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MEMBER/OFFICER PROTOCOL AND POLICY

1 Introduction

1.1 Effective working relationships between elected councillors and employees of Pontypool Community Council are key if the Community Council is to work effectively. These are also critical in maintaining public confidence in the workings of the Council.

1.2 This protocol is intended to guide councillors and employees of Pontypool Community Council in their relationships with one another. It is not intended to be prescriptive or comprehensive and simply seeks to offer guidance on some of the issues which can arise. **It does not in any way replace the Code of Conduct by which councillors are legally bound,** nor does it replace any employee Code of Conduct which the Community Council may put in place. However, the protocol may assist in interpreting what is required under either Code.

2 Status of the Protocol

2.1 This protocol has been endorsed by the Finance, Governance and Policy Committee and approved by Full Council of Pontypool Community Council.

3 Roles and Responsibilities

3.1 Understanding the distinct roles and responsibilities of councillors and employees is key to maintaining a good relationship.

3.2 Councillors decide on the priorities for the Community Council, represent all constituents, set the budget and collectively make decisions on behalf of the Community Council.

3.3 Community councillors are responsible to the electorate and serve only as long as their term of office lasts.

3.4 Employees of the council implement the decisions made by the councillors. They can only make decisions themselves on behalf of the Council if the Council has decided to delegate a decision-making responsibility to the employee. Employees given information and advice to the Council and support community councillors.

3.5 Community Council employees are employed by, and are responsible to, the whole Council and not to any individual councillors. Employees of the Council are managed by the Clerk in accordance with Council procedures. The Clerk is responsible to the whole Council.

4 Reasonable Expectations of Employees

4.1 It is reasonable for a community councillor to expect the Council employees to:

- do their job effectively and efficiently;
- behave in a manner which does not bring the council into disrepute;
- be helpful, courteous and respectful;
- provide assistance to councillors in carrying out their role;
- deal with councillor enquiries efficiently and fairly;
- work with all councillors equally and fairly;
- be open and honest with councillors;
- maintain confidentiality at all times
- ensure that contact with councillors is convenient, unless in an emergency or otherwise agreed;
- remember that they are employed by the whole council and not by any individual councillor.

5 Reasonable Expectations of Councillors

5.1 Employees can reasonably expect the community councillors to:

- accept that the Council's employees are managed by the Clerk;
- be helpful, courteous and respectful;
- not to ask employees to breach Council policy or procedure or to act unlawfully;
- not raise concerns about an employee in a public setting and to raise such concerns in an appropriate manner in accordance with Council policy;
- not exert, pressure or influence or to request special treatment;
- respect that employees have a right to a private life and be sensible about making contact at potentially inconvenient times unless in an emergency or otherwise agreed;
- pay employees promptly and in line with contractual arrangements.

6 Personal Relationships

6.1 Good working relationships are critical between councillors and employees, but close familiarities could prove embarrassing to other councillors and employees and give rise to potential conflicts of interest. Such close familiarities should therefore be avoided, where this is not possible this should be declared to the Clerk (Leader and the Chair in the case of the Clerk) and recorded appropriately.

7 Giving Instructions to Employees

7.1 Only the Clerk can give instructions to employees of the Council and only the Full Council or a properly constituted committee can give instructions to the Clerk. Individual community councillors should not therefore attempt to direct the work of employees.

8 Chairs and Vice-Chairs

8.1 Chairs of the committees have additional responsibilities and their relationships with employees may differ from and be more complex than those councillors without these responsibilities and this is recognised in the expectations they are entitled to have. However, such councillors must still respect the impartiality of employees, must not ask them to undertake work of a party political nature, or to do anything which would put them in difficulty in the event of a change in the structure of the Community Council.

9 Complaints about Employees or Services

9.1 Community councillors have a right to criticise the report, action or advice of employees. However, it has to be recognised that employees will find it difficult to answer back to such criticism and therefore any criticism must not be in the form of a personal attack and must be constructive and well founded.

9.2 Community councillors must avoid undermining public respect for employees and should therefore avoid making any criticism of an employee at a public meeting, in the press or by way of any other public statement. Making such criticisms would be damaging to the public image of Pontypool Community Council. It would also undermine the mutual trust and courtesy which underpins effective working relationships. If a community councillor wishes to raise an issue about an employee they should use any established channels in place, or, direct their concerns through the Leader or Clerk.

10 Information Sharing

10.1 All community councillors have a right to expect to be kept informed about matters on which they may be required to make decisions, or which affect the town/community. The Clerk should aim to ensure that all councillors are kept fully informed in relation to important issues.

10.2 If the Community Council organises a meeting to consider a local issue then all councillors must be invited to attend that meeting.

10.3 As far as documents and other information held by Pontypool Community Council is concerned, much of it will be in the public domain and councillors have the same right as any member of the public to see that information. Councillors have the same right to access agendas, reports and minutes of meetings which are held in public and have the right to access information given by the Freedom of Information Act. Councillors have additional rights to access information as well. They are entitled to have access to reports of matters which are to be considered at council meetings in a private session. In addition, councillors have the right to access any other Community Council information where they can show they have a need to know. Any request to access council information should made to the Clerk. If the Clerk is uncertain as to whether the councillor is entitled to access that information, then they should refer the question to the Council for a decision.

10.4 The process of gathering information to respond to councillors requests can be time consuming and expensive for the Council. Councillors should consider before they make an information request whether they really need the information and should be prepared to discuss with the Clerk whether less, more easily obtained information would be sufficient.

11 Correspondence

11.1 Correspondence between councillors and employees should not normally be copied to any other party. In particular, when using email, the use of blind copies should be avoided but there can sometimes be exceptions to this rule. If the original correspondence was copied to other parties then it is legitimate to send a response to those parties.

11.2 There may also be occasions where the correspondent gives rise to concern for the employee, e.g. in relation to possible breaches of the Code of Conduct or that the Council may be brought into disrepute by the actions of the councillor. In such cases it is legitimate for the employee to share correspondence with the Leader or, where appropriate, the Monitoring Officer of Torfaen County Borough Council.