

# TOWN AND CINQUE PORT OF HYTHE



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## PROTOCOL FOR COUNCILLOR / OFFICER RELATIONS

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Minute 318/20

GOVERNING BODY: HYTHE TOWN COUNCIL, TOWN COUNCIL OFFICES, OAKLANDS, 1 STADE STREET,  
HYTHE, KENT. CT21 6BG



## **Protocol - Councillor/Officer Relations**

Mutual trust and respect between Councillors and employees are at the heart of a Council's good governance. They are essential if the partnership necessary for the effective running of a local authority is to succeed. This protocol is a guide to the basic elements of the relationship between councillors and employees. Its purpose is:

- To promote trust, openness, fairness, and honesty by establishing ground rules.

To define roles so as:

- To clarify responsibilities.
- To avoid conflict.
- To prevent duplication or omission.
- To secure compliance with the law, codes of conduct and the Council's own practices.
- To lay down procedures for dealing with concerns by councillors or employees.

This protocol should be recognised both as a central element of the Council's corporate governance and as a commitment to upholding standards of conduct in public life. It is one way of demonstrating to the public at large that the local government is serious about protecting and enhancing its integrity and reputation.

## **Principles**

Councillors and employees must always observe this protocol.

The protocol is based on the model drawn up by the Association of Council Secretaries and Solicitors and has been approved by the Council's Standing Orders Committee which will monitor its operation.

The protocol seeks to maintain and enhance the integrity (real and perceived) of local government which demands the highest standards of personal conduct. Councillors and employees must always respect the roles and duties of each other. They must show respect in all their dealings by observing reasonable standards of courtesy, and by not seeking to take unfair advantage by virtue of their position.

The Council has adopted codes of conduct for both councillors and employees. Both represent best practices. The councillors' code follows the national code which in turn is based on the general principles governing councillors' conduct enshrined in law. These principles underpin this protocol.

Breaches of this protocol by a councillor may result in a complaint to the Standards Committee if it appears the councillors' code has also been breached.



Breaches by an employee may lead to disciplinary action.

## **The Roles of Councillors and Officers**

Whilst Councillors and employees are indispensable to one another their responsibilities are distinct.

Councillors are accountable to the electorate and serve until their term of office expires.

Officers are employed by and are responsible to the Council as a whole. They are not responsible to any one political party or any individual councillor or co-opted member. Officers are subject to the Council's employment procedures and management disciplines. Their job is to advise councillors and to perform the Council's work under the direction of Council decision-making bodies and the overall management of the Town Clerk.

### **Councillors are responsible for:**

- Providing a focus for community leadership in local wards and acting as advocates on behalf of constituents.
- Giving the authority to political leadership and deciding on overall Council policy.
- Making decisions within overall Council policy.
- The scrutiny of Council policy and services.
- Representing the area and the Council externally.

Councillors have several roles and need to be alert to the potential for conflicts of interest which may arise between roles. Where such conflicts are likely, Councillors may wish to seek the advice of senior colleagues, the relevant senior officer(s), and/or the Monitoring Officer.

Collectively, Councillors are the ultimate policymakers determining the core values of the Council and approving the authority's policy framework, strategic plans, and budget. Councillors represent the community, act as community leaders, and promote the social, economic, and environmental well-being of the community often in partnership with other agencies. Every Councillor represents the interests of and is an advocate for, his/her Ward and individual constituents. He/she represents the Council in the Ward, responds to the concerns of constituents, meets with partner agencies, and often serves on local bodies.

As politicians, Councillors may express the values and aspirations of the party-political groups to which they belong, recognising that in their role as Councillors, they have a duty always to act in the public interest.



Councillors are not authorised to instruct employees other than:

- Through the formal decision-making process.
- To request the provision of consumable resources provided by the Council for Councillors' use.
- Where employees have been specifically allocated to give support to a Councillor or group of Councillors.
- In the case of political assistance.

