



## **BEVERLEY TOWN COUNCIL**

### **MEMBER/OFFICER PROTOCOL**

#### **1. INTRODUCTION**

Effective working relationships between elected Town Councillors and employees of the Council are key, if the Council is to work effectively. There are also critical in maintaining public confidence in the workings of the Council.

This protocol is intended to guide Members and employees of the Town Council in their relationships with one another. It is not intended to be prescriptive or comprehensive and simply seeks to offer guidance on some of the issues which can arise. It does not in any way replace the Code of Conduct by which Councillors are legally bound, nor does it replace any employee Code of Conduct which the Parish Council may put in place. However, the protocol may assist in interpreting what is required under either Code.

#### **2 ROLES AND RESPONSIBILITIES**

Understanding the different roles and responsibilities of Councillors and employees is key to maintaining good relations.

Councillors decide on the priorities for the Town Council, set the budget, represent their constituents (including those who have not voted for them) and collectively make decisions on behalf of the Council.

Councillors are responsible to the electorate and serve only so long as their term of office lasts. A Councillor can only serve for a maximum of 4 years before submitting themselves to the electoral process.

Employees of the Council implement the decisions made by the Town Council. They can only make decisions themselves on behalf of the Council if the Council has decided to delegate a decision making responsibility to the employee. Employees give information and advice to the Council and support Councillors.

Council employees are employed and are responsible to the whole Council and not to any individual Councillor. Employees of the Council are managed by the Parish Clerk in accordance with Council procedures. The Clerk is responsible to the whole Council.

#### **Reasonable expectations of employees**

It is reasonable for a Councillor to expect the employees:

- To do their job effectively and efficiently;
- To behave in a manner which does not bring the Council in to disrepute;
- To be helpful, respectful and courteous;
- To provide assistance to Members in carrying out their role;
- To deal with Members enquiries fairly and efficiently;
- To be open and honest with Members;

- To work with all Members equally and fairly;
- To keep confidentiality where it is proper to do so;
- To be sensible about contacting Members at potentially inconvenient times unless in an emergency or otherwise agreed;
- To remember that they are employed by the whole Council and not by any individual Member.

### **Reasonable expectations of Councillors**

Employees can reasonably expect the Councillors:

- To accept that the Councils employees are managed by the Town Clerk;
- To be helpful, respectful and courteous;
- Not to ask employees to breach Council policy or procedure or to act unlawfully;
- Not exert, influence or pressure or to request special treatment;
- Not to raise concerns about an employee in a public setting and to raise such concerns in an appropriate manner in accordance with Council policy;
- To respect that employees have a right to a private life and be sensible about making contact at potentially inconvenient times unless in an emergency or otherwise agreed.

## **3. SPECIFIC ISSUES**

### **Personal relationships**

Good working relationships are critical between Members and employee but close familiarities could prove embarrassing to other Councillors and employees and give rise to potential conflicts of interest. Such close familiarities should therefore be avoided *'wherever possible'*.

### **Giving instructions to employees**

Only the Town Clerk can give instructions to employees of the Council and only the Full Council or a properly constituted committee can give instructions to the Clerk. Individual Councillors should not therefore attempt to direct the work of employees.

### **Chairs and Vice Chairs**

Chairs and Vice Chairs of the Town Council have additional responsibilities. Because of those responsibilities, their relationships with employees may differ from, and be more complex than those of Councillors without those responsibilities, and this is recognised in the expectations they are entitled to have. However, such 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 put them in difficulty in the event of a change in the composition of the authority.

### **Complaints about employees or services**

Councillors have a right to criticise the report, advice or action of employees. However it has to be recognised that employees will find it difficult to answer back to such criticism and therefore any criticism must not be in the form of a personal attack and must be constructive and well founded.

Councillors must avoid undermining public respect for employees and should therefore avoid making any criticism of an employee at a public meeting, in the press or by way of any other public statement. Making such criticisms would be damaging to the public image of the Council. It would also undermine the mutual trust and courtesy which underpins effective working relationships. If a Councillor wishes to raise an issue about an employee they should use any established channels in place or, direct their concerns through the Chair/Vice Chair.

## **Information sharing**

All Councillors have a right to expect to be kept informed about matters on which they may be required to make decisions or which affect the area. The Clerk should aim to ensure that all Members are kept fully informed in relation to important issues.

If the Council organises a meeting to consider a local issue then all Councillors must be invited to attend that meeting.

