

# TELSCOMBE TOWN COUNCIL



## **MEMBER/OFFICER RELATIONS PROTOCOL POLICY**

### **Status of the Code**

This policy applies to all Councillors elected to Telscombe Town Council, any co-opted members, employees and volunteers who work for and with the Town Council.

This code is in addition to the Code of Conduct adopted by Council on 28th September 2022 which specifically relates to Councillors.

This code builds on and reflects Nolan's seven principles of public life (see appendix 1 for definitions).

The code sets out the standards expected of Councillors and employees, provides a framework and identifies where good practice can support and encourage good working relationships between Councillors, employees and members of the public.

A copy of this code will be published on our website and will be issued to all Councillors and employees.

### **Statement of Policy**

All Councillors and employees are expected to give the highest possible standard of service to the public and to act with impartiality.

Telscombe Town Council will ensure that it treats people fairly, consistently and with respect; all staff and Councillors must adhere to relevant policies promoting equality and diversity in all matters agreed by the Council which reflect both the law and good practice.

Councillors and employees should avoid actual impropriety and the appearance of improper conduct which could give rise to suspicion, complaints and adverse comments which may bring the Council into disrepute.

### **Mutual Obligations**

It is essential that there are good working relationships between employees and Councillors. Colleagues should treat each other with dignity and respect. Employees and Councillors should be aware of the bullying and harassment legislation and guidance.

Close personal familiarity between employees and individual Councillors can damage the working relationship between other employees and Councillors and should therefore be avoided to ensure effective working relationships.

Members of the community should be treated courteously, and provided with an effective and impartial service regardless of who they are or which group they belong to.

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## **Employee Responsibilities**

Employees are required to serve all elected members of the Council. They should ensure that the individual rights of elected representatives are respected.

Employees must carry out the decisions of the Council and should not allow personal, political opinions and relationships with Councillors to interfere with their work.

Staff are expected to conduct themselves with integrity, impartiality and honesty. They should not approach nor attempt to influence Councillors out of personal motives.

Employees should follow the Council's rules on the ownership of intellectual property or copyright created during their employment.

In general, employees' private interests must not be such as to have the potential for allegations of impropriety or partiality to be sustained thereby bringing the Council into disrepute. This includes standards of behaviour outside the working environment and in the use of social media in relation to elected members, fellow officers and the general public.

You should not use or abuse the Council's equipment and other resources for your own personal purposes, either at home or at the office, regardless of whether or not such use is for your personal gain.

However, in certain circumstances and with the prior agreement of the Town Clerk, it may be possible for you to make reasonable use of the Council's resources. In such a case, the Council will make an appropriate charge for the use of its resources, for example photocopying.

Employees should refer to the employment handbook on the further standards required and expected during their employment.

Employees should become familiar with and observe all Council policies relating to equality issues, e.g. the employment handbook and the Council's Equal Opportunities Policy, in addition to the requirements of the law.

## **Hospitality**

Offers of hospitality can only be accepted if there is a genuine need to impart information or represent the Council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. They should be authorised by the Town Clerk or in the case of the Town Clerk, the Chairman of the Employment sub-committee, in advance, whenever possible.

When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Town Council.

Employees should speak to the Town Clerk if they are unsure about accepting any gifts or hospitality and should refer to the staff handbook for further guidance.

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Employees should be aware that it is an offence under the Prevention of Corruption Acts for them to accept any gift or consideration as an inducement or reward for doing, or refraining from doing, anything in an official capacity or showing favour or disfavour to any person in an official capacity.

All hospitality offered, whether or not it is accepted, and all gifts offered or received, whether or not they are accepted or returned, must be entered in the Register of Hospitality and Gifts and a note made of the action taken.

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

## **Tenders/Contractors**

Employees who deal with, engage or supervise contractors or process or determine applications under delegated powers with whom they have previously had or currently have a relationship in a private or domestic capacity should declare that relationship to the appropriate manager.

Employees must not accept money or any other reward from anyone who may benefit from work or funding provided by the Council. To do so in law would be corrupt.

Employees must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work. While the Council recognises and respects the rights of all employees to hold personal or political opinions; employees should ensure that the expression of those opinions does not constitute a conflict of interest for their role with the Council.

