

MEMBER/OFFICER PROTOCOL

1.0 INTRODUCTION

- 1.1 The purpose of this protocol is to guide members and employees of the Town Council in their working practices.
- 1.2 The protocol is not intended to be prescriptive but to provide guidance on those situations which most commonly arise.
- 1.3 Town Councillors and employees of Uckfield Town Council are servants to the public, and depend on each other to ensure high standards of service delivery and to resolve issues or concerns within the community.
- 1.4 Members are responsible to their electorate and represent the constituents of their ward area. Employees are responsible to the Council. Employees are required to provide advice (financial, professional, legal) and guidance to the Council and its standing committees, as well as individual elected members. Employees focus on day to day service provision, as well as delivery of the Town Council's priorities.

2.0 ROLES OF MEMBERS

- 2.1 Members undertake the following:
 - (i) Members represent their ward area and are advocates for the residents that live in the area;
 - (ii) Members will be involved in active partnerships with local organisations as representatives of outside bodies;
 - (iii) Members contribute to the decisions taken at Full Council, as well as standing committees, and contribute to the recommendations and work of sub-committees and/or working groups;
 - (iv) Members play a key role in the annual review of the Town Council's business planning documentation (strategic plan, annual plan and annual budget);
 - (v) Members review progress towards delivery of the priorities set out within the Town Council's business planning documentation and ensuring good standards of service delivery;

3.0 ROLES OF EMPLOYEES

- 3.1 Employees are responsible for:
 - (i) The day to day management of service provision, which includes ensuring maintenance, compliance, safety and cleanliness, efficiency and effectiveness;
 - (ii) Providing advice such as legal, financial, technical, and professional, to members, on service provision, changes in legislation and ensuring the Town Council remains transparent, accountable, and has sound financial and internal controls;
 - (iii) Reviewing and initiating the development of key policies and procedures to strengthen operations of the Town Council;
 - (iv) Implementing and delivering the priorities and set projects within the Strategic Plan, Annual Plan and Annual budget;

(v) The Chief Officer and Management Team, are responsible for the day to day running of the Town Council in accordance with the decisions of Full Council, and its standing committees. Their functions are set out within the Scheme of Delegation.

(vi) Officers are accountable to their direct reports, and whilst officers should always seek to assist a Town Councillor, they should not, in doing so, go beyond the bounds of whatever authority they have been given by their direct report, the Chief Officer or Management Team;

(vii) The Chief Officer is Head of Paid Service, and both they and members of Management Team are responsible for the management of employees. They are therefore responsible for giving instructions and handling any matters of concern or disciplinary action. Town Councillors have no involvement in the management of staff.

(viii) The role of Chief Officer is there to provide the necessary advice and guidance to Town Councillors, with the support of Management Team. This advice should be seen as objective. Members should refrain from attempting to direct the content or conclusion of such advice.

4.0 PROVISION OF ADVICE AND INFORMATION TO MEMBERS

4.1 Members are free to approach employees of the Town Council to provide them with such information and advice as they may reasonably need in order to assist them in discharging their role as a member of the Town Council. This can range from a request for generic information or specific information on behalf of a constituent.

4.2 Employees should always endeavour to respond to requests for information promptly and advise the member if there is likely to be any delay. The legal rights of members to inspect council documents are covered partly by statute and partly by common law (on a need to know basis, mere curiosity is not sufficient).

4.3 It is important for service areas to keep members informed both about any major issues concerning the Council or about issues or events affecting the members' ward area.

4.4 Officers have to advise members from time to time, that a certain course of action cannot be carried out. Officers are employed to give unbiased professional advice. This advice is often to protect Town Councillors, and the overall reputation of the Council.

5.0 RESPECT AND COURTESY

5.1 For the effective conduct of Town Council business there must be mutual respect, trust and courtesy in all meetings and correspondence – both formal and informal, between members and employees. This is vital to the reputation of the Town Council.

5.2 Undue pressure and or unreasonable behaviour

It is important when members and employees are working together, that neither should seek to take unfair advantage of their position.

A member should not apply undue pressure on an employee. Examples of undue pressure and unreasonable behaviour, includes:

- (i) Excessive contact – repeated phone calls, messages, emails or contacting multiple officers about the same issue;
- (ii) Contact outside of working hours – except by prior agreement or in the case of a genuine emergency, members should not be messaging, or calling officers outside of working hours. And even in that situation, correspondence should only be directed to Senior Officers. An email can be sent and a request to meet with the relevant officer at a time that is convenient for both parties. The end of Council or committee meetings late at night is also not the time, to pursue long conversations with officers. A meeting should be arranged at an alternative time.
- (iii) Unreasonable demands – insisting on unrealistic deadlines or expecting outcomes outside parish/town council sector policy and guidance;
- (iv) Obsessive behaviour – pursuing complaints with no clear purpose, submitting repeated complaints, with minor variations or raising irrelevant/trivial issues.

Similarly, an employee, must neither seek to use undue influence on an individual member to make a decision in their favour, nor raise personal matters to do with their job.

5.3 **Familiarity**

Close personal familiarity between individual members and employees can damage the principal of mutual respect. It could also accidentally lead to the passing of confidential information or personal details. Such familiarity could also cause embarrassment to other members or employees.

6.0 **HANDLING A BREACH OF THIS PROTOCOL**

6.1 Breach by Officer

If a member considers that he has not been treated with proper respect or courtesy, they may raise this with the relevant member of Management Team for that service area.

If this does not resolve the complaint, the matter should be referred to the Chief Officer (Town Clerk). If breach of the protocol is found, this may give rise to disciplinary proceedings against the employee if relevant.

6.2 Breach by Member

If an employee considers that a member has contravened the protocol, they should advise their line manager, who will if necessary involve the relevant member of Management Team for that service area. In certain circumstances, breach of the Protocol may also constitute a breach of the Members' Code of Conduct, which could in serious circumstances require notification to the District Authority's Monitoring Officer.

For the handling of a breach, it would be dealt with in a similar fashion to a disciplinary:

- (i) First an informal conversation would be conducted by the Chief Officer (Town

Clerk) with the member;

(ii) If the matter remains unresolved, a representative would be appointed from Personnel Sub Committee, and a representative from Management Team to review the reported breach and obtain the necessary facts;

(iii) A letter would be sent by the Chief Officer to inform the member of their concerns;

(iv) If the matter still remains unresolved, the above representatives would convene a formal hearing/meeting and set parameters through which further correspondence is communicated within the Town Council – for example appointing a single point of contact, and set timeframes within which contact can be made.

7.0 CONCLUSION

7.1 It is hoped that, by following good practice and securing sensible and practical working relationships between members and employees, Uckfield Town Council can ensure high standards of service delivery, customer service, openness and transparency, as well as safeguard the integrity of the Town Council.