

PART 5

CODES AND PROTOCOLS

Section 1	Members Code of Conduct
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Section 3	Protocol on Member/Officer Relations

Part 5 – Section 1

LICHFIELD DISTRICT COUNCIL

CODE OF CONDUCT

1.0 Introduction

- 1.1 This Code of Conduct ("the Code") was adopted by Lichfield District Council ("the Council") as required by Section 27 of the Localism Act, 2011 ("the Act") at a meeting of the Council held on 15th May 2018.
- 1.2 The Council has a statutory duty under the Act to promote and maintain high standards of conduct by members and co-opted members of the Council ("the members"). This means that the Council expects Members to follow this Code when they are conducting the work of the Council, representing the Council on any external organisation, and otherwise acting in their official capacity. The Code of Conduct does not apply to what Members do in their private and personal lives.¹

Part One - Standards of Conduct

As a member of the Council you must have regard to, and act in accordance with, the following standards of conduct:²

1. Selflessness

You should serve only in the public interest, and should never improperly confer an advantage or disadvantage on any person, organisation or group, or any other third party.³

2. Honesty and Integrity

You should not place yourself in situations where your honesty and integrity may be questioned, you should not behave improperly and should avoid the appearance of such behaviour.

3. Objectivity

You must make decisions based on the information before you, having had regard to any professional advice provided to you and in accordance with your view of the public interest. You should make decisions on merit, this includes when making appointments, awarding contracts, or recommending individuals for awards or other recognition.

¹When engaging in political activities such as canvassing for re-election Members are not acting in their official capacity, and for the purposes of this Code of Conduct, such political activities are considered part of a Member's private and personal life.

²And in accordance with any supplementary guidance or protocols agreed by the authority from time to time.

³This does not mean that Members are under any obligation to support or become involved in all requests for assistance from their constituents.

4. Accountability

You are accountable to the public for your decisions and actions and the manner in which you carry out your duties. You must co-operate fully and honestly with any scrutiny appropriate to your office. You should not undertake any action which would bring the Council, your position, or the position of Members generally, into disrepute.

5. Openness

You must be as open as possible about your actions and those of the authority, and should be prepared to give reasons for those actions.

6. Leadership

You must promote and maintain high standards of conduct by supporting these principles by leadership and by example, and should act in a way that secures or preserves the confidence of others. You must have due regard to the impartiality and integrity of the authority's statutory officers and its other officers.⁴

Part Two – Registration and Disclosure of Interest

Registration of Interests

7. Within 28 days of this Code being adopted by the Council or within 28 days of your election or co-option (whichever is the later), you must notify the Monitoring Officer of any 'disclosable pecuniary interests' which you have at that time.⁵
8. Where you are re-elected or re-appointed, notification is only required of any new disclosable pecuniary interests within 28 days of your election or co-option.
9. You must keep your Register of Interests entry up to date by notifying the Monitoring Officer of any changes to your disclosable pecuniary interests within 28 days of the change occurring, or of you becoming aware of the change.
10. A pecuniary interest is a "disclosable pecuniary interest" defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations, 2012 described as:-

⁴Members may express themselves robustly in representing their or their constituents' views, although where a Member engages in a sustained or systematic challenge of an officer which is unfounded or in any other way unreasonable, such conduct would fall within the scope of this code.

⁵The Monitoring Officer must enter these interests into the Register of Interests, which will be made available for public inspection and published on the Council's website.

<u>Subject</u>	<u>Description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 7 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract made between the member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities*) and the Council—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the member's knowledge)—</p> <p>(a) the landlord is the Council; and</p> <p>(b) the tenant is a body in which the member, or his/her spouse or civil partner/ the person with whom the member is living as if they were spouses/civil partners has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

*Securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

11. A pecuniary interest is a 'disclosable pecuniary interest' in relation to you if it is of a type described above, and either:
 - (a) it is an interest of yourself, or
 - (b) it is an interest of:-
 - (i) your spouse or civil partner,
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if they were civil partners, and the you are aware that that other person has the interest.
12. You are also required to notify the Monitoring Officer of any gifts or hospitality with an estimated value of at least £50.⁶ which you receive in your role as a Lichfield District Councillor.⁷ You must inform the Monitoring Officer of any such gifts or hospitality within 28 days of receiving them so that the details can be entered into the Register of Members Gifts and Hospitality.⁸

Sensitive interests

13. If the nature of an interest is such that you and the Monitoring Officer consider that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to violence or intimidation, the interest must not be included in any published version of the Register of Interests, or be entered into any copy of the register that is made available for public inspection.^{9 10}

⁶This financial limit will be maintained in line with the definition of a donation to be declared by election candidates during local authority elections in England and Wales (as set out in Schedule 2A of the Representation of the People Act 1983).