Councillors are not authorised to initiate or certify financial transactions or to enter into a contract on behalf of the Council. Councillors must avoid taking actions which are unlawful, financially improper or likely to amount to maladministration. Councillors have an obligation under their code of conduct to have regard when reaching decisions to any advice provided by the Monitoring Officer or the Section 151 Officer.

Councillors must respect the impartiality of employees and do nothing to compromise it, for example by insisting that an employee change his/her professional advice.

**Council Officers are responsible for:**

- Providing professional advice and relevant information (objectively and impartially) to elected members when they are formulating policy and taking decisions or scrutinising the decisions and actions of others.
- Implementing decisions made by Councillors/committees.
- Taking managerial and operational decisions in accordance with the Council's schemes of delegation.

**Councillors can expect from officers:**

- A commitment to the Council as a whole and not to any single part of it nor to any political group.
- Respect, courtesy, and the highest standards of professional and personal integrity.
- Timely and informative responses to enquiries and complaints.
- Appropriate confidentiality and discretion.

**Officers can expect from Councillors:**

- Respect, courtesy and the highest standards of ethics and integrity.
- Effective leadership.
- Not to abuse their authority.



Officers have a duty to present impartial information and to keep Councillors of all political groups fully informed regarding developments of significance in relation to Council activities. Care must be taken by both officers and Councillors to ensure that officers' political impartiality is not compromised. Members of the Council must take special care to avoid and to be seen to avoid placing pressure on officers to act other than in an impartial way. This is particularly important given their additional responsibilities and decision-making powers.

Appointments of the Town Clerk are made by the Personnel sub-committee.

Staffing matters (including discipline, training, setting, and monitoring targets) are dealt with by the Town Clerk, although the personnel sub-committee will agree to targets and performance-related pay in the case of the Town Clerk.

As indicated in the Scheme of Delegation to Officers, the Town Clerk may provide the press with information, but the comment will only be provided by the officers with the prior consent of the Town Clerk, subject to the powers delegated.

The political parties represented on the Council hold regular group meetings. (not on Council owned property) Officers do not usually advise during these meetings but may be invited to give information. All invitations should be cleared by the Town Clerk.

The Town Clerk attends informal meetings with the sub-committees and working groups. At such meetings, preliminary consideration may be given to forthcoming policy issues, but no Key Decisions will – or can by law - be taken. Policies will be reviewed by the Standing Orders Committee.

Officer advice and analysis will be made available to sub-committees – for example, in relation to their preparation of an alternative budget prior to the annual meeting of the Council that sets the annual budget and Council tax.

Employees are responsible for giving advice to Councillors to enable them to fulfil their roles. In doing so, employees will consider all available relevant factors. Under the direction and control of the Council, employees manage and provide the Council's services within the framework of responsibilities delegated to them. This includes the effective management of employees and operational issues. Employees have a duty to implement decisions of the Council, which are lawful, and which have been properly approved in accordance with the requirements of the law and the Council's Constitution.

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. Employees must assist and advise all parts of the Council. They must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions. Employees must be



alert to issues which 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.

Employees have the right not to support Councillors in any role other than that of an employee, and not to engage in actions incompatible with this protocol. In particular, there is a statutory limitation on employees' involvement in political activities.

Officers will give advice and information to any Councillor or group of Councillors whether from the Full Council or Scrutiny.

The Town Clerk and members of the sub-committees/working groups will meet regularly to ensure that:

- There is a coherent approach to the formulation of policy advice to Councillors.
- The agreed priorities, policies and projects of the Council are delivered.
- The strategic direction of the Council's management is coordinated.
- Internal controls on service implementation are effective.
- Management arrangements are cost-effective and efficient.
- External reporting requirements are honoured.

### **The Decision-Making Process**

Decisions such as the setting of Council Tax can only be made by the full Council. Decisions by party political groups are not Council decisions and should not be presented as such to the public and press. Representations to a political group by interested parties on any matter for Council decision are not representations made to the Council.

In the event of a challenge, attention may focus on whether the decision-making body or individual, was authorised to make that decision.

