

**SELECTION & CONSTITUTIONAL
REVIEW COMMITTEE
11 APRIL 2019
REPORT OF DIRECTOR OF LAW &
GOVERNANCE & MONITORING OFFICER**

**A PROTOCOL FOR AN EFFECTIVE
COUNCILLOR/OFFICER RELATIONSHIP**

1. The Council's Constitution includes a "Protocol on Member/Officer Relations". It is substantially in its original form when the current Constitution was adopted in 2001. It requires significant updating.
2. In September 2018 Cabinet approved an Action Plan to respond to the Corporate Peer Challenge recommendations published in April 2018. Recommendation 3 of the Action Plan was;
 "Review and re-define the respective roles and responsibilities of members and officers and set out how senior members and managers should model expected behaviours. Build in mechanisms for actions when such behaviours fall short."
The stated intention was to amend the Council's Constitution to reflect the new guidance and embed the new guidance in inductions in May 2019. Refresher training for officers would also be required.
3. The attached draft Protocol, if approved, would replace the existing Protocol in the Constitution. The key messages would be captured in induction and officer training following the elections in May.
4. The new draft Protocol seeks to address a number of issues on which the current Protocol is silent or unduly brief. In particular the following issues are now addressed in accordance with the Peer Challenge Feedback Report:
 - Roles & Responsibilities of Councillors and Officers
 - Expectations of Councillors and Officers
 - Working Relationships
 - Press & Media
 - Modelling & Monitoring Positive Behaviours
5. IT IS RECOMMENDED that the draft Protocol for an Effective Councillor/Officer Relationship attached to this report be approved and adopted by the Council for inclusion in the Council's Constitution with effect from 2 May 2019 in place of the current Protocol on Member/Officer Relations.

T W MORTIMER
Director of Law and Governance & Monitoring Officer
April 2019

A Protocol for an Effective Councillor/Officer Relationship

1. Introduction

- 1.1. Building a constructive and collaborative working relationship between councillors and officers is an essential ingredient in any successful Council. It is a unique relationship not replicated in any other type of business organisation and it takes understanding and hard work on both sides.
- 1.2. Mutual trust and respect with clear and honest communication between councillors and officers underpin good local government. Together, they bring the critical skills, experience and knowledge required to manage an effective Council. In broad terms, councillors provide leadership with a democratic mandate to develop a policy framework for the Council; whilst officers contribute the professional and managerial expertise needed to deliver it.
- 1.3. However, in practice there are sometimes overlapping or blurred boundaries which can create problems and misunderstandings if councillors and officers do not fully appreciate or respect each other's roles.
- 1.4. Reports of negative interactions between councillors and officers can readily cascade through an organisation and bring disproportionate damage to confidence and working relations. Accordingly it is important to our corporate health that clear rules and expectations are in place to mitigate this risk.
- 1.5. This Protocol forms part of the Council's Constitution. It reflects the principles underlying the respective codes of conduct which apply to councillors and officers. It describes the different roles and responsibilities of councillors and officers and makes clear the values and expectations on which an effective working relationship should be built. In line with the practice of the best Councils, we will monitor and review the working relationship to ensure it takes account of developments and remains fit to support good governance within the Council.
- 1.6. In July 2018, following an LGA Peer Review, the Leader of the Council prepared a "Best Practice Guidance" note for all elected Members. This includes guidance on relationships with officers and to that extent it is complementary to this Protocol. A copy is **attached as an APPENDIX**.

2. Roles and Responsibilities

- 2.1. The Council operates a Leader and Cabinet executive governance model. In simple terms:

Councillors are elected and answerable to the electorate; and collectively

- provide democratic leadership, set the direction of the Council and ensure adequate resources and management arrangements are in place
- provide community leadership and represent members of the public (customers/citizens) and other community stakeholders by interpreting and expressing their wishes and needs
- scrutinise service delivery

Officers are employees of the Council and, although they work closely with the ruling administration of the Council, they are accountable to the Council as a whole; and

- manage operational delivery of policies agreed by councillors
- organise and deliver services and provide day to day management of staff
- ensure the Council acts in a lawful way
- provide politically impartial professional support and advice to councillors, serving the whole Council rather than particular groups or councillors ¹

2.2. Whilst aspects of the roles of councillors and officers are clearly different, together they have a collective corporate role and responsibility. Tackling challenges effectively is not about a rigorous separation of duties but an appreciation and respect for the skills, knowledge and experience each brings to the leadership role. In reality roles are rarely truly distinct and it is increasingly common for both to collaborate in a shared responsibility for key issues such as developing the detail of workable policies and monitoring performance and service delivery.