## **Responsibilities of Councillors**

Employees and Councillors must declare relationships of a business or personal nature with external contractors (See Councillor code of conduct) or suppliers. The declaration should be made to the Town Clerk or in the case of the Town Clerk to the Chair of the Employment sub-committee at the earliest opportunity. All contracts must be awarded in compliance with the Council's standing orders and must not favour friends, partners or relatives.

Councillors should maintain a professional working relationship with employees.

Councillors are reminded of their responsibility under their Code of Conduct with regard to conflicts of interest in relation to tenders and contractors.

## **Staff Appointments/Management**

All staff appointments to the Council must be made on merit. Any candidate known to employees or members should be declared to the Town Clerk. The Town Clerk should make any declaration to the Chairman of the Employment Sub-Committee.

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Where an applicant is known to an employee or Councillor, they should not become involved in the appointment process.

Employees must not be involved in the supervision/management of employees relating to discipline, promotion or pay of any employee to whom they are related or with whom they have a close personal relationship.

## **Conflict of Interests**

Employees and Councillors should ensure that their private interests/ employment/ council role do not conflict. They should seek advice if they are unsure if any activity might be a conflict of interest.

Employees should never put themselves in a position where there may be, or suspected to be, a conflict between their official position and private interest, whether remunerated or not. All employees are precluded from having any dealings with a Contractor to the Council where they or a close relative have any relationship, however remote, with that contractor.

If employees are privy to confidential information on tenders or costs for either internal or external contractors, they should not disclose that information to any unauthorised party or organisation.

Employees must declare to an appropriate manager any financial or non-financial interests that they consider could conflict with the Council's interests, for instance:

- Membership of an organisation receiving grant aid from the Council.
- Membership of an organisation or pressure group which may seek to influence the Council's policies.

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning the acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

## **Social media guidelines**

These guidelines apply to both Councillors and employees and are intended to protect the Council's reputation. It should be remembered that any use of social media can pose risks to the Council's confidential information and reputation and can jeopardise compliance with legal obligations.

The guidance applies to the use of social media for both work and personal purposes, whether during office hours or otherwise. This is regardless of whether the social media is accessed using Council IT facilities and equipment or equipment belonging to Councillors or members of staff.

Examples of popular social media tools include Twitter, Facebook, Wikipedia, You Tube, Pinterest, Instagram, and Linked In. These online tools allow users to interact with each other in some way by sharing information, opinions, knowledge and interests. Whilst these tools are very useful to share information quickly with other

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people, there are some pitfalls to be aware of. All staff and Councillors should therefore:-

- Be aware of and recognise your responsibilities identified in the Social Media Policy, and the Council's Code of Conduct.
- Remember that you are personally responsible for the content you publish on any form of social media.
- Never give out personal details of others such as home address and telephone numbers.
- Ensure that you handle any personal or sensitive information in line with the Data Protection legislation.
- When using social media for personal purposes, you must not imply you are speaking for the Council. Avoid use of the Council e-mail address, logos or other Council identification.
- Show respect to all - you should be respectful of the authority and employees.

No posts should contain comments about sensitive business-related topics and any posting should not be able to be misconstrued that could damage the Council's reputation directly or indirectly.

In general employees' private interests must not be such as to have the potential for allegations of impropriety or partiality to be sustained thereby bringing the Council into disrepute. This includes standards of behaviour outside the working environment and in the use of social media in relation to elected members, fellow officers and the general public.

## **Personal information**

Employees and Councillors should not misuse their official position or information acquired in their official duties to further their private interest or those of others.

## **Breach of the code**

Any breach of the code by an employee or a Councillor or its supporting policies and guidance may render either liable to disciplinary proceedings.

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## Appendix 1

### Nolan's Principles of Public Life

#### Holders of Public Office:

**Selflessness:** should act solely in terms of the public interest

**Integrity:** must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work.

**Objectivity:** must act and take decisions impartially, fairly and on merit using the best evidence and without discrimination or bias

**Accountability:** are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

**Openness:** should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so

**Honesty:** should be truthful

**Leadership:** should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.