

24. Code on councillor–officer relations

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24.1 Status of this code

This code gives guidance only but it may be taken into account if there is complaint about a councillor or an officer.

24.2 Roles of councillors and officers

Officers and councillors both serve the public but they have different roles: officers answer to the council, councillors to the electorate.

24.3 Politeness and respect

Councillors and officers should show each other politeness and respect.

Councillors have the right to criticise officers' reports or actions, but they should:

- avoid personal attacks
- ensure their criticism is fair and constructive
- try to improve things for the future, not just hand out blame.

24.4 Unfair pressure

When they deal with each other, councillors and officers should not try to take advantage of their position.

Councillors should generally restrict their discussions to more senior officers, for example business managers or team leaders.

Councillors should be aware that officers (especially junior officers) may feel unable to answer back. Senior councillors should be particularly aware of this.

Councillors should not pressure officers to work outside their normal hours or to do anything they are not allowed to do or that is not part of their normal work.

Councillors should normally make appointments before visiting officers and should try to avoid frequent unscheduled interruptions.

Officers should not try to persuade individual councillors to make a decision in their personal favour or raise things to do with their employment with individual councillors. Nor should they approach individual councillors with allegations about other officers. They should use the council's consultation, grievance and disciplinary procedures instead.

24.5 Councillors' enquiries

Officers should try to answer councillors' enquiries within five working days. If that is not possible, they should send a holding reply.

24.6 Close personal relationships

Close personal relationships between individual councillors and officers should be avoided.

24.7 Complaints about councillors or officers

If an officer feels a councillor is not treating them with politeness and respect, they should consider talking to the councillor directly. If they do not feel they can talk to the councillor or talking to the councillor does not help, they should talk to their line manager, business manager or strategic director immediately. The manager approached will talk to the councillor or the leader of their political group and may also tell the chief executive. The officer will be told the outcome.

If a councillor feels an officer is not treating them with politeness and respect, they should consider talking to the officer directly. If they do not feel they can talk to the officer or talking to the officer does not help, they should talk to the officer's line manager, business manager or strategic director immediately. If the problem continues, the manager approached will consider whether to discipline the officer under the council's procedures.

24.8 Information and advice

(a) General information and advice

Councillors can ask the chief executive or a strategic director or business manager for information or advice that relates to their work as a councillor. As long as it does not involve giving the councillor exempt information, officers will provide the best information and advice they can with the resources available.

Councillors should be reasonable in their requests for information and advice.

If it is possible that a councillor will use the information at a meeting, the portfolio holder will be told what information has been asked for and given.

(b) Advice for councillors with special responsibilities

The lord mayor, board members and committee chairs can ask the chief executive, strategic directors and business managers for extra background information and advice on different courses of action.

The leaders of minority political groups can ask the chief executive or strategic directors or business managers for background information or more details about items coming to the next meeting of a committee or the board. The appropriate chair or portfolio holder will be told about any information given.

Party group leaders can ask for advice on presenting their budget in a correct form. This will be given in confidence.

(c) Help with casework

When data protection laws allow, councillors will be given the information they need to do their casework. This will be done in confidence.

24.9 Political activity

(a) Restrictions on officers' political activities

Most senior officers and some other officers are politically restricted. These officers cannot be councillors or MPs and cannot say or publish anything that seems intended to affect public support for a political party.

Council officers must not publish things that seem intended to affect support for a political group on the council.

No one can be both an officer and a councillor on the same council.

(b) Lines of reporting

Employees answer to the chief executive, not to individual councillors, whatever office they hold. But there should be good communication between senior officers and councillors with special responsibility for their area of work.

24.10 Support services to councillors and political groups

Support services should only be used for council business. They should never be used for private purposes or for party political or campaigning activity.

24.11 Correspondence

(a) Letters and emails to councillors

If an email or letter from an officer to a councillor is copied to someone else, it should say so. Blind copies should not be sent.