2.3. Some councillors have roles as members of the Cabinet some as Committee Chairs and some as members of other committees. These roles are explained in more detail in the functions section of the Constitution.

2.4. Some councillors will have roles as appointees to outside bodies. These roles vary from representing the views of the Council to acting according to individual judgement. Details of such roles will be provided at or before the time of such appointments.

3. **Expectations**

¹ See also sections 5 6 and 7 below on Advice from and Access to Officers, Statutory Roles and Responsibilities and Briefings by Officers.

- 3.1. In order to ensure effective working relationships, councillors and officers have certain basic expectations of each other in terms of high standards of conduct and ethical governance.
- 3.2. The LGA has identified that a “golden rule” in an effective and trusting working relationship is the mutual expectation of effective forward planning with “no surprises” in either direction. This applies to the provision of information or advice or the development of policy. There are also other basic expectations:

WHAT COUNCILLORS CAN EXPECT FROM OFFICERS

- compliance with the adopted Officer Code of Conduct
- a commitment to the Council as a whole
- a working partnership to deliver Council policy
- timely provision of relevant information to enable councillors to fulfil their role(s) ²
- timely response to enquiries and complaints
- impartial and professional advice not influenced by political views or preference
- integrity, mutual support and appropriate confidentiality

WHAT OFFICERS CAN EXPECT FROM COUNCILLORS

- compliance with the adopted Code of Conduct for Members and the ‘Nolan Principles’ of ethical standards and probity
- political leadership and direction
- a working partnership to deliver Council policy
- non-involvement in day to day staff management
- no special considerations
- respect for officer political neutrality
- respect for the professional role and judgements of officers

4. Working Relationships

² See also section 8 below in relation to Members’ Rights of Access to Documents.

- 4.1. As already stated, mutual respect, trust and good communication are essential to establishing good working relationships between councillors and officers. Close personal familiarity between an officer and an individual councillor, where an officer's ability to deal impartially with other councillors or groups can be brought into question, must be avoided. Such close familiarity can also prove embarrassing to other officers and councillors and should be avoided for this reason as well.
- 4.2. In order to protect both members and officers, a degree of formality should be used in addressing each other at formal public meetings. The holders of office should be addressed by their office e.g. chairman and otherwise by surname and title e.g. Cllr Brown or Mr Smith. In less formal environments the use of first names is normally acceptable. However some individual councillors and officers may feel more comfortable using the more formal modes of address and such individual preferences must be respected.
- 4.3. An ethical culture starts with tone. A civil tone when conducting business is the basic starting point for a healthy ethical culture. This is true both for the relationship between different councillors and the relationship between councillors and officers. Accordingly, dealings between councillors and officers must always be respectful and observe normal standards of courtesy. Behaviours such as bullying, harassment or manipulation are not acceptable. In particular councillors and officers commit to not undermining each other's role through personal attack. This applies equally to written communications such as email as to face to face or telephone interactions.
- 4.4. It is made clear in the Appendix to this Protocol (the Leader of the Council's Best Practice Guidance Note) that councillors should never remonstrate with an officer of the Council in front of other councillors or officer colleagues nor at public or other meetings in a way which could cause embarrassment or humiliation. The appropriate channels should be used by councillors for raising concerns regarding officer conduct or performance.
- 4.5. Undue pressure in the working relationship must be avoided at all times:
 - a. It is easy for officers, particularly more junior officers, to be overawed in their dealings with councillors, especially with councillors who hold political office. Accordingly wherever possible the point of contact with officers should be a more senior officer.
 - b. A councillor should never ask an officer to do anything s/he is not empowered to do, nor to cease any action s/he is properly taking or to undertake work outside normal duties or to change professional advice or recommendations in a report. In the event of disagreement between a councillor and report author, for example, the matter should be referred to the appropriate Head of Service or Director.
 - c. Similarly an officer must neither seek to use undue influence on an individual councillor to make a decision in their favour nor to raise personal matters to do with their job or make allegations about other

officers. The Council has proper procedures for consultation, grievance and discipline which should be used when required.

