

**PART 6d**  
**PROTOCOL ON MEMBER/  
OFFICER RELATIONS**

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Date of Next Review:	March 2024
Owner:	Monitoring Officer

## INTRODUCTION

1. The purpose of this protocol is to provide a set of principles to guide Authority Members and officers in their dealings with one another. The term “officers” unless stated otherwise includes all South Yorkshire Fire and Rescue employees who are employed by the Authority and officers of the Joint Authorities Governance Unit who are employed by Barnsley MBC - discharging functions on behalf of the Authority.
2. Both Members and officers are servants of the public, but their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are accountable to the Authority. Their job is to provide support and advice to Members in performing their statutory functions, to implement Authority decisions and to carry out the Authority’s statutory duties.
3. The relationship between Members and officers is an essential ingredient that contributes to the successful working of the Authority. This relationship is characterised by mutual respect, informality and trust. Members and officers feel free to speak to one another openly and honestly. Nothing in this Protocol is intended to change this relationship. It is to a large extent no more than a written statement of current practice and convention. However, it seeks to promote greater clarity and certainty and to offer guidance on some of the issues which most commonly arise.
4. This protocol also seeks to reflect principles underlying the respective codes of conduct which apply to Authority Members and officers. The shared object of these codes is to enhance and maintain the integrity (real and perceived) of local government and they therefore demand very high standards of personal conduct.

## PRINCIPLES

5. Members and officers must at all times observe this protocol.
6. Members and officers 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.
7. The Chair and Vice-Chair of the Authority have important roles in representing the Authority and are entitled to particular respect from officers and Members.
8. The Chair and Vice-Chair of the Authority, and of any appointed committees and other Boards or Groups, have additional responsibilities. Because of those responsibilities, their relationships with senior officers may be different and more complex than those of Members without those responsibilities and this is recognised in the expectations they are entitled to have. However, such relationships should never become so close as to bring into question the ability of a senior officer to deal impartially with other Members.
9. In carrying out their duties Members and officers should have regard to their respective codes of conduct, internal policies/procedures, Standing Orders and statutory provisions.
10. The value statement and guiding principles approved by the Authority should be observed by Members and officers.

## VALUE STATEMENT

***“We will maintain a culture of performance and respect”***

## OUR GUIDING PRINCIPLES

### ***The Elected Member role is about:-***

- *Setting the strategic direction and priorities.*
- *Scrutinising performance and achievement.*
- *Communicating the vision to key stakeholders.*
- *Influencing the wider social and economic agenda.*
- *Providing well informed, proactive leadership.*

### ***The Management role is about:-***

- *Providing professional advice.*
- *Implementing strategy.*
- *Delivering the priorities in the context of the Authority’s Vision.*
- *Running and developing the Service.*

11. Members and officers will avoid any actions which could be perceived as being designed to achieve personal, as opposed to the Authority’s, objectives.
12. A Member must not do anything which compromises, or which is likely to compromise, the impartiality of an officer.

## **Members**

13. Members have a number of roles and need to be alert to the potential for conflicts of interest which may arise between the roles. Where such conflicts are likely, Members may wish to seek the advice of the Clerk and /or the Monitoring Officer.
14. Collectively, Members are the ultimate policy-makers determining the core values of the Authority and approving the Authority’s policy framework, strategic plans and budget.
15. Members represent the community, act as community leaders and represent the interests of their constituents.
16. Under the Authority’s Member Code of Conduct, a Member must not when acting as a Member or in any other capacity:
  - Bring the Authority or his/her position as a Member into disrepute, or
  - Use his/her position as a Member improperly to gain an advantage or disadvantage for his/herself or any other person.

## **Officers**

17. The role of officers is to give advice and information to Members to enable them to fulfil their roles and to implement the decisions and policies determined by the Authority. In doing so, officers will take into account all relevant factors
18. In giving such advice to Members, and in preparing and presenting reports, it is the responsibility of the officer to express his/her own professional views and recommendations.

Officers must not allow their professional judgement and advice to be influenced by their personal views. Whilst an officer may report the views of an individual Member on an issue, if the Member wishes to express a contrary view he/she should not seek to pressure the officer to make a recommendation contrary to the officer's professional view.

19. Certain officers e.g. the Treasurer and the Monitoring Officer have responsibilities in law over and above their obligations to the Authority and to individual Members. Members must respect these obligations, must not obstruct officers in the discharge of these responsibilities, and must not victimise officers for discharging these responsibilities.
20. Officers will be expected to discharge their responsibilities without political bias or favour. Advice to any group, political or otherwise must be confined to Authority business.
21. Relationships with particular individuals or groups should not be such as to create public suspicion that an officer favours that Member or group above others.
22. Information communicated to officers in confidence by any group of Members should not be communicated to other Member groups.
23. Officers must assist and advise all Members of the Authority. They must always act to the best of their abilities and in the best interests of the Authority as expressed in the Authority's formal decisions.
24. Officers must be alert to the issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.
25. Officers have the right not to support Members in any role other than that of Member, and not to engage in actions incompatible with this protocol.

### **Information**

26. Officers will facilitate access by Members to documents and information in accordance with common law and statutory principles. Members will not seek to obtain information outside their entitlement under the law.

### **Media**

27. Press releases in the name of the Authority will y be issued through the Fire and Rescue Service in consultation with the Chair, Clerk and Chief Fire Officer / Chief Executive. .

## **COMPLAINTS**

### **Procedure for Officers**

28. From time to time the relationship between Members and officers may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation, officers will have recourse to the relevant officer grievance procedure. In the event of a grievance being upheld, the matter will be referred to the Clerk, who, having discussed the matter with the Chair and Vice-Chair and the Chief Fire Officer / Chief Executive in cases involving staff under his direction and control, will decide on the appropriate course of action to take.

### **Procedure for Members**

29. In the event that a Member is dissatisfied with the conduct, behaviour or performance of an officer, the matter should be raised with the Clerk or Chief Fire Officer / Chief Executive as appropriate. If the matter cannot be resolved informally, more formal action may be required.