So far as documents and other information held by the Councillor concerned much of it will be in the public domain and Councillors have the same right as any member of the public to see that information. So Councillors have the same right as the public to have access to agendas, reports and minutes of meetings which are held in public and have the right to access information given by the Freedom of Information Act. Councillors have additional rights to access information as well. Clearly they are entitled to have access to reports of matters which are to be considered at Council meetings in a private session. In addition Councillors have the right to access any other Council information where they can show they have a 'need to know'. Any request to access information should be made to the Town Clerk. If the Town Clerk is uncertain as to whether the Councillor is entitled to access that information then they should gain advice from ERNLLCA and refer the question to the Council for a decision.

The process of gathering information to respond to Members requests can be time consuming and expensive for the Town Council so Members should consider before they make an information request whether they really need the information and should be prepared to discuss with the Town Clerk whether less, more easily obtained information would be sufficient.

## **Correspondence**

Correspondence between Members and employees should not normally be copied to any other party. In particular, when using email, the use of blind copies should be avoided. There are exceptions to this general rule. If the original correspondence was copied to other parties then it is legitimate to send a response to those parties. There may also be occasions where the correspondent gives rise to concern for the employee for example in relation to possible breaches of the Code of Conduct or that the Council may be brought into disrepute by the actions of the Councillor. In such cases it is legitimate for the employee to share correspondence with the chairman of the Council or, where appropriate, the Monitoring Officer of East Riding of Yorkshire Council.

## **4. PROBLEM AREAS**

From time to time the relationship between Councillors and the Clerk (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party, it is important that the council adopts a formal grievance protocol or procedure.

The law requires all employers to have disciplinary and grievance procedures. Beverley Town Council has adopted a grievance procedure enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way if they cannot be resolved informally. The Chair of the Council cannot, formally, resolve such matters by his/herself. The creation of a committee of no less than, and no more than, three members with devolved authority to resolve such matter is the appropriate mechanism.

If a Councillor is dissatisfied with the conduct, behaviour or performance of the Clerk or another employee, the matter should be raised in the first instance with the Clerk (if it applies to another member of staff) or the Chair of the Personnel Committee (if it applies to the Clerk). If the matter cannot be resolved informally, it may be necessary to invoke the council's disciplinary procedure.

The Council should contact ERNLLCA with respect to any advice required.

**Approved and Adopted by Full Council on 20th February 2023**

Signed



**Councillor Linda Johnson  
Mayor of Beverley**



**Matthew Snowden  
Acting Town Clerk**



## **BEVERLEY TOWN COUNCIL MINUTES POLICY**

### **1 MINUTES PROCEDURE**

*The following procedure should be followed when minutes are drafted, approved, and filed.*

1. Minutes should be drafted as soon as possible after the meeting and no more than three weeks after a meeting.
2. A work colleague/Town Clerk will proof read the draft Minutes for spelling and check for sense.
3. Minutes are saved to the appropriate electronic file - Council Files, General, Council Meetings, and Minutes – in the Minutes folder for the correct year.
4. The Town Clerk should be notified that the draft minutes are ready.
5. The Minutes go to the next meeting of the Full Council, committee or working party as appropriate as an item on the agenda. Every set of Minutes should be a separate item on the agenda.
6. For the Minutes to be approved, a member must move a proposal, which is seconded, that the minutes are 'a true and correct record of the meeting'. Then a vote by show of hands takes place. This must be recorded as a resolution in the Minutes.
7. Any amendment to the Minutes must only be because of accuracy (for example, spelling or who was present at the meeting). Any amendment must not alter the substance of the Minutes or change the actual course of the Meeting. A resolution to approve the Minutes must include any approved amendments.
8. Once they are approved the Mayor or the Chairman of the committee or working party must sign them (preferably during the meeting or straight after) as soon as possible.
  - That is the person chairing the actual meeting they are approved at.
  - The Chairman must sign and date the bottom of each page.
  - Any small amendments should be written in by hand and initialled.
9. Once they are signed they must be put into the minute book folder straight away.
10. Signed Minutes are placed on the website, and in the Treasure House Archives and Library.

### **2 POLICY FOR WRITING MINUTES**

*The following are a set of basic rules that apply to all minutes.*

- 1 **Minutes should give an accurate, impartial, and balanced record of the meeting.** They should be impartial, clear and concise. Use short sentences.
- 2 **Use the active voice,** 'The Committee agreed the minutes' rather than the passive 'The minutes were agreed by the Committee'. 'The Committee' is singular (as a collective) and not plural (i.e. use 'it' not 'they').
- 3 **When referring to Officers in minutes, use their role** (e.g. 'the Clerk') rather than their name, except in the attendance and apologies sections.
- 4 **Minutes should match the agenda** and each item on the agenda should appear on the Minutes.
- 5 **Each meeting should be identified by the date and Minute numbering should run consecutively,** so each number is a unique reference.
- 6 **The minutes should not be verbatim.** The Minutes are a record of the decisions made by the Council. A very brief summary may be recorded and the Resolution and action required must be recorded.