- 4.6 The Council has a good track record of being flexible in responding to unplanned risks and opportunities. However, in the absence of agreed priorities being changed through proper channels, councillors and officers should respect and work together within current corporate and service priorities agreed by the Council. Councillors are encouraged to engage with corporate and service planning processes if they wish to seek agreement to particular schemes or projects. To do so after plans have been agreed should normally be avoided as it can be disruptive and lead to approved work and projects being delayed or not delivered.
- 4.7 On occasions, councillors may disagree with the views or advice of an officer. Valid differences often lie behind conflicting positions and it is important in such situations that the 'problem' is separated from the 'person' and that any differences do not become personal. In this way issues can be properly questioned and debated without damaging working relationships. Questioning and debate can be – indeed should be – probing but should never be bullying or aggressive. Further reference is made to questioning officer advice in para. 5.3 below.

Summary

DO strive to develop positive working relationships based on mutual respect, trust and good communication, always conducting business in a civil tone.

DO ensure an appropriate degree of formality in addressing each other at formal meetings.

DO use appropriate channels to express any concern about officer conduct or performance by referring matters to relevant Director or Head of Service.

DO respect and work together within current corporate and service plan priorities and only seek to change priorities through proper channels.

DO NOT allow close personal familiarity between officer and councillor which can affect perceptions of impartiality.

DO NOT take part in bullying behaviour or remonstrate with officers in front of others or at public or other meetings or in writing in a way which is disrespectful or could cause embarrassment or humiliation.

DO NOT allow use of undue pressure in the working relationship e.g. by a councillor asking an officer to take action they are not empowered to take or an officer seeking to influence a councillor to make a decision in their favour.

5. Advice from and Access to Officers

- 5.1. Officers serve the Council as a whole. This means all councillors, not just those of any controlling group(s), and the individual rights of all councillors must be respected. For this reason, officers will not normally be required to

attend any meeting of a political group or advise any political group on the Council either as to the work of the group or the Council.³

5.2. Officer advice to councillors in any of their roles will always be given in the following contexts:

- agreed Council policy
- an appreciation of local and national priorities
- national law and guidance
- best professional practice

5.3. If a councillor is unhappy with advice received, they should refer this to the relevant Director or Head of Service who will provide further advice or guidance. Any disagreement following this step should be referred to the Chief Executive.

5.4. Councillors are obviously welcome to visit the offices to meet with officers to discuss services or plans. However, officers obviously have work commitments and sometimes it is not possible for an officer to be available at very short notice. Where possible councillors should pre-plan visits by contacting the officer in advance. Officers accept that on rare occasions special urgency may mean prior notice is not practical.

5.5. Most officers work within normal office hours. It is recognised that on occasions a councillor may need to contact a senior officer outside these times but it is important that undue work pressure is not placed on officers by councillors or senior managers to respond in evenings or at weekends outside of agreed out of hours procedures.

6. **Statutory Roles & Responsibilities**

6.1. Councillors are required to have regard to relevant advice of the three "statutory officers" in their decision making roles. It is especially important, therefore, that the roles of 'Head of Paid Service', the 'Chief Financial Officer' (or s151 Officer) and the Monitoring Officer are fully understood and that working relationships and flows of information between those officers, and between those officers and councillors, are strong and positive.

6.2. In summary the roles of the statutory officers are:

Head of Paid Service (HOPS) - The HOPS is under a duty to report to the Council in relation to how the discharge of the Council's functions is co-ordinated, the staff required to discharge functions and their organisation and management. This statutory post is currently held by the Chief Executive.

³ This does not apply to political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989. See also paragraph 7.5 below regarding requests to the Chief Executive for group briefings by officers.

Chief Finance Officer (CFO) (s151 Officer) - The CFO is responsible for arrangements for the proper administration of the Council's financial affairs. The CFO has a statutory duty to report to the Council in relation to any unlawful expenditure (actual or proposed) or if it appears expenditure in any financial year is likely to exceed resources available to meet the expenditure. This statutory post is currently held by the Director of Finance and Economy.

Monitoring Officer (MO) – The MO has a statutory duty to report to the Council (or Cabinet) if it appears the Council is acting or likely to act illegally or, in some circumstances, with maladministration. The MO also has a statutory role central to the ethical standards regime for borough councillors and in some respects, parish councillors in the borough. It is important that the confidentiality and independence which attaches to the latter functions are understood and respected. This statutory post is currently held by the Director of Law & Governance.

- 6.3. The Leader of the Council is appointed by the Council under statutory provisions for a four year term. The office of the Leader of the Council carries personal statutory responsibilities, including the appointment of a Cabinet. The office also carries strategic leadership functions under the Council's Constitution including
- To provide visible political leadership in the overall co-ordination of the Council's policies.
 - To uphold the Constitution and ensure adherence of proper standards of behaviour by Councillors
- 6.4. Councillors and officers should be aware of these statutory roles and responsibilities and have appropriate regard for the advice and actions of the office holders when discharging these duties.

