



**ISLINGTON**

**PROTOCOL ON  
MEMBER/OFFICER  
RELATIONS**

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# PROTOCOL ON MEMBER/OFFICER RELATIONS

## 1. INTRODUCTION

- 1.1 The relationship between Councillors and officers is an essential ingredient of the successful working of the organisation. This relationship is characterised by mutual respect and trust. Councillors and officers should 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. All Members and officers should operate in compliance with the protocol. Responsibility for upholding the protocol rests with Group Leaders in relation to elected Members and with the Chief Executive and **Director of Corporate Resources** (as Monitoring Officer).
- 1.2 The Protocol must be read and operated in the context of any relevant legislation, and the Code of Conduct for members and staff. If members or officers are in any doubt about issues they should seek advice from either the Chief Executive or **Director of Corporate Resources**.
- 1.3 **References in this protocol to Chief Officers are to the Chief Executive, Directors and Assistant Directors and other officers reporting directly to Directors.**

## 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 to the authority, and to carry out the authority's work under the direction and control of the Council, the Executive and relevant committees etc. Officers are accountable to the Head of the Paid Service, who is the Chief Executive.

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

- 2.2 Councillors

Councillors have four main areas of responsibility:

- (a) determining the policy of the authority and giving it political leadership;

- (b) monitoring and reviewing the performance of the authority in implementing that policy and delivering services;
- (c) representing the authority externally and
- (d) acting as advocates on behalf of their constituents.

It is not the role of Councillors to involve themselves routinely in the day-to-day management of the authority's services. **They should not seek to give instructions to officers.**

### 2.3 Members of the Executive, Chairs and Vice-Chairs

Members of the Executive and Chairs and Vice-Chairs of Scrutiny and Area Committees and other bodies have additional responsibilities. Although they may have different relationships and more regular contact these Councillors must still respect the impartiality of officers, must not ask them to undertake work of a party political nature, or to do anything which would prejudice that impartiality.

### 2.4 Opposition Councillors

As individual Councillors, 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 the work of Scrutiny Committees.

### 2.5 Officers

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

Certain officers, e.g. Chief Executive and the Directors of Finance and Property Services and **Director of Corporate Resources** have responsibilities in law over and above their obligations to the authority and to individual Councillors. Councillors must respect these obligations, must not obstruct officers in the discharge of these responsibilities, and must not victimise officers for discharging these responsibilities.

## 3. EXPECTATIONS

### 3.1 Councillors can expect from officers:

- (a) A commitment to the authority as a whole, and not to any political group;
- (b) A working partnership;
- (c) An understanding of and support for respective roles, workloads and pressures;

- (d) Timely response to enquiries and complaints in accordance with agreed standards;
- (e) Professional advice, not influenced by political views or preference;
- (f) 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;
- (g) Awareness of and sensitivity to the political environment;
- (h) Respect, dignity and courtesy;
- (i) Training and development in order to carry out their roles effectively;
- (j) Integrity, mutual support and appropriate confidentiality;
- (k) Not to have personal issues raised with them by officers outside the agreed procedures;
- (l) That officers will at all times comply with the relevant Code of Conduct;
- (m) Support for the role of Councillors as the local representatives of the authority.

### 3.2 Officers can expect from Councillors:

- (a) A working partnership;
- (b) An understanding of and support for respective roles, workloads and pressures;
- (c) Political leadership and direction;
- (d) Respect, dignity and courtesy;
- (e) Integrity, mutual support and appropriate confidentiality;
- (f) Not to be subject to bullying or harassment. Councillors should have regard to the seniority and experience of officers in determining what are reasonable requests, having regard to the powerful relationship between Councillors and officers, and the potential vulnerability of officers, particularly at junior levels;
- (g) 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;
- (h) That Councillors will not publicly name officers or make detrimental remarks about officers during public meetings;

- (i) That Councillors will at all times comply with the relevant Code of Conduct.

### 3.3 Limitations upon behaviour

The distinct roles of Councillors and officers necessarily impose limitations upon behaviour. By way of illustration, and not as an exclusive list:

- (a) Close personal relationships between Councillors and officers can confuse these 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;
- (b) The need to maintain the separate roles means that there are limits to the matters on which they may seek the advice of officers, both in relation to personal matters and party political issues;
- (c) Relationships with particular individuals or party groups should not be such as to create public suspicion that an employee favours that Councillor or group above others. The issue of officer attendance and advice to political groups is specifically covered below.