⁷This does not include civic gifts or hospitality received by the Chairman of the Council whilst acting in this capacity. Civic gifts are to be recorded in a separate register maintained by the Chairman's Secretary.

⁸The Monitoring Officer must enter the receipt of the gifts and/or hospitality in the Register of Gifts and Hospitality which will be made available for public inspection and published on the Council's website.

⁹Instead the Register of Interests may state that the Member has an interest the detail of which are withheld under section 32(2) of the Localism Act 2011

¹⁰If the Member is required to disclose such an interest in a meeting, the Member need not disclose the interest, but merely the fact that the Member has a disclosable pecuniary interest in the matter concerned.

Disclosure of disclosable pecuniary interests at meetings

14. The following provisions apply if you are present at a meeting of the authority or of any committee¹¹, sub-committee, joint committee or joint sub-committee of the authority, and you are aware that you have a disclosable pecuniary interest in a matter to be considered, or being considered, at the meeting.
15. If the interest is not entered in the authority's Register of Interests, you must disclose the interest to the meeting (unless the interest is a sensitive interest).
16. If the interest is not entered in the authority's Register of Interests and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure.
17. Where the interest does appear in the Register of Interests, you must bring the interest to the attention of the meeting (unless the interest is a sensitive interest).
18. You may not:
 - (a) participate, or participate further, in any discussion of the matter at the meeting,
 - (b) participate in any vote, or further vote, taken on the matter at the meeting (unless the Member has requested and been granted a relevant dispensation by the Standards and Resources Committee), or
 - (c) remain in the room during the discussion or vote on the matter.
19. Where you have a disclosable pecuniary interest in a matter to be considered at a meeting, you may attend the meeting but only for the purposes of making representations, answering questions or giving evidence relating to the matter, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. Once you have finished, or the meeting decides you have finished, you must leave the room and may not remain in the room during the discussion or vote on the matter.

Disclosure of other interests at meetings

20. Where you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, and identify any other significant interests which you feel should be declared in the public interest, such interests may be declared to the meeting; this includes any interest which relates to or is likely to affect:

¹¹This includes meetings of the Cabinet.

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) any body-
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which the member of the Council is a member or in a position of general control or management.

21. In such circumstances you must consider whether your continued participation in the matter relating to your interest would be reasonable in the circumstances, particularly if the interest may give rise to a perception of a conflict of interests in the matter under discussion.

Allegations of a Failure to Comply with Code of Conduct

22. All complaints alleging a failure to comply with this Code will be considered in accordance with a procedure agreed by the Council.

Part 5 – Section 2

OFFICERS

CODE OF CONDUCT

OFFICERS CODE OF CONDUCT

1. BUSINESS, PRIVATE WORK AND GIFTS

It is not acceptable for staff to undertake private work that may give rise to a conflict between the duties of the council and their duties to a private individual or organisation. Staff should not become involved in a private capacity in any way whatsoever in any matter on which the Council has to make a decision, e.g. Planning and Building Regulation Applications, or any matter in which the Council are involved, e.g. legal work, Grant Applications, Appeals, etc. The public and Members of the Council are entitled to expect their Officers to be entirely independent in such matters and any Officer who undertakes private work in breach of this instruction, without written authority from the appropriate Member of the Leadership Team, will be guilty of Gross Misconduct and may be dismissed.

Notwithstanding the policy, in exceptional cases, the Council may be prepared to give consent for an Officer to undertake work of this nature and applications for consent, giving a detailed justification, should be submitted in writing to the appropriate member of the Leadership Team. Any difficulties of interpretation should also be referred to the appropriate Member of the Leadership Team.

For confirmation on a particular matter please read the following guidelines.