On the Council side, the Standing Orders and Financial Regulations therefore indicate:

- Which decisions are reserved for the full Council.
- Which decisions may be made by each of the committees answerable to the Council.
- Which decisions may be made by the officers under powers delegated to them by those committees.

The sub-committees determine:

- Which decisions shall be reserved for the full Council.
- Which executive decisions may be made by the officers under powers delegated to them.



## **Scrutiny**

Scrutiny committees have the power to require Council members and officers to appear before them and answer questions. So far as Councillors are concerned, scrutiny committees should, wherever possible, require attendance only at meetings that appear in the Council diary.

Officers and Councillors are required to 'give an account' to relevant scrutiny committees of their decisions, advice, and actions. Scrutiny committees should normally only require officers above a certain grade to attend to ensure that more junior officers are not put under undue pressure. Accordingly, the Council's scrutiny committees will in normal circumstances only be able to require the attendance of the Town Clerk. However, to facilitate the proper conduct of business, the Town Clerk may arrange, as necessary, for other staff to attend meetings to assist.

The Council has determined that there should be no formal separation of officer support between the executive and scrutiny functions. The Town Clerk has overall responsibility for ensuring that staffing support is adequate overall. To assist this, the Town Clerk and the Chairperson of the Council will be responsible for ensuring that proper officer support is provided for scrutiny.

### **Reports to the Leadership Team, Committees, and other Council Bodies.**

Reports to the Council are usually prepared by officers (operating under the management of the Town Clerk). Each report will contain their advice and, if they are for committee or Council decision-making,

Reports to other Council bodies, bar some scrutiny committee reports, are prepared by officers, and contain advice to Councillors. If Councillors decide not to follow that advice the correct course is for them to do so in a formal meeting and for the meeting to decide upon an alternative course of action. Officers must give full and impartial advice and should not exclude options if these are valid alternatives on the assumption that they may be unacceptable to one political group.

Committee members and chairs of committees (including scrutiny bodies) may receive draft versions of reports to consider the issues. There is nothing improper in reports being subsequently amended by an officer if preliminary consideration discloses that key issues have not been adequately explained or that relevant options have not been properly addressed.

Councillors cannot instruct an officer not to present a report if the officer considers it proper to do so. If the report is not regarded as appropriate by the relevant Councillor body, the remedy is for that body to not agree with its recommendations.

Reports of scrutiny panels are usually drafted by officers depending on the arrangements in place, but they remain the reports of the relevant panel. In this instance it is acceptable for members of the panel to ask for draft reports to be amended.



## **Briefings**

Councillors may meet informally and in private with the Town Clerk to receive briefings and to ensure that the work necessary for making key decisions is progressing and will be completed on time. They may also consider the implications and consequences of such decisions, make plans to obtain the views of service users, residents, and communities, and assess the legal, financial and equity considerations involved in the decision.

When this work is complete, meetings of the Committee that make key decisions must be conducted in public (subject to the rules allowing the resolution to exclude the public for any item on the grounds set out in the Local Government Act 1972).

## **Working Relationships**

There must be mutual respect between Councillors and officers. Officers cannot respond to public comments from Councillors. This means that Councillors must take care of public comment regarding individual officers and not seek to undermine their position with personal criticism, rudeness, abuse, or ridicule. This does not prevent Councillors from criticising reports, actions and work of a department or section of the Council, where they believe such criticism is merited or from expressing concern about the way a Council department has acted, or dealt with a constituent, or a service has performed generally. But the manner of such criticism should have regard to this guidance. When officers are called to give evidence to or appear before scrutiny committees, Councillors must treat those officers courteously.

## **The Council as Employer**

Employees are employed by the Council as a whole. Councillors' roles are set out in the Employee Employment Procedure Rules. If participating in the appointment of employees, Councillors should:

- Remember that the sole criterion is merit (other than in the case of political assistants where political consideration may apply).
- Never canvass support for a particular candidate.
- Never take part where one of the candidates is a close friend or relative.
- Not to be influenced by personal preferences.
- Not favour a candidate by giving him/her/them information not available to the other candidates.

