

BRACEBRIDGE HEATH PARISH COUNCIL

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Councillor & employee protocol

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1 Purpose

- 1.1 The purpose of this protocol is to guide councillors and employees of the Council in their relations with one another in a way that promotes openness and propriety in their relations and secures impartiality in the provision of employee advice and the management of services.
- 1.2 Given the variety and complexity of such relations, this protocol does not seek to be prescriptive or comprehensive. It simply offers guidance on some of the issues that most commonly arise.
- 1.3 The protocol should be read in conjunction with the adopted Code of Conduct, Standing Orders, Financial Regulations, legislation or guidance as issued by the Monitoring Officer.

2 The role of councillors and employees

- 2.1 Councillors and employees of the Council are servants of the public and they are indispensable to one another, but their responsibilities are distinct.
- 2.2 Councillors are responsible to the electorate and serve only as long as their term of office lasts (4 years or part thereof).
- 2.3 Employees have responsibility to the Council as a whole, not to individuals or any political group.
- 2.4 Their job is to give advice to councillors and the Council, and to carry out the Council's work under its direction or as delegated powers dictate.

3 The role of councillors

- 3.1 Collectively, councillors are the ultimate policy-makers determining the core values of the Council and approving the authority's policy framework, strategic plans and budgets
- 3.2 Every elected Councillor represents the interests of, and is an advocate for the parish and constituents. Councillors represent the Council in the parish, respond to the concerns of constituents and are encouraged to serve on local bodies.
- 3.3 Some councillors will have roles relating to their position as chairman of the council or chairman of a standing or sub-committee.
- 3.4 Individual councillors are not authorised to instruct employees other than:
 - i. through the formal decision-making process;
 - ii. to request the provision of consumable resources provided by the council for councillors use;
 - iii. where staff have been specifically allocated to give support to a member or group of members (i.e. committees, working groups etc.).
- 3.5 Councillors are not authorised to initiate / certify financial transactions, or to enter into any contract (written or verbal) on behalf of the council.

- 3.6 Councillors must avoid taking actions that are unlawful, financially improper or likely to amount to maladministration. Members also have an obligation under their adopted code of conduct to give careful regard when making and reaching decisions. This includes taking into account all advice provided by officers of the council, representatives or monitoring officer.

4 The role of officers and employees

- 4.1 Officers are responsible for giving advice to councillors to enable them to fulfil their roles. In doing so officers will take into account all available relevant and legislative factors.
- 4.2 Officers and employees have a duty to implement lawful decisions of the Council, committees, sub-committees, which have been properly approved in accordance with requirements of the law and the Council's adopted Standing Orders and Financial Regulations.
- 4.3 Officers and employees have a contractual and legal duty to be impartial. They must not allow their professional judgement and advice to be influenced by their own personal views.
- 4.4 Officers and employees must be alert to issues that are, or are likely to be contentious or politically sensitive and be aware of the implications for councillors, the media or other sections of the public.
- 4.5 Officers and employees are required to be politically neutral in their dealings with elected councillors and all council business activities.
- 4.6 An officer or employee must not allow their interests or beliefs to conflict with their professional duty. They must not misuse their official position or information acquired in the course of their employment to further their private interest or the interests of others (including elected members).
- 4.7 Employees should abide by the rules of council about the declaration of gifts offered to or received by them by any person seeking to do business with council or which would benefit from a relationship with Bracebridge Heath Parish Council. Employees should not accept benefits from a third party unless authorised to do so by the council.

5 The relationship between councillors and employees

- 5.1 The conduct of councillors 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. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately being mindful of public perception.
- 5.2 Councillors and employees should inform the Monitoring Officer of any relationship within the council which might be seen as unduly influencing their work in their respective roles.
- 5.3 Councillors and employees need to respect each other's roles and duties. The clerk to council is responsible for day-to-day management and operational decisions. It is not appropriate for councillors to intervene.
- 5.4 Any problem referred to a councillor by the public should be passed to the chairman of the relevant committee or sub-committee and shared with the clerk to council.

- 5.5 Councillors should make appointments to see officers wherever possible to ensure minimal disruption to workloads and priorities.
- 5.6 Councillors should not approach an employee directly to undertake tasks on their behalf. Requests for work should be made through the chairman of the relevant committee and discussed and agreed with all relevant parties beforehand.
- 5.7 Officers will do their best to give timely responses to councillors' enquiries. However, officers and employees should not have unreasonable requests placed on them. Councillors must avoid disrupting officers' work by imposing their own priorities.
- 5.8 Councillors will endeavour to give timely responses to enquiries from officers.
- 5.9 Councillors and officers should respect each other's free (i.e. non-Council) time.
- 5.10 Personal relationships with employees and councillors are inevitable, however such relationships must not cloud the judgment of either party or lead to any preferential treatment or favouritism by either party.

6 Meetings

- 6.1 When presenting reports to the council and its committees, officers should assume that councillors have had sufficient time to consider written material and must keep presentations short, to the point and focused on the determining issues only along with any recommendations. The clerk to council has a duty to answer questions at meetings of Council or its committees and to advise councillors on the implications of any particular actions, including the consequences of not accepting officer recommendations.
- 6.2 At meetings of the Council and its committees, councillors will consider the advice of officers and employees both in main reports and on any matter arising out of debate. However, it is ultimately the responsibility of councillors to formulate a decision, having regard to the advice provided and any other considerations taken in respect of the issue. Once lawful decisions have been taken (by way of resolution) it is the duty of the officers to implement such decisions.

7 Correspondence

- 7.1 Official letters from the council on day-to-day matters must be sent out in the name of the clerk, not individual councillors. Letters that create obligations or give instructions must not be sent out in the name of a councillor.

8 Non-adherence to the protocol

- 8.1 Serious breaches of this protocol by employees should be dealt with under the council's disciplinary and / or grievance procedures.
- 8.2 Breaches by councillors must be reported to the clerk to council and the monitoring officer.

- 8.3 If necessary, the issue will be subject to further consideration by the clerk to council together with the chairman of the Personnel committee and referred to Full Council where necessary.
- 8.4 Should a breach of this protocol occur by either the chairman or vice chairman or clerk to council, the matter should be raised with the monitoring officer at North Kesteven District Council who will be asked to review and submit a report containing recommendations or advice to full Council.

9 Responsibilities & review

- 9.1 The Personnel committee is responsible for reviewing this policy. This policy will be reviewed on a biennial basis or in response to changes in the law.

10 Version control and amendment history

Date approved	Version Number	Revision / amendments made	Review date
Jan 2017	1.0	New policy	Jan 2018
June 2019	1.1	New format, correction of grammatical errors	June 2021
August 2021	1.2	Updated email addresses	August 2023
October 2023	1.3	Updated references to committees.	October 2025