## 4. PROVISION OF INFORMATION

### 4.1 Requests for written information

- (a) Councillors should be provided with adequate information about service or functions upon which they may be called upon to make or scrutinise decisions, or which affect their constituents. In the normal course of events this information will be made routinely available by officers in the form of reports, departmental plans etc. Members are encouraged to make use of existing sources of information wherever possible. This paragraph does not apply to draft reports.
- (b) In addition, any Councillor may ask the relevant Chief Officer for factual information about a service. These requests will be met where the Councillor has a legal right to the information. If that right arises under the Freedom of Information Act, the Councillor shall not be required to make a formal FOI request. All such information should be provided within 10 working days of the date of receipt of the request. IN circumstances where this is not practical, the Officer shall write to the Councillor within 10 days explaining why not and provide an alternative time scale.
- (c) Written information supplied to Councillor regarding the implications of **current** Council policies or containing statistical information about Council services shall also be copied to the relevant Executive

member.

- (d) The Leader of the Council or Leader of any of the other political groups may request the Chief Executive or the relevant Director, or other designated officer to prepare reports on matters relating to the authority for consideration by the group. Such requests must be reasonable and should not seek confidential information relating for instance to casework or personal details of applicants for services. Wherever possible, but subject to any overriding legal requirements, such requests will be met. However, if the officer considers that the cost of providing the information, or the nature of the request is unreasonable, the request will be referred to the Chief Executive for determination, where necessary in consultation with the Leaders of the political groups.
- (e) Officer reports to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the authority. Reports will not deal with any political implications of the matter or any option, and officers will not make any recommendation to a political group.

#### 4.2 "Briefings"

- (a) In order for them to discharge their responsibilities as Executive members, administration portfolio holders will be briefed by Chief Officers on service issues, proposals and policy development. Chief Officers may from time to time nominate other officers to attend these meetings. These informal meetings may be on a one off or regular basis, in accordance with the requirements of the Councillor concerned and will be in addition to the more formal monthly meetings between the Corporate Management Board ("CMB") and the Executive which are known as "Joint Board". These meetings consider, among other things, the matters which will eventually come for formal Executive decision. They are held in private and their agendas and reports are not made available either to the public or the Opposition Party.
- (b) The Opposition group has also nominated portfolio leads and if those leads so request, the relevant Chief Officers will make themselves available to meet with them to brief them on service issues. The Opposition may, if they wish, request the Chief Executive to convene a joint meeting of the Opposition portfolio holders and CMB once the Executive agenda has been published in order to brief the opposition on the matters arising from it. The Leader of the Opposition shall give the Chief Executive at least one week's notice of any request unless the meetings are prearranged on a standing basis.

- (c) The content of these informal briefing sessions shall remain confidential as between officers and the political group concerned.

#### 4.3 "News" items

- (a) When an event or development occurs in the borough which has or will have a significant impact on the Council or Islington residents, the Chief Executive will ensure that the Leaders of both political groups are informed as soon as possible.

#### 4.4 Ward Councillors

- (a) Chief Officers will ensure that ward Councillors are given information relevant to their ward on a regular basis. As well as letting ward members know when there has been a specific incident in their ward, ward members should be routinely notified about the following types of issue:

- Public consultation events affecting their wards
- Proposed changes to services sited within their wards
- Proposed significant traffic management orders
- Proposed anti-social behaviour dispersal orders

- (b) Ward Councillors shall be invited to public events, such as openings, festivals etc, in their wards. Such invitations shall be extended on a non party political basis.

#### 4.5 Officer Attendance at Group Meetings

- (a) The Leader of the Council or Leader of any of the other political groups may ask the Chief Executive or relevant Director, or other designated officers to give or arrange a private and confidential briefing for the party group on a matter of relevance to the Council;
- (b) Any briefing offered to or requested by a party group will be offered to the other party groups. Where possible such briefings should be to all or a combination of party groups;
- (c) No officer of the Council shall attend any political group meeting which includes non-Council members;
- (d) Officers' advice to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the authority. Advice will not deal with any political implications of the matter or any option, and officers will not make any recommendation to a political group.

## **5. WHEN THINGS GO WRONG**

### **5.1 Procedure for officers**

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, officers can have recourse to the Chief Executive, as appropriate to the circumstances. Officers also have recourse to the Council's Whistleblowing Procedure or can refer the matter to the Standards Board for England if they consider that a councillor has broken the Code of Conduct.

### **5.2 Procedure for Councillors**

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 Director. Where the officer concerned is a Director the matter should be raised with the Chief Executive. Where the employee concerned is the Chief Executive the matter should be raised with the **Director of Corporate Resources**.

No disciplinary action in respect of the Chief Executive, the Monitoring Officer (**Director of Corporate Resources**) or the **Director of Finance** may be taken other than in accordance with a recommendation in a report made by a designated independent person as set out in the Council's Constitution.