Regular contact between Councillors and officers is necessary to ensure the efficient working of the Council. Councillors and officers should have regard for and respect for their different roles in such contacts. The level at which contact occurs will vary depending on the nature of the service and the reason for the contact. In general, contact will be with the Town Clerk, but Councillors





may, for example, need direct contact with relatively junior staff when dealing with constituency casework. Councillors should always bring concerns about issues affecting a department directly to the attention of the Town Clerk and not to more junior staff.

Approaches by Councillors to junior officers are proper when casework is detailed and ongoing or matters are routine but Councillors should keep the Town Clerk informed by copying them into correspondence, e-mails, etc and routing general enquiries through them. Councillors should not seek views on policy issues or non-routine business from more junior members of staff. Councillors must not give instructions to junior staff as this may undermine the formal accountability of staff to their line manager and compromise the political impartiality of the officer concerned. Junior staff are advised to respond promptly and courteously to Councillors' requests for information or routine enquiries but to refer any concerns or wider policy matters to the Town Clerk.

If a Councillor has a complaint about a junior officer, it should be raised with the Town Clerk. If the complaint concerns the Town Clerk, it should be raised with the Chairperson and Chairperson of the Personnel sub-committee who will consider how it should be dealt with.

Councillors will also have contact with junior officers when visiting Council offices. Relevant Chief Officers should be advised in advance of Councillor visits to front-line services unless the visits are of a statutory inspection nature in which case other procedures may apply. Special circumstances may also warrant unannounced visits.

Councillors need to take particular care if their paid employment brings them into contact with officers of the Council. Councillors must not abuse their position as elected representatives to obtain the information they require in their professional capacity which would not otherwise be available to them. The Councillors' Code of Conduct provides that they must not use their position as a member improperly to confer on or secure for themselves or any other person an advantage or disadvantage. It may be difficult for officers to distinguish between the professional role of the Councillor concerned and their role as an elected representative. Such situations should be avoided wherever possible.

Officers must not seek to avoid staff consultative, dispute processes or other procedures by lobbying Councillors on matters which directly concern them as employees. If Councillors believe they have been approached by a member of staff in this way, they should let the Monitoring Officer know immediately.

If an officer believes that a Councillor may be in breach of the Councillors' Code of Conduct, they should inform the Town Clerk. The Town Clerk will then decide whether to seek advice from the Monitoring Officer.



The conduct of Councillors and employees should be such as to instil mutual confidence and trust. The key elements are a recognition of and respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each other, both publicly and privately.

Informal and collaborative two-way contact between Councillors and employees is encouraged. But personal familiarity can damage the relationship, as might a family or business connection. Councillors and employees should inform the Monitoring Officer of any relationship which might be seen as unduly influencing their work in their respective roles.

It is not enough to avoid actual impropriety. Councillors and employees should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, a Councillor should not sit on a body or participate in any decision which directly affects the employee on a personal basis.

Apart from political assistants, employees work at the instruction of the Town Clerk, not individual Councillors. It follows that, whilst such employees will always seek to assist a Councillor, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is purely to seek information, Councillors should normally direct their requests and concerns to the Town Clerk, at least in the first instance.

Employees will do their best to give timely responses to Councillors' enquiries. However, employees should not have unreasonable requests placed on them. Their work priorities are set and managed by senior managers. Councillors should avoid disrupting employees' work by imposing their own priorities. Councillors will endeavour to give timely responses to enquiries from employees.

An employee shall not discuss with a Councillor personal matters concerning him/herself/themselves or another individual employee. This does not prevent an employee from raising on a personal basis, and in his/her/their own time, a matter which his/her/their Ward Councillor.

Councillors and employees should respect each other's free time (i.e., non-Council related).

A Councillor should not serve on an appeal hearing if the appellant is a friend, a relative, or an employee with whom the Councillor has had a working relationship.

