Member and Councillor Protocol

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Policy Purpose:

1. Meriden Parish Council's aim is to produce effective professional working relationships between Councillors and Officers.
2. This protocol is intended to assist Councillors and Officers in approaching many of the sensitive circumstances which arise in a challenging working environment.

1. Meriden Parish Council commits:

1.1. To engender mutual respect, trust and courtesy between Councillors and Officers
1.2. To maintain the reputation and integrity of the Council through effective joint working of the Councillors and Clerk
1.3. To produce a productive professional relationship between Councillors and Officers.

2. Roles Of Councillors and Officers

2.1. Councillors and Officers are servants of the public and they are indispensable to each other, but their responsibilities are distinct.
2.2. Councillors are responsible to the electorate and serve only as long as their term of office lasts.
2.3. Officers are responsible to the Council.
  2.3.1. Their job is to give advice to Councillors and to the Parish Council, and to carry out the Parish Council's work under the direction and control of the Council and relevant committees.
2.4. Councillors' main responsibilities are to:
  2.4.1. Determine the policy of the Council and give the Council public leadership.
  2.4.2. Monitor and review the performance of the Parish Council in implementing policies and delivering services.
  2.4.3. Represent Meriden Parish Council externally.
  2.4.4. Act as advocates on behalf of their constituents
2.5. 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.
2.6. Councillors should not involve themselves in the day to day running of the Council.
  2.6.1. This is the Clerk's responsibility, and the Clerk will be acting on instructions from the Parish Council or its committees, within an agreed job description.

3. Chairs and Vice-Chairs Of Committees

3.1. Chairs and Vice-chairs of committees have additional responsibilities.
3.2. 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.

3.3. 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 Parish Council.

3.4. Officer's main responsibilities are to:

3.4.1. Give advice and information to Councillors.

3.4.2. Implement the policies determined by Meriden Parish Council.

3.5. 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.

3.6. 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.

4. Expectations

4.1. Councillors can expect from Officers:

4.1.1. Commitment to Meriden Parish Council as a whole, and not to any individual member or group.

4.1.2. A working partnership.

4.1.3. Understanding of and support of respective roles, workloads and pressures.

4.1.4. Timely response to enquiries and complaints.

4.1.5. Professional advice which does not compromise the political neutrality of Officers.

4.1.6. 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.

4.1.7. Awareness of and sensitivity to the public environment.

4.1.8. Respect, courtesy, integrity and appropriate confidentiality from Officers.

4.1.9. Not to have personal issues raised with them by Officers outside the agreed procedures.

4.1.10. That Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly.

4.2. Officers can expect from Councillors:

4.2.1. A working partnership.

4.2.2. An understanding of and support for respective roles, workloads and pressures.

4.2.3. Leadership and direction.

4.2.4. Respect, courtesy, integrity and appropriate confidentiality.

4.2.5. Not to be subject to bullying or to be put under undue pressure.

4.2.6. 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.

4.2.7. 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.

4.2.8. That Councillors will at all times comply with the adopted Code of Conduct.

5. Limitations Upon Behaviour

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

5.2. Close personal relationships between Councillors and Officers can confuse these separate roles and get in the way of the proper discharge of Meriden Parish Council's functions, not least in creating the perception in others that a particular Councillor or Officer may secure advantageous treatment.

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

5.4. 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 Meriden Parish Council.

5.5. The Clerk is responsible to Meriden Parish Council as a whole and should not take action under instructions from any individual Councillor.

6. When Things Go Wrong

6.1. <u>Procedure</u>

6.1.1. The relationship between Councillors and Officers may break down or become strained.

6.1.2. Whilst it is always preferable to resolve matters informally through conciliation by an appropriate third party, it is important that Meriden Parish Council applies the formal Grievance Procedure.

6.1.3. 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.

6.1.4. The Chair of Meriden Parish Council will not to deal with grievances or work-related performance or line management issues on their own.

6.1.5. Meriden Parish Council has delegated authority to a Staffing Sub-Committee to deal with all personnel matters.

6.1.6. If a Councillor is dissatisfied with the conduct, behaviour or performance of the Clerk, the matter should be raised with the Chair of the Council in the first instance.

6.1.7. If the matter cannot be resolved informally, it may be necessary to invoke the Council's Disciplinary Procedure.

6.1.8. All Councillors will act at all times within the Nolan Principles of Public Life.