

1. INTRODUCTION

- 1.1 This is a written guide to the basic elements of the relationships between Councillors and Officers and seeks to:
- 1.2 Promote trust, openness, fairness and honesty;
- 1.3 Define roles to clarify responsibilities, avoid conflict, prevent duplication and secure compliance with the law and codes of conduct;
- 1.4 Maintain and enhance the integrity of the Town Council which demands the highest standards of personal conduct;
- 1.5 This protocol should be read and operated in conjunction with the Town Council's Standing Orders, Policies, codes of conduct and relevant legislation requirements.

2. PRINCIPLES

- 2.1 Members and Officers must always respect the roles and duties of each other. They must show respect in all their dealings by observing reasonable standards of courtesy, and by not seeking to take unfair advantage by virtue of their position;
- 2.2 Whilst Members and Officers are indispensable to one another, their responsibilities are distinct. Members are accountable to the electorate and serve only as long their term of office lasts. Legally, employees are employed by the Town Council and are accountable to it. Ultimately they serve the Town Council as a whole and not any particular political group, combination of groups or any individual Member.

3. THE ROLE OF MEMBERS

- 3.1 Collectively, Members are the ultimate policy-makers determining the core values of the Town Council and approving the Town Council's plans and budget;
- 3.2 Members represent the community, act as community leaders and promote the social, economic and environmental well-being of the community, often in partnership with other agencies;
- 3.3 Members are not authorised to instruct Officers other than through the formal decision- making process;
- 3.4 Members are not authorised to initiate or certify financial transactions, or to enter into a contract on behalf of the Town Council;
- 3.5 Members must respect the impartiality of Officers and do nothing to compromise it, e.g. by insisting that an Officer change his/her professional advice;

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- 3.6 Members should always deal with Officers in such a way as to preserve public confidence in the Town Council. It is equally important for Members to work with each other positively and with mutual respect;
- 3.7 In the conduct of Town Council business, there should be mutual respect and courtesy at all meetings and contacts, both formal and informal, between Members and Officers;
- 3.8 Members should avoid undermining respect for Officers at Town Council meetings, or in any public forum. This would be damaging both to effective working relationships and to the public image of the Council.

4. THE ROLE OF OFFICERS

- 4.1 Officers have a duty to implement decisions of the Town Council and its committees which are lawful, and which have been properly approved in accordance with the requirements of law and the Town Council's Standing Orders;
- 4.2 To provide technical and professional advice;
- 4.3 Officers have a legal duty to be impartial, they must not allow their professional judgement and advice to be influenced by their own personal views;
- 4.4 To provide help, support and advice to Members in respect of their duties and responsibilities. Officers have the right not to support Members in any role other than that of Member, and not to engage in actions incompatible with this Protocol;
- 4.5 Officers serve the Town Council through its committees etc. and not individual Members of the Town Council, whatever office the Member might hold. Officers should not have unreasonable demands placed on them, in terms of support to an individual Member or Members.
Officers will do their best to give timely responses to Members enquiries;
- 4.6 Members are entitled to all reasonable assistance from Officers in support of their role as a Town Council appointed representative on outside bodies.
- 4.7 Officers should not discuss confidential matters relating to the conduct or capability of a Member at Town Council meetings, in public or to individual members of the public privately or in the press.

5. THE RELATIONSHIP BETWEEN MEMBERS AND OFFICERS

- 5.1 The conduct of Members and Officers should be such as to instil mutual confidence and trust. The key elements are recognition of, and a respect for, each other's roles and responsibilities and these should be reflected in the behaviour and attitude of each to the other;

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- 5.2 Informal and collaborative two-way contact between Members and Officers is encouraged, but personal familiarity can damage the relationship;
- 5.3 Members and Officers should respect each other's free (i.e. non-Council) time;
- 5.4 Support services (e.g. stationary, typing, printing, photocopying) must only be requested/used for Town Council business;
- 5.5 Members should not approach or pressure Officers to carry out duties or provide resources or support in a biased or partisan way. Examples of this are:-
- business which is solely to do with a political party,
 - electioneering,
 - work associated with an event attended by a Member in a capacity other than as a member of the Town Council,
 - private personal correspondence,
 - work in connection with another body or organisation where a Member's involvement is other than as a member of the Town Council. And
 - support to a Member in his/her capacity as a councillor of another local authority.
- 5.6 Members can expect Officers to:
- a. behave in a professional and courteous manner,
 - b. be helpful and respectful to Members,
 - c. maintain confidentiality,
 - d. perform their duties effectively, efficiently and with political neutrality,
 - e. avoid personal close familiarity with Members and not use their relationship with Members to advance their personal interests or to influence decisions improperly.
- 5.7 Officers can expect from Members:
- a. political leadership and direction,
 - b. respect, dignity and courtesy,
 - c. an understanding of and support for respective roles, workload and pressures,
 - d. not to be harassed or placed under undue pressure,
 - e. not to use their position or relationship with Officers to advance their personal interests or those of others to influence decisions improperly,
 - f. to comply with the Town Council's Code of Conduct.

6. THE MAYORALTY

- 6.1 The Mayor has a representative role on behalf of the Town Council, the position is non-political. It is reasonable for the Mayor to be supportive of local business, but the office should not be used for commercial promotions and the Mayor should not use his/her office, nor Officers, to by-pass recognised systems of working including the Civic Protocol.

7. MEDIA RELATIONS

- 7.1 Press releases or statements made by Officers must promote or give information on Town Council policy, services or events. They will be factual and consistent with Town Council policy. They cannot be used to promote a political group.

8. COMMUNICATIONS

- 8.1 Communications between an individual Member and an Officer should not normally be copied (by the Officer) to any other Member. Where exceptionally it is necessary to copy correspondence to another Member this should be made clear to the original Member. A system of “silent/blind copies” should not be employed.
- 8.2 Official letters on behalf of the Council should normally be sent out in the name of the appropriate Officer, rather than in the name of a Member. Letters, which for example, create obligations or give instructions on behalf of the Town Council should never be sent out in the name of a Member.

9. COMPLAINTS AND ALLEGATIONS OF BREACHES OF THIS PROTOCOL

- 9.1 If a Member believes an Officer may have acted other than in accordance with this Protocol, he/she should raise their concern with the Town Clerk who will consider how the complaint or allegation should be dealt with. Where a complaint/allegation concerns the Town Clerk this should be raised with the Assistant Town Clerk. A breach of this protocol by an Officer may lead to an investigation under the Staff Disciplinary Procedures.
- 9.2 If an Officer believes a Member may have acted other than in accordance with this Protocol, he/she should raise their concern with the Town Clerk who will consider how the complaint or allegation should be dealt with, this may include informing the Monitoring Officer at Dartford Borough Council.