### **Council Members and Employees**

Council Members will take decisions in accordance with the standing orders and will not otherwise direct employees. The Town Clerk will be responsible for instructing employees to implement the decisions of the Council.



The Town Clerk has the right to submit papers to the Council as a whole or to individual Council Members for consideration.

The Town Clerk and Council Members shall agree on mutually convenient methods of regular contact. Before taking any formal decision, the Council will seek appropriate professional advice from the Town Clerk.

Before any formal decisions with financial implications are taken by the Council the Town Clerk/Responsible Financial Officer must be consulted. This is to ensure that the Officers:

- Are aware of the proposed decision.
- Can offer advice.
- Are subsequently able properly to authorise the financial transactions needed to implement decisions.

An individual Council Member who is minded to write or commission a report to make a decision about a matter within his/her/their responsibility must ensure that those other Councillors and employees who need to know of the matter are so informed. There is a particular requirement to involve other Council Members on cross-cutting issues.

Council Members when making decisions (whether collectively or individually) must state the reasons for those decisions. The written record of the decisions must include the reasons.

Employees taking decisions under their delegated powers must consider the advisability of informing the relevant Council Member(s) of their intentions in advance when the matter to which the decisions relate is likely to be sensitive or contentious or have wider policy implications.

### **Close Personal Relationships**

Both Councillors and officers should take care not to give the impression that their distinct roles have become blurred in some way. Maintaining confidence in the separation of these roles necessarily imposes limitations on behaviour. Close personal relationships between Councillors and officers can confuse their separate roles and get in the way of the proper discharge of the authority's functions, not least in creating the perception in others that a particular Councillor or officer may secure advantageous treatment.

### **Access to Confidential Information**

Where confidential information is provided, it must not be divulged until it has been made public. As provided for in the Councillors' Code of Conduct, Councillors' conduct will address the statutory principles of the code of conduct by, amongst other requirements, ". respecting the confidentiality of information . . . by not disclosing confidential information to third parties unless required by law or where there is a clear and overriding public interest in doing so."



## **The Pre-Election Period**

Councillors and officers should be guided on protocol during the pre-election period before an election by specific advice issued by the Monitoring Officer, on the announcement of any election, by-election, or another relevant vote such as a referendum.

## **Members of Regulatory or Other Committees and Employees**

Designated Officers will offer to arrange regular informal meetings with Chairs, Vice-Chairs and spokespersons of Regulatory or other Committees.

Designated Officers have the right to present reports and give advice to Regulatory or other Committees.

Members of a Regulatory or other Committees shall take decisions within the remit of that Body and will not otherwise instruct employees to act.

## **Party Groups and Employees (Excluding Political Assistants)**

The Town Clerk may properly be asked to contribute to deliberations of matters concerning Council business by Working party groups. An employee who is not the Proper Officer shall not be invited to attend a party group meeting, but the Town Clerk may nominate another employee to attend on his/her/their behalf.

Employees have the right to refuse such requests and will normally not attend a meeting of a Working party group where some of those attending are not Councillors. If some of those present are not Councillors care must be taken not to divulge confidential information relating to Council business. Persons who are not Councillors are not bound by the Councillors' Code of Conduct. They do not have the same rights to Council information as Councillors. No Councillor will refer in public or at meetings of the Council to advise information given by employees to a party group meeting.

Employee support will not extend beyond providing information or professional advice in relation to matters of Council business. Employees must not be involved in advising on matters of party business, and therefore should not be expected to be present at meetings or parts of meetings when such matters are to be discussed. The duration of an employee's attendance at a Working party group meeting will be at the discretion of the group, but an employee may leave at any time if he/she/they feel it is no longer appropriate to be there.

Working Party group meetings are not empowered to make decisions on behalf of the Council, and conclusions reached in such meetings do not rank as formal decisions. The presence of an employee confers no formal status on such meetings in terms of Council business and must not be interpreted as doing so. Where employees provide information and advice to a party group in relation to a matter of Council business, this is not a substitute for providing all the necessary



information and advice when the matter in question is formally considered by the relevant part of the Council.