2. GUIDELINES RELATING TO CONDUCT OF OFFICERS

2.1 Introduction

- 2.1.1 These guidelines are intended to assist employees in providing standards of conduct expected by Lichfield District Council.
- 2.1.2 They apply to all officers of the Council, irrespective of the particular scheme of conditions the person is employed under.
- 2.1.3 The guidelines supplement:-
 - (i) current legislation, the Local Government Act 1972, (section 117 is included at Appendix 'A'); and
 - (ii) the relevant code of Official Conduct as contained in the National Scheme of Conditions of Service relating to the NJC for Local Government Services, JNC for Chief Officers and the JNC for Chief Executives.
- 2.1.4 The guidelines are intended to offer assistance to all officers and cover the following matters:-

- Declaration of interest
- Other Employment and Payment for Services
- Acceptance of Gifts or Hospitality
- Sponsorship of Major Council Events or Activities
- Confidentiality and Accuracy of Information
- Use of Council Facilities and Resources
- Political Interest/Activity
- Discrimination and Equal Opportunities
- Health and Safety Policy

2.2 Declaration of Interest

2.2.1 Upon the commencement of employment with the Council, all officers are required to “declare their interest” in any matters affecting the decisions and/or operations of the Council. In addition, a declaration should also be made in respect of any subsequent acquisition of an interest. An “interest” should be declared so far as it is known where it involves the following:-

- The officer
- The officer’s spouse or partner
- The officer’s close relatives, ie parent, brother, sister or child.

It is only necessary to disclose an interest where the officer can exert influence on any decision making process.

2.2.2 The declaration should be made in writing and submitted to the appropriate member of the Leadership Team who will forward it to the Chief Executive. A central register of interests will be maintained by the Chief Executive and a note of the declaration will be made on the individual’s file.

2.2.3 Officers are reminded of the NJC Scheme of Conditions for Local Government Services that states "Employees will maintain conduct of the highest standard such that public confidence in their integrity is sustained."

2.3 Other Employment and Payment for Services

2.3.1 Before engaging in any business activity or private work, whether paid or unpaid, officers must receive the consent of the appropriate Leadership Team. This will allow a decision to be made as to whether such employment or business activity conflicts with the Authority’s interest or in any way weakens public confidence in the Authority’s business. Notification of any business activity or private work must be given in writing.

2.3.2 The Leadership Team are authorised to give consent provided the activity or work:-

- will not interfere with the officer's official duties;
- does not generate a conflict of interest with Council business;
- does not relate in any way to the granting of planning permission or building regulation approval within the District, or to other decisions made by the Council or its officers (e.g. purchasing, improvement grants, mortgages); and
- does not in any way relate to contracts entered into by the Council.

2.3.3 The Members of the Leadership Team will give any consent in writing and will notify the Chief Executive so that a note can be retained on the officers personal file and central register held in Human Resources Service and a copy retained on a central register maintained by the Chief Executive.

2.3.4 Where consent of a member of the Leadership Team is, the officer concerned will have the right of appeal in the first instance to the Chief Executive and then through normal grievance procedures.

2.3.5 Where a business activity or form of private work is of a continuous nature, it shall be sufficient for the officer concerned to obtain one consent, provided that any change in the situation is notified by the officer at the earliest opportunity.

2.3.6 Where consent is given, the officer must ensure that it is made clear to all concerned that the activity has nothing to do with the Council and no liability rests with the Council. On no account must the activity be carried out during working hours and none of the Council's equipment or facilities should be used. In particular, telephone calls should not be taken at the offices of the Council and the Council's telephone number should not be given to third parties.

2.3.7 In the event that a fee is paid in respect of the provision of a service carried out by an individual in their capacity as an Officer of the Council, the fee should be made payable to the Council and not to the Officer concerned.