## **6. UNION ACTIVITIES/REPRESENTATIVES**

6.1 Officers may well belong to a trade union and/or political party. The mere fact of such membership will not of itself put an officer in breach of this protocol. However, they are nevertheless under a duty whilst carrying out their Council duties to abide by the officers Code of Conduct and treat members in a professional and impartial manner.

6.2 Those officers who are union representatives may have a number of different relationships with members. Whenever those relationships arise from their position as union representatives of Council staff, the provisions of this code will still apply.

6.3 Union representatives shall be entitled to speak to the press directly about matters on which they or the union as a whole has an interest.

## **7. MEDIA RELATIONS**

### **7.1 Introduction**

**Islington is a high profile local authority and attracts a lot of media attention. The council's media office is here to advise and support councillors and officers and to maintain and improve the council's corporate reputation by leading the development, implementation and delivery of an effective media**



relations service for the council. Islington's Media Office is based in the Town Hall, Room G12 and can be reached on 020 7527 3000.

Islington Council's Media Relations Procedures and Protocols offer guidance for officers and councillors. The information below is a summary of the legal position and the relationship between officers and councillors, but please refer to the procedures and protocols document in full for more information. Copies can be obtained by calling the media office on the number above. For further advice on any topic contact the media manager Susie Rundle on x3376, email [susie.rundle@islington.gov.uk](mailto:susie.rundle@islington.gov.uk) or head of external communications, Rob Storey on x3032, email [rob.storey@islington.gov.uk](mailto:rob.storey@islington.gov.uk)

## 7.2 The Legal Position

The media is a channel for communicating with Islington Council's many varied stakeholders and has a strong influence over how people view the council and its services. It is therefore crucial that media communications is managed effectively and with due regard for the legal restrictions that the whole council lead by the media office must work under and be clear about. The following guidelines on the legal position are taken from the Code of Recommended Practice on Local Authority Publicity.

When communicating through any channel it is necessary to remember that the main purposes of local authority communications are to:

- (a) increase public awareness of the services provided by the authority and the functions it performs
- (b) allow local people to have a real and informed say about issues that affect them
- (c) explain to electors and ratepayers the reasons for particular policies and priorities
- (d) promote council funded events, facilities and services with the aim of encouraging attendance and use
- (e) in general to improve local accountability and protect the reputation of the council.

All council communications should be informative rather than persuasive and should be: objective, factual, balanced, accurate and clearly explain the reasons for the council's views i.e. tying in views with agreed council strategies and policies.

Where communicating with the media is the channel used to comment on, or respond to the policies and proposals of central government, other local authorities or other public authorities, the comment or response should again be objective, balanced, informative, and accurate. Any media materials or responses should therefore aim to set out the reasons for the council's views, and should not be a prejudiced, unreasoning or political attack on the policies or proposals in question or on individuals..

Councils should not issue publicity, which may affect public support for a political party or for the promotion of individual councillors. However it will be appropriate to provide publicity and media communications support to individual councillors when they are representing Islington Council and promoting the council's agreed policies, for example, executive members and chairs of area and other committees. The Local Government Act 1986 states that the publicity may be illegal if it promotes or opposes a point of view that is identifiable as the view of one political party and not of another.

Particular attention and judgement need to be exercised when communicating with the media as part of a wider communications campaign, which could appear to be designed to affect support for a political party or its policies. The council's legal department should be contacted for clarification.

Particular care needs to be taken in the run up to local and general elections.

### 7.3 Media Protocols for Officers and Councillors

The following basic principles cover most situations:

- (a) No officer of Islington Council should proactively or reactively speak directly to the media without prior consultation with the media office, or write or disseminate information intended for publication on behalf of or claiming to be representing Islington Council without prior consultation with the media office. (For information on union representatives, see 6.3)
- (b) The practice when identifying appropriate spokespeople for the council is that when the subject is about policy or is politically controversial it will be the relevant councillor. If the subject is technical or operational it will be the relevant officer. (For more detail on which councillors act as spokespeople for council policies and committees, refer to information in 7.4)

### 7.4 Councillors

The Media Relations Procedures and Protocols do not restrict an elected councillor's prerogative to issue their own media releases, in the name of, and via their party political office. Likewise, councillors are free to speak directly with the media. Councillors should be clear whether they are commenting on behalf of the council, themselves or their party.

Where a media representative requests an interview with a specific councillor through the media office, the media office will give out the agreed public contact details. This may be the relevant political office. The media office will also try and contact councillors to make them aware of the media interest. Again this could be through the relevant political office.

