

## **PARISH MEMBER / EMPLOYEE RELATIONS PROTOCOL**

### **Introduction**

The effectiveness of working relationships between elected Parish Councillors and their employees significantly influences how well the Council performs. Good relationships are also critical in maintaining public confidence in the workings of the Council.

This protocol is intended to guide Members and employees of the Parish 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 Council's Code of Conduct nor does it replace any employee Code of Conduct which the Parish Council may put in place.

### **Status of the protocol**

This protocol has been endorsed by the Standards Committee of the City of York Council and approved by [                    ] Parish Council.

### **Roles and responsibilities**

Councillors and the Council's employees are indispensable to each other but their roles are distinct.

### **Parish Councillors**

Parish Councillors decide on the priorities for the Parish Council, set the budget, represent and advocate for their constituents (including those who have not voted for them) and collectively make decisions on behalf of the Parish Council.

Parish Councillors are responsible to the electorate and serve only so long as their term of office lasts. A Parish Councillor can only serve for a maximum of 4 years before submitting themselves to the electoral process.

### **Employees**

Employees of the Council implement the decisions made by 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 give information and advice to the Council and support Parish Councillors.

The Parish Clerk and other Parish Council employees are employed by, and are responsible to, the whole Council and not to any individual Councillor. Employees of the Council are managed in accordance with Council procedures.

### **Reasonable expectations of employees**

It is reasonable for a Parish Councillor to expect the Parish Council employees:

- To do their job effectively and efficiently;
- To behave in a manner which does not bring the Council into disrepute;
- To be helpful, respectful and courteous;
- To provide assistance to Members in carrying out their role;
- To deal with Members enquiries fairly and efficiently;
- To be open and honest with Members;
- To work with all Members equally and fairly;
- To maintain confidentiality where appropriate;
- To be sensible about contacting Members at potentially inconvenient times unless in an emergency or otherwise agreed;
- To acknowledge that they are employed by the whole Council and not by any individual Member.

### **Reasonable expectations of Parish Councillors**

Employees can reasonably expect Parish Councillors:

- To be helpful, respectful and courteous;

- Not to ask employees to breach Council policy or procedure or to act unlawfully;
- Not to attempt to exert improper influence or pressure or request special treatment;
- Not to raise concerns about an employee in a public setting and to raise such concerns in an appropriate manner in accordance with Council policy;
- To 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.

### **Specific issues**

#### **Personal relationships**

Good working relationships are critical between Parish Councillors and employees but close familiarity could prove embarrassing to other Councillors and employees and give rise to potential conflicts of interest. Personal relationships must not be allowed to interfere with the effective working and operation of the Council.

#### **Giving instructions to employees**

The Parish Clerk is responsible for the day to day running of the Council following the directions of the Parish Council. Only the Parish Clerk therefore can give instructions to employees of the Council and only the Full Council or a properly constituted committee or sub committee can give instructions to the Parish Clerk.

Individual Parish Councillors should not therefore attempt to direct the work of employees.

#### **Chairs and Vice Chairs**

Chairs and Vice Chairs of the Parish Council have additional responsibilities. Because of those responsibilities, their relationships with employees may differ from, and be more complex than those of Councillors without those responsibilities. This is recognised in the

expectations they are entitled to have. However, such Councillors must still respect the impartiality of officers.

### **Complaints about employees or services**

In appropriate circumstances Parish Councillors may have a right to criticise the report, advice or action 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.

Parish 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 the Parish Council. It would also undermine the mutual trust and courtesy which underpins effective working relationships.

If a Parish Councillor wishes to raise an issue about an employee they should use any established channels in place or, direct their concerns through the Chair/Vice Chair.

### **Information sharing**

All Parish 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 Parish. The Clerk should aim to ensure that all Members are kept fully informed in relation to important issues.

If the Parish Council organises a meeting to consider a local issue then all Parish Councillors must be invited to attend that meeting.

So far as documents and other information held by the Parish Council are concerned much of it will be in the public domain and Parish Councillors have the same right as any member of the public to see that information. So Parish Councillors have the same right as the public to have access to 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.

Parish Councillors have additional rights to access information as well. They are entitled to have access to reports of matters which are to be considered in a private session at Full Council meetings or at a

Committee of which they are members. In addition Parish Councillors have the right to access any other Parish Council information where they can show they have a 'need to know'. Any request to access Parish information should be made to the Parish Clerk. If the Parish 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.

### **Correspondence**

Correspondence between Parish 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. There are exceptions to this general rule. If the original correspondence was copied to other parties then it is legitimate to send a response to those parties. There may also be occasions where the correspondence gives rise to concern for example in relation to possible breaches of the Code of Conduct.

In such cases it is legitimate for the employee to share correspondence with the Chair of the Parish Council or, where appropriate, the Monitoring Officer of the City of York Council.