2.3.8 A register of other employment and payment for services will be maintained by the Chief Executive.

2.3.9 Officers are reminded of the relevant Scheme of Conditions relating to Official Conduct.

2.4 Acceptance of Gifts

2.4.1 The acceptance of gifts by officers in their individual capacity could be viewed with suspicion by members of the public and make the officer and the Council vulnerable to criticism. Officers should ask themselves the question: If a story appeared on the front page of a newspaper about the matter, would I be

embarrassed? If yes, then it indicates you should not be accepting the gift. **This principle should be considered for all offers of gifts and hospitality.** The Bribery Act 2010 introduced a number of offences relating to the receipt of bribes where a financial or other advantage is being transferred; if you have any concerns you should seek legal advice at the earliest opportunity. The overriding expectation of all officers is that as they occupy positions of trust, they will act in good faith and with impartiality.

- 2.4.2 Modest gifts of a promotional nature, given by way of trade advertisements to a wide range of people, are acceptable. These include calendars, diaries, tape measures and articles for office use, e.g. pens, notepads. Also acceptable are gifts, whether or not of a promotional nature, offered at the conclusion of a courtesy visit to a factory or other premises. It is considered that a modest gift would not exceed the value of £50.00 and receipt of any gift valued higher than this must be notified to the Chief Executive.
- 2.4.3 If an officer receives a significant gift i.e. of a value estimated at over £50.00 without warning (for example, via the post), the officer should immediately inform the appropriate member of the Leadership Team/Head of Service of this matter. The appropriate member of the Leadership Team will then become responsible, in consultation with the Chief Executive, in deciding upon the appropriate action to be taken. This action may involve the return of the gift to the sender or forwarding it on to some charitable or deserving cause, or other measures. The member of the Leadership Team concerned should inform the donor, in writing, of the action taken.
- 2.4.4 There may be occasions where it is not possible to refuse a significant gift without giving offence or where it would be churlish to refuse. In such cases the officer should immediately inform the appropriate member of the Leadership Team and enter receipt of the gift in the central register held by the Monitoring Officer.
- 2.4.5 In summary, if there is any doubt about whether a gift may be accepted, the gift should be politely and tactfully refused.

2.5 Offers and Acceptance of Hospitality

- 2.5.1 Whether officers should accept hospitality as a result of their employment at the Council is very much a matter of judgement given the particular circumstances. The principle mentioned at 2.4.1 above should be considered. It must be apparent that no cause could reasonably arise for adverse criticism of the Council or individuals following the acceptance of any hospitality. It is important that any suggestion of improper influence is completely avoided. In such instances where any suggestion of improper influence is even remotely possible, the offer of hospitality must be politely refused by the officer. This applies to offers to officers and to their immediate families.

2.5.2 The following hospitality would generally be considered acceptable:-

- (a) An offer of a drink following a site visit.
- (b) Hospitality offered by other non-commercial or charitable bodies, provided that there is a general understanding that no indebtedness will result from the acceptance.
- (c) Invitations to functions the officer represents the Council in an official capacity, for example, when invited to speak, opening ceremonies, trade shows.
- (d) Invitations to functions where attendance would be by virtue of the officer's position and as a representative of the Council.
- (e) A working lunch where acceptance does not put the individual's personal integrity, or that of the Council, into question.
- (f) Hospitality of the "corporate entertaining" nature, for example, at sports, social or training events, or at conferences (where others are being simultaneously entertained), is acceptable if there is a general understanding that no indebtedness will result from acceptance. Unless specifically authorised as a duty, the officer would be expected to take leave if it occurs during working time.

2.5.3 Offers of hospitality that appear immodest or lavish should be refused and the offer reported to the Monitoring Officer.

2.5.4 Prior to accepting any offer of hospitality, the views of the appropriate member of the Leadership Team or Chief Executive should be sought. Receipt of any hospitality should be entered in the central register held by the Monitoring Officer.

2.5.5 Breach of the above provisions with regard to the receipt of gifts and hospitality will result in disciplinary action being taken against the officer.

2.6 Sponsorship of Major Council Events, Activities or Publications

2.6.1 All offers of sponsorship should be notified to the Chief Executive. Any sponsorship with a value greater than £500 requires the approval of the Chief Executive.

2.6.2 The record of sponsorship will include:-

- (a) Name of sponsor and type of sponsorship offered; and
- (b) Approval or refusal of the Chief Executive, where appropriate.

Details are to be notified on the relevant form and forwarded to the Chief Executive for retention on the Central Register of Sponsorship.

