

Appendix 8 Protocol on Member-Officer Relations

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1. Introduction

- 1.1 The purpose of this Protocol is to guide members and officers of the Council in their relations with one another. Both members and officers are servants of the public, and they are indispensable to one another.
- 1.2 Given the variety and complexity of such relations, this Protocol does not seek to be either prescriptive or comprehensive. It simply seeks to offer guidance on some of the issues which most commonly arise. It is hoped however that the approach which it adopts to these issues will serve as a guide to dealing with other issues.
- 1.3 The object of this Protocol, in conjunction with Codes of Conduct for members and officers, is to enhance and maintain the integrity (real and perceived) of Local Government. Very high standards of personal conduct are therefore required.
- 1.4 Attention is drawn in this context to the Local Code of Conduct for Members adopted by the Council on 26 February 2002.
- 1.5 It is important that any dealings between members and officers should observe reasonable standards of courtesy and that neither party should seek to take unfair advantage of their position.

2. General Principles

- 2.1 **Members and officers must treat each other with courtesy and respect at all times.**

The relationship between members and officers should be a professional one and close personal familiarity between members and officers should be avoided, as it prejudices the impartiality of decision making and can be embarrassing to other members and officers. For example, officers should not accept gifts or hospitality from members. Similarly, officers should not undertake work for members in a personal or private capacity.

- 2.2 **Neither members nor officers must try to take advantage of their position and their behaviour towards each other should never be bullying or threatening.**

Members must be aware of their position of influence and must not seek to abuse this, particularly with junior employees. For example, the role of officers is to implement Council policy. Members must never seek to persuade or bully officers to “bend the rules” in favour of them or anybody they are representing.

- 2.3 **Whether or not officers are in politically restricted posts, they must maintain political impartiality and seek to serve the needs of the Council as a whole.**

In particular, officers must treat members with courtesy and respect regardless of the member’s political affiliation. Both members and officers must recognise the fundamental need for officers to be politically neutral in their work and both must ensure that officers are not placed in a situation where they are drawn into political disputes, either between different political groups or within a political group.

2.4 Members and officers must comply with the Council’s Equal Opportunities Policy at all times in their dealings with each other.

The working relationship between members and officers must not be influenced by gender, sexual orientation, marital status, race, nationality, colour, religion, age or disability. For example, members and officers must not make sexual or racial remarks to each other, even if the remarks are meant as a “joke”. Such behaviour can cause upset and offence and may leave the Council open to legal action, including claims of unfair dismissal and discrimination.

2.5 Members must be aware of their role as employer of the Council’s staff and must respect the Council’s disciplinary procedures and the Council’s management structure.

If a member has a concern or complaint about an officer they must raise it privately with the officer’s line manager or their chief officer. The concern or complaint should not be raised directly with the officer concerned. In particular, no member has any right to appoint, dismiss or discipline officers other than through membership of an appropriate panel or committee established under the Council’s recruitment or disciplinary procedures and members must not become involved in individual staffing matters except at the request of the Chief Executive.

Additionally, officers are responsible to the Council as their employer and that responsibility is implemented through the management structure. Officers are accountable to their chief officers, and whilst officers must always seek to assist members, they must not in doing so, exceed any authority they have been delegated by their chief officer.