## 7.5 Executive Members

Executive members may be asked to give interviews to the media in respect of matters which have been decided by the Executive or which fall within their portfolios. They may be featured in individual publicity where it is relevant to their portfolios and provided that the principles set out in 7.2 are adhered to.

## 7.6 Area, Corporate Services, Licensing, Overview and Review and Standards Committees

These committees take important decisions and a great many of these directly affect people's lives, which reinforces the need for factual, objective, accessible and accurate information to be disseminated to the public through the media. The media office will publicise the work of the Area, Corporate Services, Overview and Review and Licensing and Standards committees by conveying factual information on key decisions and reasons (in line with the council's policies in these areas) for decisions taken at the committees.

The appropriate council spokespeople for the Area, Corporate Services, Overview and Review, Licensing and Standards committees are the chairs of those committees. The chairs of the committees should be quoted in all media materials and should approve any quote on any issues pertaining to their committees. The chairs should have final approval on all written media materials pertaining to their committees. This is regardless of their political party or whether they are members of the opposition.

There may be times when members of these committees disagree with each other. If necessary the media office will convey information on processes such as outcomes and details of votes but will not disseminate information on the nature of disagreements between members of the Area, Corporate Services, Licensing and Standards committees.

The media office will not feature individual members in publicity about the Area, Corporate Services, Overview and Review and Licensing and Standards committees except where they represent the Area, Corporate Services, Licensing and Standards committees in a formal capacity such as the chair.

## 7.6 Opposition and Ward Councillors

There may be occasions when the media office will receive requests for opposition members to speak to the media on a story and/or issue. There might also be occasions when it is necessary or appropriate for the Leader of the Opposition and/or the Green Party member to speak to the media on behalf of the council. Similarly, where an issue has a specific local focus, it may be appropriate for the ward councillor to comment. The media office will refer these requests to the appropriate councillors, if appropriate via their party offices.

The media office will advise all councillors on media relations but cannot support councillors on media relations in respect of views which do not reflect Council policies or that affect public support for a political party or the promotion of individual councillors.

## 7.7 Group Offices

Heads of Group offices should ensure that their names do not appear in external publications (as contact names) and that political office facilities are not made available to non-council members, whether for campaigning or otherwise.

If staff are unsure as to whether they should or should not be doing particular areas of work they should check with the Head of Democratic Services or the Director of Corporate Resources.

## 7.8 The Mayor

The Mayor is the first citizen of the London Borough of Islington and represents all citizens in the borough irrespective of party lines whilst in office. The Mayor and the Deputy Mayor represent Islington Council at many civic and ceremonial events in the London Borough of Islington and elsewhere.

Where capacity in the media office to assist and support the Mayor's office is limited, priority will be given to those events that most closely tie in with council's strategic objectives and priorities and to those that most closely meet the main purposes of local authority communications (as set out in 7.1)

## 8. Use of Council Resources for Publicity or other Political Purposes

- 8.1 The functions of the council are derived from statute and are discharged by the council corporately. This means that individual councillors (who, as a body make up the council) can only use council resources for the purposes of the council's functions.
- 8.2 Councillors may use council resources for carrying out their duties as members of the council, including:
  - (a) individual casework on behalf of the constituents
  - (b) those arising out of their membership of committees, sub-committees, working parties and other council bodies
  - (c) those arising out of their position as chair of a committee or sub-committee
  - (d) as the appointed council representative on external bodies
- 8.3 The council can provide resources (such as stationery, secretarial services, communication facilities and transport) to enable councillors to carry out their duties as members of the council.

- 8.6 However, councillors must ensure that those resources are used strictly for their duties as members of the council and for no other purpose for example individual publicity or for publicising their political party or publicity campaigns designed to affect support for their or another political party. **The Code of Conduct for Members prohibits the use of council resources for party political purposes save where such use can “reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the authority or of the office” held by the Councillor.**
- 8.8 No circular letters written by any councillors using council resources either in their ‘production or in their distribution’ should be sent out. Any information that needs to be communicated to the public in relation to council business will be done by an appropriate officer. If in exceptional cases it is considered appropriate for communication to come from an individual member (for example, where an executive member wishes to inform residents as to a particular issue), then this must be cleared personally by the **Director of Corporate Resources** or one of her **Assistant Directors** and only after receiving a full justification for the letter being signed by a member or a detailed briefing surrounding the circumstances generally.

If members needed any assistance with determining what would be considered lawful or unlawful they should contact Louise Round, **Director of Corporate Resources** on ext 3174 or Assistant Director of Corporate Law and Community Services on ext. 3126.