It must not be assumed that an employee is supportive of a particular policy or view considered at a Working party group meeting simply because he/she/they have attended or provided information to the meeting. An employee should be given the opportunity of verifying comments and advice attributed to him/her/them in any written record of a working party group meeting.

Employees will respect the confidentiality of any working party group discussions at which they are present and, unless requested to do so by the party group, will not relay the content of such discussions to another party group or to any other Councillors. This shall not prevent an employee from providing feedback to the Town Clerk on a need-to-know basis.

In their dealing with working party groups, employees must treat each group in a fair and even-handed manner. An employee accepting an invitation to the meeting of a one-party group shall not decline an invitation to advise another group about the same matter. He/she/they must give substantially the same advice to each.

Councillors must not do anything which compromises or is likely to compromise employees' impartiality.

Any cases of difficulty or uncertainty in relation to this part of the protocol should be raised with the Town Clerk and the relevant Working party group leader.

### **Ward Councillors and Employees**

To enable them to carry out their Ward role effectively, Councillors need to be informed regarding matters affecting their Ward. The Town Clerk must ensure that all relevant employees are aware of the requirement to keep local Councillors informed, allowing Councillors to contribute to the decision-making process and develop their representative role.

This requirement is particularly important:

- During the formative stages of policy development, where practicable.
- In relation to significant or sensitive operational matters.
- Whenever any form of public consultation exercise is undertaken.
- During an overview and scrutiny investigation.

Whenever a public meeting is organised by the Council to consider a local issue, all the Councillors representing the Wards affected should be invited to attend the meeting as a matter of course. If a Ward Councillor intends to arrange a public meeting on a matter concerning some aspect of the Council's work, he/she/they should inform the relevant employee.



Provided the meeting has not been arranged on a party-political basis:

- An employee may attend but is not obliged to do so.
- The meeting may be held on Council-owned premises.

No such meetings should be arranged or held in the immediate run-up to Council elections.

Whilst support for Councillors' Ward work is legitimate, care should be taken if employees are used to accompanying Councillors to Ward surgeries. In such circumstances:

- The surgeries must be open to the public.
- Employees should not be requested to accompany Councillors to surgeries held in the offices or premises of political parties.

Employees must never be asked to attend Ward or constituency political party meetings.

In seeking to deal with constituents' queries or concerns, Councillors should not seek to jump the queue but should respect the Council's procedures. Employees have many pressures on their time. They may not be able to carry out the work required by Councillors in the requested timescale and may need to seek instructions from the Town Clerk.

### **Councillor's Access to Documents and Information**

This part of the protocol should be read in conjunction with the Access to Information Rules.

Councillors may request Officers to provide them with such information, explanation, and advice as they may reasonably need to assist them to discharge their roles as Councillors. This may range from general information about some aspect of the Council's services to specific information on behalf of a constituent. Where information is requested on behalf of a third party, it will only be provided if:

- It is in the public domain.
- It is not barred by the Data Protection Act from being given.

Disputes as to the validity of a Councillor's request to see a document on a need-to-know basis will be determined by the Monitoring Officer. Employees should seek his/her/their advice if in any doubt about the reasonableness of a Councillor's request.

A Councillor should obtain advice from the Monitoring Officer in circumstances where he/she/they wish to have access to documents or information:

- Where to do so is likely to be in breach of the Data Protection Act.
- Where the subject matter is one in which he/she/they have a personal or prejudicial interest as defined in the Councillors' Code of Conduct.



Information given to a Councillor must only be used for the purpose for which it was requested.

It is an accepted convention that a Councillor of the one-party group will not have a need to know and therefore a right to inspect a document which forms part of the internal workings of another party group.

Councillors and employees must not disclose information given to them in confidence without the consent of a person authorised to give it, or unless required by law to do so. When requested to do so, employees will keep confidential from other Councillors' advice requested by a Councillor.

