



Leigh-on-Sea Town Council

71-73 Elm Road, Leigh-on-Sea, Essex SS9 1SP - Tel: 01702 716288
council@leighonseatowncouncil.gov.uk www.leighonseatowncouncil.gov.uk

Chairman: Cllr Caroline Parker
Vice Chairman: Cllr Paul Lawrence
Town Clerk: Paul Beckerson



MINUTES OF A MEETING OF THE LEIGH-ON-SEA TOWN COUNCIL HELD AT 7.30PM ON WEDNESDAY 12th MARCH 2014 AT LEIGH COMMUNITY CENTRE, 71-73 ELM ROAD, LEIGH-ON-SEA

Present: Cllrs: Caroline Parker (Chairman), Margaret Cotgrove (Until Min 122e), Geoff Crawford, Donald Fraser, Richard Herbert (Until Min 122b), Jerry Holden, Pat Holden and Paul Lawrence

Also in attendance: Paul Beckerson (Town Clerk)

Prior to the meeting prayers were led by Cllr Margaret Cotgrove.

The meeting opened at 7.31pm

115. CHAIRMAN'S OPENING REMARKS

The Chairman referred to North Street Infants and its attainment of outstanding in their OFSTED inspection. Amanda Restell had been presented with the Best Float Award in the Leigh Lights event. Unfortunately the quiz to raise money for the Sycamore Trust had to be cancelled, but Cllrs Fraser and Wren had made donations to the charity.

116. DECLARATION OF MEMBERS' INTERESTS

There were none.

117. APOLOGIES FOR ABSENCE

Cllrs Mark Bromfield, Syrie Cox, Carole Mulrone, Patsy Ryan, David Stanley and John Wren

118. PUBLIC QUESTIONS

There were none.

119. QUESTIONS FROM COUNCILLORS

There were none.

120. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of 12th February 2014 were agreed as a correct record and signed by the Chairman.

121. ALTERATION OF AGENDA ORDER

Council **RESOLVED** to take 7(d) and 7(e) first.

122. COMMITTEES

- a. Finance and General Purposes Committee – The minutes of the meeting 4th March 2014 were **noted** with the exception of minutes 151, 154 (separate agenda item) and 157 containing recommendations.

i. Minute 151 – Green Gym Project

Council **RESOLVED** that the project be progressed and that detailed proposals be brought back to a future meeting.

ii. Minute 157 – Dignity at Work / Bullying and Harassment Policy – Report 2244B

Council **RESOLVED** to adopt the policy (Appendix 2 to the agenda) with the proviso that all policies are subjected to a conformity and conflict test with other adopted policies and that revisions be made as necessary and brought back to Committee and Council for approval.

iii. Minute 157 – Protocol on Member / Officer Relations – Report 2189/TC

An amendment was proposed by Cllr Richard Herbert which had been circulated to members prior to the meeting.

Add in as 2.5

Town Clerk

The Town Clerk is the Proper Officer of the Council and as such is under a statutory duty to carry out all of the functions, and in particular to serve or issue all the notifications required by law of a local authority's Proper Officer. The Town Clerk is totally responsible for ensuring that the instructions of the Council in connection with its functions as a Local Authority are carried out.

The Town Clerk is expected to advise the Council on, and assist in the formation of, overall policies to be followed in respect of the Authority's activities and in particular to produce all the information required for making effective decisions and to implement constructively all decisions. The Town Clerk is accountable to the Council, not to any individual or group of Councillors, for the effective management of all its resources and will report to the Council as and when required.

In effect, the Town Clerk's role is equivalent to that of Chief Executive.

Add as 2.6

Delegated Authority

When carrying out their duties under delegated authority granted to them by the Council, Officers may act according to their own judgement, within the parameters set by the Council's standing orders and financial regulations, without reference to Councillors or Committees.

The amendment was not seconded.

A further amendment was proposed:

Add at the end of 3.3

When Councillors and Officers are together, neither should make disrespectful remarks about Councillors or Officers.

Proposed Cllr Pat Holden; seconded Cllr Paul Lawrence

Council **RESOLVED** to agree the amendment.

Council **RESOLVED** to adopt the policy as amended (Appendix 1) with the proviso that all policies are subjected to a conformity and conflict test with other adopted policies and that revisions be made as necessary and brought back to Committee and Council for

approval.

- b. Leigh Community Centre Committee – The minutes of the meeting 5th March 2014 were **noted**.

The Town Clerk reported that the interview panel had interviewed four prospective candidates for the post of Community Centre Manager and that they would commence employment on the 1st April 2014.

Council **RESOLVED** to ratify the appointment of a new Community Centre Manager on the terms and conditions as advertised.

Cllr Richard Herbert left the meeting

- c. Planning and Licensing Committee – The minutes of the meetings of 11th and 25th February 2014 were **noted**.
- d. Transport and Highways Committee – The minutes of the meeting 19th February 2014 were **noted**.
- e. Leisure, Foreshore and Environment Committee – The minutes of the meeting 20th February 2014 were **noted**.

Cllr Margaret Cotgrove left the meeting

Members urged that work on Strand Wharf should be proceeded with as a matter of urgency.

123. MOTION TO EXCLUDE PUBLIC – The Public Bodies (Admission to Meetings) Act 1960

That in view of the confidential nature of the business to be transacted the public and press be temporarily excluded and they are instructed to withdraw (SO.1c) – (Staffing)

Start of Confidential Business

F&GPC Minute 157 – Support Staff and Role Revision (PSC Confidential Appendix 1)

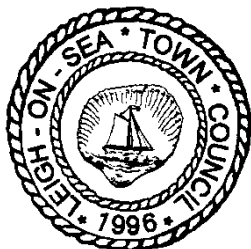
The Council **RESOLVED** to agree the revised salary and Scale Point range to Council.

