

BURTON OVERY PARISH COUNCIL

**PROTOCOL ON COUNCILLOR / STAFF
RELATIONS**

POLICY STATEMENT REFERENCE NUMBER	ADOPTED DATE	REVIEW DATE
15	JUNE 2023	JUNE 2027

BURTON OVERY PARISH COUNCIL

PROTOCOL ON COUNCILLOR/EMPLOYEE RELATIONSHIPS

1. Statement of Intent

- a. An effective working relationship between Councillors and Employees is vital to the successful operation of the Council's business.
- b. The main aim of the Council is to deliver efficient and effective services for the residents of the village. It is important that both Councillors and Employees work together to achieve this aim, and maintain confidence in the workings of the Council.
- c. The intention of this code is to provide a framework within which relationships can continue in a proper manner with respect for the different roles of the participants, as well as recognising the statutory requirements and the constitution of the Council.

2. Description of Relationships

- a) Councillors are elected by and are responsible to the electorate as a whole, whilst employees are responsible to the Council. The role of Employees is to give advice to Councillors and carry out work under the direction of the Council and its committees.
- b) Councillors and Employees of the Council have a duty to conduct themselves in a professional and impartial manner, in accordance with the stated aims and requirements of the Council.
- c) No individual should conduct themselves in a manner which is unfavourable to the stated interests of the Council, or could be interpreted as favouring individual interests against those of the Council.
- d) Council business will be conducted more effectively if there is mutual respect and courtesy in all meetings and contacts (both formal and informal) between Councillors and Employees. Where Councillors have concerns about the activity or work output of individual employees, or Employees have concerns relating to individual Councillors, these should be pursued in the first instance through the Clerk and/or Chairman of the Council only.
- e) Any formal disciplinary action will only be initiated by the Clerk or by the Full Council / appropriate committee acting with delegated authority. No individual Elected Councillor has the ability or authority to unilaterally initiate formal disciplinary action.
- f) Employee concerns regarding their employment with the Council should either be raised with the Clerk or Full Council / appropriate committee with delegated powers. This should initially be done on an informal basis, however if that does not achieve a mutually acceptable result, the Employee must use the Council's Formal Grievance procedure.

g) Councillors' concerns regarding procedural matters relating to any Council business should be taken up, in the first instance, with the Clerk. Employees concerns may be taken up through the Clerk and / or the Chairman of the Council, initially on an informal basis.

h) Employees are employed by the Council as a whole, and are directed by the Full Council, committees and working groups alone, not by individual Councillors.

i) Employees shall take all necessary actions to implement decisions and resolutions made at Council meetings or by the Clerk acting under delegated powers. No Employee shall take action upon the instruction of an individual Councillor. If an Employee has a grievance or wishes to comment on Council policy so far as it affects him or her as an Employee, he or she will take the matter up with his or her immediate line Manager.

j) Should an Elected Member be called upon to discuss or debate any aspects of an Employee's employment with the Council, and they genuinely believe that they have an interest in that Employee, such as an involvement with them outside of the Council, they should declare the matter in accordance with the Council's Standing Orders.

k) All Councillors have a right of access to the Clerk, during normal working hours. Where a member requires information, it will be provided if it is readily available. The Clerk is free to give advice on a confidential basis about procedural matters to any Councillor. In doubtful cases the Clerk may seek advice and instruction from the Chairman or other appropriate Councillor before responding.

l) Councillors should not raise matters relating to the conduct or capability of Employees at meetings held in public or before the Press, as Employees have no means of responding to the same in public, and such conduct could breach the trust and confidence the Employee is entitled to expect from the Council as their Employer.

m) If any Councillor feels that he/she has not been treated with the proper mutual trust, respect or courtesy or has any concerns about the conduct or capability of an Employee, he/she should raise the matter, in private, with the Clerk. Should the Employee in question be the Clerk, the matter should be confidentially brought to the attention of the Chairman of the Council.

n) Councillors should be aware that Employees are constrained in the response they may make to public comment from Councillors and should not abuse officers in public or through the press nor seek to undermine their position by abuse, rudeness or ridicule. In meetings, individual Chairmen should be aware of discussions which may become abusive towards an Employee and must protect that Employee

o) Councillors and Employees should work together in an open and respectful environment for engendering mutual trust, openness, honesty, fairness, transparency, respect or courtesy.

3. Conclusions

- a) It is the duty of the Clerk to implement arrangements with the staff of the Council so that employees properly understand the roles of Councillors and the Council's required approaches to relationships between them.
- b) Staff are also entitled to expect Councillors to respect the level of responsibility given to employees with whom they have dealings, and the fact that whilst those Employees owe duties to the Council as their Employer, such duties do not relate to any individual Councillor.

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