

# Member and Officer Relations Policy

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# Staplehurst Parish Council

## DOCUMENT HISTORY

- (a) Adopted by Staplehurst Parish Council on 01 April 2019 (Min Page 1755).
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## 1. INTRODUCTION & PRINCIPLES

- 1.1 This Member and Officer Relations Policy states the roles of Members and Officers (and Non-Councillor Members) and sets out the key principles that apply to relations between Members and Officers when performing those roles. All relations shall be conducted:
- with respect for others and in a way which promotes equality.
  - with honesty and integrity.
  - acknowledging the duty to uphold the law and act in accordance with the trust placed in them by the public.
  - in a way that promotes objectivity, accountability and openness.
  - acknowledging the duty of confidentiality that exists in relation to information given in confidence and information which the Council is entitled by law to treat as confidential
  - with a view to establishing and promoting positive working relationship.
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## 2. ROLE OF MEMBERS

- 2.1 All Members will act collectively to exercise the responsibilities and carry out the functions of the Parish Council in accordance with its governing regulations and policies and relevant legislation.
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## 3. ROLE OF OFFICERS

- 3.1 The role of Officers is to work for and serve the Council as a whole. They implement the operational decisions which the Council takes and provide advice and support to all Members. Such support must be given in equitable manner.
- 3.2 To ensure that all relevant matters are taken into account, Officers shall be entitled to offer advice at meetings of all member bodies if they believe it is necessary.
- 3.3 Where an officer feels that his/her neutrality or integrity is being compromised in any way, he/she shall notify the Parish Clerk. In the case of the Parish Clerk, he/she will notify the Chairman of the Council or seek advice from SLCC or KALC.

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- 3.4 The Parish Clerk will be responsible in all circumstances (except for Responsible Finance Officer reports) for the contents of any reports submitted by the Council's Officers.
- 3.5 The Deputy Clerk & Finance Officer will be responsible in all circumstances relating to Responsible Finance Officer reports.
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## 4. RELATIONS GENERALLY

- 4.1 Both Members and Officers are involved in public service. However, their respective roles are quite different:
- Members are responsible to the electorate.
  - While serving the Parish Council, Officers (other than the Parish Clerk) answer to the Parish Clerk.
  - The Parish Clerk (Officer) is responsible to the Council.
- 4.2 Individual Members are not permitted to give instructions to employees, unless specifically authorised to do so by the Council. Individual Members may make requests to employees.
- 4.3 Officers are to provide appropriate advice to Members with impartiality. Such advice must be given in an equitable manner. Members must respect the neutrality of Officers.
- 4.4 Mutual respect between Officers and Members is essential to good local government and working relationships should be kept on a professional basis.
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## 5. SPECIFIC RELATIONS

### Chairmen and Officers

- 5.1 Whilst there is necessarily going to be a close working relationship between certain Members (e.g. the Chairman of the Council, Chairs of Council Committees and Groups) and the Parish Clerk and other senior Officers, such relationships should not override the Officer's responsibility to the Council as a whole.
- 5.2 It is accepted that the Officers, while remaining neutral, will inevitably give advice on a wider range of issues and on a more regular basis to the Chairman of the Council and Chairs of Committees and Groups. For their part, the Chairmen will respect the neutrality of the Officers and accept that Officers are obliged to respond positively to requests from other Members for appropriate advice, guidance and information relevant to any issues under consideration.

### Members of Multiple Councils and Officers

- 5.3 Some Members of the Council may be members of other bodies, with an important role to play in their Borough Ward or County Council Division, whilst also being a Member of

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the Parish Council. This could include responding to the concerns of their electorate, meetings with partners and serving on outside organisations.

- 5.4 It is important that these Members utilise the Parish Council resources only for Parish Council business, particularly where the Member can obtain advice, guidance or information for Borough or County Council business from these bodies' respective Officers.

## **Non-Councillor Members and Officers**

- 5.5 Non-Councillor Members shall follow and shall be treated in accordance with the principles set out in this Policy. Additionally, any duties of confidentiality which they owe to the body they are representing shall be respected.
- 5.6 Non-Councillor Members shall have the same right to advice from Officers on Council-related matters as Members have.

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## **6. MEMBER ACCESS TO DOCUMENTS AND INFORMATION**

- 6.1 Members have certain statutory rights to access documents and information arising out of their role as a Member.
- 6.2 In the absence of a specific statutory right, Members can only access Council documents and information if it is reasonably necessary for the purpose of performing their duties as a Member.
- 6.3 There is no automatic right of access, no right to a roving commission to examine documents – the need to know must be demonstrated by the Member concerned. Any matters of dispute are to be resolved by the Parish Clerk, having regard to legal precedent.

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## **7. FURTHER INFORMATION & GUIDANCE**

Further guidance on relations between Officers and Member relationships on the Local Government Association ([local.gov.uk](http://local.gov.uk)) website in their publication: 'A councillor's workbook on effective councillor/officer relationships'.

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