End of Confidential Business

124. FINANCIAL REPORT

Council **RESOLVED** to agree the expenditure and note the income.

The meeting closed at 9.00pm



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Report 2189A/FGP

*Protocol on Member/Officer Relations

1. Background

- 1.1 This protocol is intended to assist Councillors and the Clerk, in approaching some of the sensitive circumstances which arise in a challenging working environment.
- 1.2 The reputation and integrity of the council is significantly influenced by the effectiveness of Councillors, the Clerk and other staff working together to support each other's roles.
- 1.3 The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy.
- 1.4 The Council's Dignity at Work, Bullying & Harassment Policy is an integral part of this Protocol.

2. Roles of Councillors and Employees

- 2.1 The respective roles of Councillors and employees can be summarised as follows:
Councillors and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct. Councillors are responsible to the electorate and Officers are responsible to the Council. The Officers' job is to give advice to Councillors and to the council, and to carry out the council's work under the direction and control of the council and relevant committees.

2.2 Councillors

- 2.2.2 Councillors have four main areas of responsibility:
 - To determine council policy and provide community leadership;
 - To monitor and review council performance in delivering services;
 - To represent the council externally; and
 - To act as advocates for their constituents.
- 2.2.3 All Councillors have the same rights and obligations in their relationship with the Clerk and other employees, regardless of their status or political party, and should be treated equally.
- 2.2.4 Councillors should not involve themselves in the day to day running of the Council. This is the Clerk's responsibility, and the Clerk will be acting on instructions from the Council or its Committees, within an agreed job description.

2.3 Chairmen and Vice-Chairmen of Committees

Committee Chairs and Vice-Chairs have additional responsibilities. These responsibilities mean that their relationships with employees may be different and more complex than those of other Councillors. However, they must still respect the impartiality of Officers and must not ask them to undertake work of a party political nature, or to do anything which would prejudice their impartiality.

2.4 Officers

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

In giving such advice to Councillors, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. An Officer may report the views of individual Councillors on an issue, but the recommendation should be the Officer's own. If a Councillor wishes to express a contrary view they should not pressurise the officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging his/her responsibilities.

3. Expectations

3.1 All Councillors can expect:

- a commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillor's or political group;
- a working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from Officers to enquiries and complaints;
- Officer's professional advice, not influenced by political views or personal preferences;
- regular, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from Officers;
- training and development opportunities to help them carry out their role effectively;
- not to have personal issues raised with them by Officers outside the council's agreed procedures;
- that Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly;
- that Officers will at all times comply with the relevant code of conduct.

3.2 Officers can expect from Councillors:

- a working partnership;
- an understanding of, and support for, respective roles, workloads and pressures;
- leadership and direction;
- respect, courtesy, integrity and appropriate confidentiality;
- not to be bullied or to be put under undue pressure;
- 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;
- that where Councillors are responsible for delivering a task that this should be expedited in a timely manner in order to meet any required deadlines;
- that Councillors will at all times comply with the council's adopted Code of Conduct.

3.3 Some General Principles:

- Relationships between Councillors and Officers should always be on a professional basis and not influence their professional judgement as this can confuse their separate roles and get in the way of the proper conduct of Council business.
- Special or personal relationships with particular individuals or party political groups should be avoided as it can create suspicion that an employee favours that Councillor or political group above others.
- When Councillors and Officers are together, neither should make disrespectful remarks about Councillors or Officers.

4. Political Groups

4.1 The operation of political groups is becoming more of a feature within parish councils, but it is worth repeating that it is NALC policy that party politics should have no place in

parish councils. Parish Councillors are there to serve their community as members of the community, and should not be side tracked by party political issues. Party politics within a parish council can pose particular difficulties in terms of the impartiality of the Clerk and other employees, and the relationship between Councillors and the staff generally.

- 4.2 Party political groups or groups of individual Councillors have no power to require the Clerk or any other employee to attend group meetings or to prepare written reports for them, and employees can legitimately refuse to do so. The Clerk and other Officers are responsible to the council as a whole and should not take action under instructions from any individual Councillor, even if he/she has been styled as 'Leader' of the council.
- 4.3 If your council has adopted party political groupings, the Clerk should ensure that any reports or advice offered to a political group are statements of relevant facts, with an appraisal of options and do not deal with the political implications of the matter or options, or make any recommendations. It is not the Clerk's job to make recommendations to a political group.
- 4.4 If a report is prepared for one political group, the Clerk should advise all other political groups that the report has been prepared, or that advice was given.
- 4.5 Any Clerk needing advice or guidance on matters relating to party groups or how to operate within a political environment, should seek advice from their County Association of NALC, or from the Society of Local Council Clerks.

5. When things go wrong

- 5.1 From time to time the relationship between Councillors and the Clerk or other employees may break down or become strained. It is always preferable to resolve matters informally through conciliation and mediation. With regards to issues arising between the Clerk and Councillors, conciliation should initially be sought through the Chairman of the Council; for issues arising between other members of staff and Councillors, the Clerk should act as conciliator in the first instance.

The Council's Monitoring Officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice, for example from the EALC or the Society of Local Council Clerks.

- 5.2 Should informal reconciliation prove unsuccessful in resolving the matter, then formal proceedings are to be followed.
- 5.3 If a formal complaint is raised by a member of staff against a councillor, the matter should be referred to the Personnel Sub Committee who will decide whether the Council's Grievance Procedure should apply or whether, in exceptional circumstances, the issue should be referred to the Council's Monitoring Officer as a Code of Conduct matter.
- 5.4 If a formal complaint is raised by a Councillor against a member of staff, then matter will be dealt with in accordance with the Council's Disciplinary Procedure.

*Source NALC Toolkit for Local Councils 2010