

Protocol – Councillor/Clerk Relations

Adopted by Moreton Say Parish Council on 8th May 2025

Aim

A Council's reputation and integrity is often and significantly influenced by the way in which Councillors, the Clerk (and other staff) work together to support each other's roles. The overall aim is effective and professional working relationships based upon mutual trust, respect and courtesy where close personal familiarity is avoided.

This Protocol is intended to assist both Councillors and the Clerk in their working relationships, particularly in approaching matters that may arise which may be of a sensitive nature.

Roles and Responsibilities

In summary:

Councillors and employees both serve the public and are indispensable to one another. Their responsibilities are different. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Councillors should promote the highest standards of conduct and ethics. They act collectively as employer. Officers are responsible to the Council. Their role is to give advice to Councillors and to the Council and to carry out the work and decisions of the Council under the direction and control of the Council (and its Committees).

Councillors

Councillors' four main areas of responsibility are:

- To determine council policy and provide community leadership
- To monitor and review Council performance in delivering services
- To represent the Council externally
- To act as advocates for their residents

Councillors have the same rights and obligations in their relationship with the Clerk (and any other employees), regardless of their status and should be treated equally.

Councillors should not involve themselves in the day to day running of the Council, as this is the Clerk's responsibility. The Clerk acts on instructions from the Council (or its Committees) within an agreed Job Description. The Council may delegate some of its statutory functions and powers to the Clerk where no statutory prohibition applies (for example approving the Council's annual accounts). These are set out in Standing Orders/Financial Regulations (or a separate Scheme of Delegation).

Chairman (Chairmen and Vice Chairmen of Committees)

The Chairman (and Committee Chairs and Vice Chairs) have additional responsibilities meaning that their relationships with the Clerk/Officers may be different and more complex than those of other Councillors. However, they must still respect the impartiality of the Clerk/Officers and must not ask them to undertake anything, which would prejudice their impartiality.

Clerk (/other Officers)

The role of the Clerk/Officers is to provide advice and information to Councillors and to implement the policies and decisions determined by the Council.

In giving advice and in preparing and presenting reports, it is the responsibility of the Clerk/Officers to express their professional views and recommendations. If a Councillor wishes to express a contrary view, the Councillor should not pressurise the Clerk to make a recommendation contrary to the Clerk's professional view. Councillors should not victimise the Clerk/Officers for discharging their responsibilities.

Expectations

All Councillors can expect from the Clerk (and other Officers):

- A commitment to the Council as a whole, and not to any individual Councillor, group of Councillors or a political group
- A professional working relationship
- An understanding and support of respective roles, pressures and workloads
- A timely response to enquiries
- Professional advice not influenced by personal preferences, political views or personality
- Up to date, timely information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions held
- Awareness and sensitivity to the public and political environment locally
- Respect, courtesy, integrity and appropriate confidentiality
- Information on training and development opportunities to help them carry out their role effectively
- Not to have personal issues raised outside the Council's agreed procedures
- Not to use their contact with Councillors to advance their personal interests or to influence decision improperly

The Clerk (and other Officers) can expect from Councillors:

- A working partnership
- An understanding and support of respective roles, pressures and workloads
- Leadership and direction
- Respect, courtesy, integrity and appropriate confidentiality
- Not to be bullied or put under pressure
- Not to have issues raised about them in public