Councillors and employees must not prevent another person from gaining access to information to which that person is entitled by law.

### **Media Relations**

All formal relations with the media must be conducted in accordance with the Council's agreed procedures and the law on local authority publicity.

Press releases or statements made by employees must promote or give information on Council policy or services. They will be factual and consistent with Council policy. They cannot be used to promote a party group.

Employees will keep relevant Councillors informed of media interest in the Council's activities, especially regarding strategic or contentious matters.

Before responding to enquiries from the media, employees shall ensure they are authorised to do so. Likewise, employees will inform the Town Clerk of issues likely to be of media interest since the Town Clerk is often the media's first point of contact.

If a Councillor is contacted by, or contacts, the media on an issue, he/she/they should:

- Indicate in what capacity he/she/they are speaking (e.g., as Ward Councillor, in a personal capacity, as a Cabinet Member, on behalf of the Council, or on behalf of a party group).
- Be sure of what he/she/they want to say or not to say.
- If necessary, and always when he/she/they would like a press release to be issued, seek assistance from the Council's press office and/or relevant Designated Officer, except in relation to a statement which is partly political in nature.
- Consider the likely consequences for the Council of his/her/their statement (e.g., commitment to a particular course of action, image, allegations of jumping to conclusions).
- Never give a commitment in relation to matters which may be subject to claims from third parties and/or are likely to be an insurance matter.
- Consider whether to consult other relevant Councillors.





- Take particular care in what he/she/they say in the run-up to local or national elections to avoid giving the impression of electioneering unless he/she/they have been contacted as an election candidate or political party activist.

## **Correspondence**

Correspondence between an individual Councillor and an employee should not be copied to another Councillor unless the author expressly intends and states that this is the case or consents. Where correspondence is copied, this should always be made explicit, i.e., there should be no “blind” copies.

Official letters written on behalf of the Council should normally be in the name of the Town Clerk. It may be appropriate in some circumstances (e.g., representations to a government minister) for letters to appear in the name of a Council Member.

The Mayor may initiate correspondence in his/her/their own name.

Letters which create legally enforceable obligations, or which give instructions on behalf of the Council should never be sent in the name of a Councillor.

When writing in an individual capacity as a Ward Councillor a Councillor must make clear that fact.

If direct discussion with the employee is inappropriate (e.g., because of the seriousness of the concern) or fails to resolve the matter, the Councillor should raise the issue with the employee’s Manager.

A serious breach of this protocol by an employee may lead to an investigation under the Council’s disciplinary procedure.

An employee who believes a Councillor may have acted other than in accordance with this protocol should raise his/her/their concern with the Monitoring Officer he/she/they will consider how the complaint or allegation should be dealt with. At a minor level, this may be no more than informally referring the matter to the Leader of the relevant party group. More serious complaints may involve alleged breaches of the Councillors’ Code of Conduct and may be referred to the Standards Committee.





## **Attendance at Seminars and Conferences**

There is a presumption that only essential conferences will be attended. The term 'conference' is used to mean any paid-for event, including seminars and workshops, attended by a Councillor or employee of Hythe Town Council.

Essential conferences are to be defined as:

- Those that meet identified Councillor or employee development needs as defined by individual Councillor or Employee Development Reviews that have been conducted in accordance with established procedures.
- Those for which the costs and benefits to the Council have been evaluated.

Attendance at paid-for conferences will require prior approval by the responsible budget holder regardless of cost.

The maximum total number of Councillors and/or employees attending any individual conference shall be three, but the presumption shall be for one.

One employee may accompany a Councillor or Councillors at any individual conference.

The presumption shall be that one employee representing Hythe Town Council may attend a conference.

Following attendance, at any conference, a written report shall be prepared by the Councillor or employee attending and must include a summary of the key implications for the Council. The report shall be submitted, in the case of Councillors to a relevant Committee or Panel of the Council or, in the case of employees Management Team.