- 7 **The resolution to any item is the most important thing – only add details and information that provides clarity.**
- 8 **When a resolution is made the sentence should start with ‘RESOLVED:’ and be in bold. All proposals should have a proposer and a seconder.**
- 9 **Financial resolutions:** where a resolution is about income or expenditure make sure the figure (or figures are) is present and clearly stated within the resolution.
- 10 **Minutes are written by the Clerk or Officers of the Council who are independent. Minutes are not required to be sent to Councillors for their approval/amendment prior to being put on a meeting agenda for approval.**
- 11 **Minutes are not a political tool but are a record of the meeting only.**
- 12 **Due to GDPR and the new Data Protection Act 2018, no names or addresses of members of the public should be recorded in the Minutes as their written consent would be required to store and process personal data.**

### **3 MINUTES IN LEGISLATION**

Under schedule 12 of the LGA 1972, minutes of proceedings of council and committee meetings must be kept. Minutes are formal records of actions and decisions and should be as concise as possible. There is no need for minutes to be a literal report of discussion.

Minutes are entered into a minute book. Advancing technology determines that nowadays minutes are produced on a computer and therefore printed as loose-leaf documents. This is acceptable in the law but Minutes should be numbered consecutively and initialled by the person signing the minutes as a true record. This shows that any minutes in a loose-leaf binder are the original signed minutes and have not been replaced. Signed, hard-copy minutes are the only true and legal record of a council meeting and can be used as evidence in a court of law.

Under the same statute, minutes must be signed as a true record by the person presiding at the meeting at which they are due to be signed (the same or the next suitable meeting).

Minutes must be available for public inspection. It is good practice for them to be published on a notice-board or website for residents’ information. Draft (unsigned) minutes may be published but it must be clear that they are draft and should not be taken as final by anyone reading them. It is possible that these minutes may be amended before being signed as a true record so they should only be taken as information whilst in draft form.

### **4 STANDING ORDERS AND MINUTES**

Standing Order number 12 shall apply

#### **DRAFT MINUTES**

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes

shall be moved in accordance with standing order 10(a)(i).

- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

Approved and Adopted by Full Council on 20th February 2023

Signed



Councillor Linda Johnson  
Mayor of Beverley



Matthew Snowden  
Acting Town Clerk





# **Beverley Town Council**

## ***Mission Statement***

***To improve the Quality of life of the residents of Beverley***

## ***Aim***


To promote the best interests of the town for the betterment of the local community.

## ***Objectives***

1. To engage in an open dialogue with the residents of Beverley to better understand their needs and in turn explain how we will address those needs within the resources and powers on the Council.
2. To provide a democratic representational voice for the Beverley community.
3. To support and contribute to the economic and social life of the town and regeneration of the local community, in partnership with other tiers of local, regional and national government, voluntary agencies, groups and individuals to meet the needs and aspirations of the community.
4. To encourage and promote the economic and commercial vitality of the town and where possible source goods and services from the Beverley area.
5. To preserve the unique identity of Beverley and promote its heritage.
6. To help to create a socially inclusive and caring community which embraces all its residents, irrespective of age, gender, culture, income, race or religion and which seeks to develop their well being, knowledge, understanding and mutual co-operation.
7. To organise, promote and manage a variety of events within Beverley that positively enhances the social, economic, educational, leisure and tourism aspects of town vitality. In addition, to also support and advise in the facilitation of current events and to assist with the bureaucratic nature of such as activities
8. To protect and improve the environment of the town and promote sustainable development of the town to meet the needs of the present residents without jeopardising the needs of future generations.
9. To ensure that the resources at the Council's disposal are used to the most effective degree possible and to the greatest possible benefit to the town.
10. To become a better employer through continued valuing and development of employees thereby encouraging personal responsibility and stimulating innovation all for the betterment of the town.

**This Mission Statement and Aims & Objectives were adopted by Full Council on 20th November 2006 and reconfirmed at Full Council on 20th February 2023**

Signed



**Councillor Linda Johnson  
Mayor of Beverley**



**Matthew Snowden  
Acting Town Clerk**