(b) Letters on behalf of the council

Letters on behalf of the council will normally be sent by officers rather than councillors. The leader or committee chairs may write some letters on behalf of the council, for example representations to government ministers. These should be copied to the board or the appropriate committee. Councillors must never send letters that create obligations or give instructions on behalf of the council.

24.12 Officer advice to political groups

Political groups can invite officers to their meetings to give information and advice on council business but cannot insist they attend. Officers who do attend must make themselves available to all groups on the same basis.

Officers must not do anything at a political group meeting that goes beyond giving information or advice on council business.

Officers must not interpret group decisions as council decisions.

24.13 Councillors' briefings, agendas and reports

(a) Briefings on agendas

The strategic directors and business managers will give briefings on full council, board and committee agendas to the leader and deputy leader and committee chairs and vice chairs.

(b) Consultation on agendas

The leader will be consulted on agendas for the board. Area and scrutiny committee chairs will be consulted on agendas for their committees. This should happen at least two weeks before the meeting.

(c) Requests for reports

Instructions for reports to come to the board or committees can only come from the leader, the board, a portfolio holder, an area committee or an area committee chair.

24.14 Media releases and publicity

(a) Code of practice

The media and communications team will follow the government's code of recommended practice on local authority publicity.

(b) Media enquiries

Officers must refer all media enquiries to the media and communications team and must co-operate promptly with requests for information from the team.

(c) Content of media releases

Media releases can contain quotes from the leader, portfolio holders, area committee chairs, the mayor, the deputy lord mayor or the sheriff and information about how to contact them. They must not contain quotes from other councillors or information about how to contact them. Any quotes from officers must be either factual or consistent with council policy.

When a media release is issued after a meeting, it must be about things discussed at the meeting. Media releases issued before a meeting should contain factual information only.

(d) When to issue media releases

The media and communications team will be guided by the leader, portfolio holder or committee chair on whether to issue a media release before or after a meeting. The media and communications team will advise these councillors on when a media release would be appropriate, taking into account any recommendations made by strategic directors or business managers. If there is a disagreement about what a media release should say, the chief executive will decide.

(e) Publicity in the run-up to elections

Once a notice has been published of an election in the council's area, there can be no publicity about anything controversial until after polling day. Nor can there be any publicity that links policies or achievements to specific councillors.

(f) Invitations to media events

Representatives of each political group will be invited to all media events involving councillors. The media and communications team will

liaise with the leader, portfolio holder or committee chair when setting up media events involving councillors.

(g) Media releases by party groups and individual councillors

When individual councillors or spokespeople for political groups issue media releases, they should make it clear that they are not issuing them on behalf of the council.

24.15 Ward councillors

If the council organises a public meeting, it should invite all the ward councillors and give them as much notice as possible.

If the council does any consultation, it should consult the ward councillors at the start of the consultation.

Ward councillors should be told in advance about anything affecting their ward and any press releases about their ward.

24.16 The council as an employer

(a) Fairness in employment

Councillors should not take part in a recruitment process where any of the candidates are friends, relatives, partners or other people they live with. Nor should they have any role in disciplinary action or grievances involving these people.

Councillors should not try to influence appointments (except as members of the appointments committee or when appointing a political assistant). Nor should they help any particular candidate by giving them information that the other candidates could not get.

Councillors should not discriminate unfairly against officers and should judge candidates for employment or other rewards on merit.

(b) Grievances and disciplinary procedures

Councillors should not try to influence the handling of any grievance (except as members of the disciplinary and grading appeals committee).

Councillors can report their concerns about an officer's performance or behaviour to a line manager. But they should not try to influence any disciplinary procedure (except as members of the disciplinary and grading appeals committee or the disciplinary panel for strategic directors and business managers).

Councillors serving on the disciplinary and grading appeals committee or the disciplinary panel for strategic directors and business managers must base their decisions on the facts. They should not be influenced by party political or personal factors.

(c) Accountability and confidentiality

Councillors are accountable for the decisions they make as employers but they should keep individual employment matters confidential.