



# **BEXHILL-ON-SEA TOWN COUNCIL**

## **PROTOCOL FOR OFFICER AND COUNCILLOR RELATIONSHIPS**

**ADOPTED 20<sup>TH</sup> JULY 2022**

### **Introduction**

- 1.1. This is a written guide to the basic elements of the relationships between Councillors and Officers 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 the Town Council which demands the highest standards of personal conduct;
- 1.2. This protocol should be read and operated in conjunction with the Council's standing orders, financial regulations, code of conduct and relevant legislation requirements;
- 1.3. Unless the context otherwise requires, reference to a Councillor will include reference to co-opted members;
- 1.4. Unless the context otherwise requires, reference to an Officer will include reference to employees;
- 1.5. Councillors and officers must, at all times, observe the protocol and respect the roles and duties of each other.

### **2. The Role of Councillors**

- 2.1. To represent the interests of the people of Bexhill when acting collectively as the Council's decision makers;
- 2.2. Represent the people within Bexhill and bring their views into the Council's decision making process;
- 2.3. Promote the social, economic and environmental well-being of Bexhill;
- 2.4. Collectively to agree the policies of the Town Council;
  - 2.4.1. To represent the Council on recognised external bodies to which they are appointed annually at the Annual General Meeting;
  - 2.4.2. To promote the highest standards of conduct and ethics.

### **3. The Role of Officers**

- 3.1. To deliver the highest standards of service in the most cost effective and professional manner;
- 3.2. To implement the policies and decisions made by the Council;
- 3.3. To provide technical and professional advice;
- 3.4. To carry out the functions delegated to them, including the management of staff;
- 3.5. To provide help, support and advice to Councillors in respect of their duties and responsibilities;
- 3.6. To report to Council committees as required;

### **4. The Relationship between Councillors and Officers:**

- 4.1. Should be characterised by mutual respect and courtesy and recognise each other's roles and responsibilities;
- 4.2. Professional collaborative working between Councillors and Officers is essential;
- 4.3. Officers work to the instructions of the Town Council as a whole and/or committees with devolved powers, not individual councillors;
- 4.4. Councillors must not require officers to change their professional advice or take any actions which the officers considers unlawful or illegal or which would amount to maladministration or breach of a statutory duty;
- 4.5. Councillors should not raise matters relating to the conduct or capability of an officer at meetings held in public or to individual members of the public privately or in the press;
- 4.6. Officers should not discuss confidential matters relating to the conduct or capability of a councillor at meetings held in public or to individual members of the public privately or in the press.
- 4.7. Councillors must not take on the duties of an officer unless the Councillor is doing a specific task, which has been agreed by the relevant committee and done so in a way that does not undermine the officer;
- 4.8. The Council has a statutory duty to positively promote equality in all its forms;
- 4.9. It must be recognised by all Councillors and officers that in discharging their duties, officers serve the Council as a whole;

- 4.10. Councillors and officers must respect the confidentiality of any meeting or part thereof that is not open to the public at which they are present and must not relay the content of such discussions to other individuals or groups;
- 4.11. In the event that an item is deemed sensitive and confidential and there is no general need to know by other councillors, item 4.10 will additionally extend to relaying the content of such discussions to any other councillor.
- 4.12. Support services, (e.g. Stationery, typing, printing, photocopying) must only be used for Council business and never private purposes.

## **5. Officers to Keep Councillors Informed about Local Issues:**

- 5.1. To enable them to carry out their roles effectively, Councillors need to be fully informed about matters affecting their committee work;
- 5.2. All relations with the media must be conducted in accordance with the Council's agreed Press and Media Policy and the law on Local Authority publicity;
- 5.3. Officers will make every effort to keep Councillors informed of media interest in Council activities relevant to their responsibilities. Officers will report on any media interest at meetings.

## **6. Complaints / Concerns**

### **6.1. Procedure for Councillors**

- 6.1.1. If a Councillor is dissatisfied with the conduct, behaviour or performance of an officer, they should raise the matter privately with the Chair of the Council and/or Clerk.

### **6.2. Procedure for Officers**

- 6.2.1. If an officer is unhappy with the conduct or behaviour of a Councillor, they should seek to resolve the matter by appropriate discussion and involvement of the Chairman of the Council and/or the Chairman of the Finance and HR Sub-Committee and Clerk.
- 6.2.2. In the event that matters remain unresolved, a complaint against an individual Councillor is not covered by the Council's Complaints Policy. If anyone wishes to make a complaint about the behaviour of an individual Councillor they must write to the Monitoring Officer at Rother District Council. The Monitoring Officer can only deal with complaints about the behaviour of a Councillor.

## **7. Summary**

### **7.1. Councillors and officers can expect the following from each other:**

- 7.1.1. Respect and courtesy;

- 7.1.2. The highest standards of integrity;
- 7.1.3. A working partnership;
- 7.1.4. An understanding of and support for respective roles, working loads and pressures;
- 7.1.5. Confidentiality;
- 7.1.6. A commitment to the Council as a whole.
- 7.2. In addition Councillors can expect from officers:
  - 7.2.1. Timely responses to enquiries;
  - 7.2.2. Professional, independent and accurate advice; commensurate with content and expenditure.
  - 7.2.3. Regular, up to date, information.