2.7 Confidentiality and Accuracy of Information

- 2.7.1 The confidentiality of information received in the course of an officer's duty should be respected and should never be used for personal or political gain.
- 2.7.2 No officer shall communicate to the public the proceedings of any confidential section of the Council's meetings, etc. nor the contents of any document relating to the Council unless required to do so by law or expressly authorised to do so by the appropriate member of the Leadership Team. Confidentiality remains when the officer has left the employment of the Council.
- 2.7.3 Information given by an officer in the course of a duty should be true and fair and never designed to mislead.

2.8 Use of Council Facilities, Resources, etc

- 2.8.1 Any facilities, equipment, tools, etc. provided by the Council for use in an officer's duties should be used only for those duties and for no other purpose except where prior approval has been granted by the appropriate Member of the Leadership Team. This applies to all facilities and property, including use of telephones, photocopiers, vehicles or other similar equipment.
- 2.8.2 Where arrangements are in place for officers to make payment for the private use of equipment, such as telephone calls and photocopiers, their position of trust should not be abused. It should be noted this does not give officers the right to use these "paid for" services to the extent that such use interferes with the duties of their post. In particular, telephone calls should be restricted to urgent or emergency use only and the Council's telephone numbers should not be given to third parties.
- 2.8.3 No officers should use their position to gain the use of Council or other services without payment of the appropriate charges. The approved arrangements for the use of equipment, services, etc for private use should always be followed.

2.9 Political Interest/Activity

- 2.9.1 Officers are reminded of their political neutrality and that they serve the Council as a whole and must ensure that the individual rights of members are respected.

- 2.9.2 It is vital that both the Council and the public are confident that officers will serve loyally and impartially. It is essential that in fulfilling their duties and responsibilities officer's own political views do not influence decisions or recommendations.
- 2.9.3 Officers should not carry out any political activity which in any way might confuse the public about whether or not they are still acting as a Council officer.
- 2.9.4 Certain posts are designated as "politically restricted" and have additional conditions laid on them. These posts will have been identified and details issued previously, should there remain any uncertainty officers should contact Human Resources for advice.

2.10 Equality Act and Discrimination

- 2.10.1 The Equality Act 2010 sets out the legal requirements concerning the promotion of equality, eliminating discrimination for everyone protected by the Act. The protected characteristics under the Act are, age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief and sexual orientation. Officers are required to ensure they do not directly or indirectly discriminate against colleagues, customers applying for a job or customers in receipt of services from the Council.

2.11 Failure to comply

- 2.11.1 The conduct of all officers should be such that they remain immune from any criticism or suspicion that their actions or decisions have been unduly influenced. Officers are expected to use common sense in assessing any situation where this could be construed. No officers should act in any manner that could give rise to such accusations.
- 2.11.2 It is the responsibility of every officer to maintain the standards and integrity expected in public service. It is also each officer's responsibility to bring to the attention of the appropriate member of the Leadership Team any deficiency in the provision of that service and report any impropriety or breach of procedure.
- 2.11.3 Any officer failing to comply with this code of conduct will be liable to disciplinary action which may result in their dismissal.

Guidelines relating to Conduct of Officers

Local Government Act 1972 – Extract

Section 117

- 117-(1) If it comes to the knowledge of an officer employed, whether under this Act or any other enactment, by a local authority that a contract in which he has any pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the authority or any committee thereof, he shall as soon as practicable give notice in writing to the authority of the fact that he is interested therein.

For the purposes of this section an Officer shall be treated as having indirectly a pecuniary interest in a contract or proposed contract if he would have been so treated by virtue of section 95 above had he been a member of the authority.

- (2) An officer of a local authority shall not, under colour of his office or employment, accept any fee or reward whatsoever other than his proper remuneration.
- (3) Any person who contravenes the provisions of subsection (1) or (2) above shall be liable on summary conviction to a fine not exceeding (Level 4 on the standard scale).

