEDURE FOR EMPLOYEES

26. If an employee is unhappy with the conduct or behaviour of a Councillor they should seek to resolve the matter by appropriate discussion and involvement of their Corporate Director.

27. In the event that matters remain unresolved they should inform the Monitoring Officer who will consider what action should be taken.

SUMMARY

28. Councillors and employees can expect the following from each other:

- a. Respect and courtesy
- b. The highest standards of integrity
- c. A working partnership
- d. An understanding of and support for respective roles, work loads and pressures
- e. Confidentiality
- f. A commitment to the Council as a whole

29. In addition Councillors can expect from employees:

- a. Timely responses to enquiries
- b. Professional advice
- c. Regular up to date information