Part 5 – Section 3

**PROTOCOL ON
MEMBER/OFFICER
RELATIONS**

PROTOCOL ON MEMBER/OFFICER RELATIONS

1. INTRODUCTION

- 1.1 The relationship between Members (referred to as councillors) and officers is an essential ingredient that goes into the successful working of the organisation. This relationship within Lichfield District Council is characterised by mutual respect, informality and trust. Councillors and officers feel free to speak to one another openly and honestly. Nothing in this Protocol is intended to change this relationship. The purpose of this Protocol is rather to help councillors and officers to perform effectively by giving guidance on their respective roles and expectations and on their relationship with each other. The Protocol also gives guidance on what to do on the rare occasions when things go wrong. Responsibility for the operation of this Protocol lies with the Head of Corporate Services.
- 1.2 The Protocol must be read and operated in the context of any relevant legislation and Codes of Conduct for Members and for Officers and any procedure for confidential reporting.

2. ROLES OF COUNCILLORS AND OFFICERS

- 2.1 The respective roles of councillors and officers can be summarised as follows:

Councillors and officers are servants of the public and they are indispensable to one another. But their responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council, the Cabinet, and relevant committees, panels, etc.

Mutual respect between Councillors and officers is essential to good local government.

2.2 Councillors

Councillors have three main areas of responsibility: determining the policy of the Council and giving it political Leadership, representing the Council externally, and acting as advocates on behalf of their constituents. It is not the role of members to involve themselves in the day to day management of Council services.

2.3 Members of the Cabinet, Chairmen of Committees

Members of the Cabinet and Chairmen of Committees, Panels etc have additional responsibilities. Because of those responsibilities, their relationships with officers may be different from, and more complex than those of councillors without those responsibilities, and this is recognised in the expectations they are entitled to have.

2.4 Opposition Members

As individual members of the Council, all councillors have the same rights and obligations in their relationship with officers and should be treated equally. This principle is particularly important in the context of scrutiny and overview. However, where a political group forms an administration, either alone or in partnership with another group or groups, it is recognised that the relationship between officers, particularly those at a senior level in the organisation, and the administration will differ from that with opposition groups.

2.5 Officers

The role of officers is to give advice and information to members and to implement the policies determined by the Council.

Certain officers e.g. Head of Paid Service, Monitoring Officer and Chief Finance Officer (Section 151 Officer) have responsibilities in law over and above their obligations to the Council and its Members that they must be allowed to discharge.

3. **EXPECTATIONS**

Councillors can expect from officers:

- A commitment to the Council as a whole, and not to any political group
- A working partnership
- An understanding of and support for respective roles, workloads and pressures
- Timely response to enquiries and complaints
- Professional advice, not influenced by political views or preference, which does not compromise the political neutrality of officers.
- Regular, up to date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold
- Awareness of and sensitivity to the political environment
- Respect, dignity and courtesy
- Training and development in order to carry out their role effectively

- Integrity, mutual support and appropriate confidentiality
- Not to have personal issues raised with them by officers outside the agreed procedures
- That officers will not use their relationship with members to advance their personal interests or to influence decisions improperly
- That officers will at all times comply with the Officer Code of Conduct

Officers can expect from councillors:

- A working partnership
- An understanding of and support for respective roles, workloads and pressures
- Political Leadership and direction
- Respect, dignity and courtesy
- Integrity, mutual support and appropriate confidentiality
- Not to be subject to bullying or to be put under undue pressure. Members should have regard to the seniority of officers in determining what are reasonable requests, having regard to the power relationship between members and officers, particularly at junior levels
- That councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly
- That councillors will at all times comply with the relevant Code of Conduct

4. WHEN THINGS GO WRONG

Procedure for officers

- 4.1 From time to time the relationship between councillors and officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager or councillor, officers will have recourse to the Harassment and Grievance Procedures or to the Council's Monitoring Officer, as appropriate to the circumstances. In the event of a grievance or complaint being upheld, the matter will be referred to the Chief Executive, who, having advised the Leader of the Council and the appropriate Group Leader will decide on the course of action to be taken, following consultation with the Chairman and Vice Chairman of the Audit and Member Standards Committee.

Procedure for Councillors

- 4.2 In the event that a councillor is dissatisfied with the conduct, behaviour or performance of an officer, the matter should be raised with the appropriate member of Leadership Team (LT). Where the officer concerned is a member of LT, the matter should be raised with the Chief Executive. Where the officer concerned is the Chief Executive, the matter should be raised with a Director. If the matter cannot be resolved informally, it may be necessary to consider mediation or invoke more formal employment procedures depending on the circumstances.