7. Briefings by Officers

- 7.1. Since officers serve all members of the Council, they must provide information, offer advice and give assistance in the formulation of policy proposals impartially to all who seek such information advice and assistance. Officers also have to recognise the position and roles of Committees, Portfolio Holders and Chairmen and the need to work with them to facilitate the discharge of the Council's functions and delivery of services.
- 7.2. Whilst, therefore, working relationships between senior officers and Portfolio Holders, for example, will need to be close, the relationships must not:
- compromise officers' duties to all members of the Council
 - be so close as to give the appearance of partiality or over-familiarity by the officer
 - undermine or compromise officers' professional responsibilities to give appropriate advice impartially in the interests of the Council

- 7.3. Briefings of councillors by officers occur regularly within the committee and decision-making process. For example, prior to the despatch of each Cabinet agenda, the Leader of the Council and relevant Portfolio Holders, will be briefed by relevant officers and the content of an agenda discussed and so far as possible agreed with the Leader as Chairman in accordance with the Council's Constitution. Similarly, prior to the despatch of each Overview & Scrutiny Committee agenda, the Chairman and Vice Chairman will be briefed by the Senior Policy and Scrutiny Officer and the agenda agreed with them so far as possible.
- 7.4. The Chairmen of regulatory committees will not normally be briefed upon items proposed to be included on meeting agendas but may be briefed by relevant officers upon the content of agendas once settled by the Proper Officer.
- 7.5. There may be additional briefings given by officers to councillors on specific topics or to particular committees. However briefings will not be given by officers to individual party groups unless the same briefing is also offered to other party groups and any independent councillors. Requests for group briefings should be made to the Chief Executive. Normally only officers of appropriate seniority, such as heads of service or Directors, would attend such briefings. Briefings may only relate to Council business not group or party business.
- 7.6. In the event that a briefing is given, officer(s) will leave the meeting before the group decide what view to take on the matter. If a group meeting includes non-members of the Council, the officer may not be able to provide the same level of information and advice as to a "councillors only" meeting.

Summary

DO pre-plan visits to the offices to meet with officers by appointment wherever possible.

DO NOT ask officers to advise or attend meetings of a political group except for any all-group briefings arranged through the Chief Executive.

DO NOT place undue work pressure on officers to respond in evenings or at weekends outside of agreed out of hours procedures.

8. Councillors' Rights of Access to Documents

- 8.1. Councillors are normally entitled to have access to information and documents reasonably necessary to enable them to carry out their councillor duties. This is often referred to as 'the need to know'. This does not normally apply to working or draft documents or internal management documents. Nor does it apply if a councillor has or is reasonably considered to have an improper

purpose in accessing the information e.g. to act contrary to the Council's interests. The Council's Monitoring Officer will decide in the event of any dispute.

- 8.2. Confidential documentation such as that provided in relation to named individuals for Appeals or Appointments committee meetings, will normally be made available on a confidential basis only to councillors serving on the relevant panel or committee.
- 8.3. Councillors should not disclose information or documents provided to them by officers on a confidential basis. Nor should they disclose any information provided as 'exempt' or 'confidential' under the Access to Information legislation. Such disclosure may be in breach of the law or the Council's Code of Conduct for Members.

9. **Press and Media Statements**

- 9.1. Official press statements relating to the functions and business of the Council may be issued by the Communications and Marketing Manager on the authority of the Mayor (on matters relating to that office) and on all other matters in consultation with the Leader of the Council (or Deputy Leader in absence of the Leader) or the relevant Portfolio Holder (after discussions with the Leader or Deputy Leader) or the relevant Chairman of a committee (or Vice Chairman in absence of the Chairman) after discussion with the Leader or Deputy Leader.
- 9.2. All Council media communications will follow the Code of Recommended Practice on Local Authority Publicity. This means they will not contain party political views or material. Any party political communications should be through councillors' own channels such as their own party newsletters or social media channels rather than supported by officers.
- 9.3. Expression of opinion or views by councillors on behalf of the Council to the press, radio or television or to MPs or other public bodies on matters relating to the work of the Council shall be given only by the Leader of the Council or Deputy Leader or Portfolio Holder or Chairman or Vice Chairman of a Committee in the same manner described at 9.1 above.
- 9.4. Paragraph 9.3 does not prevent councillors expressing opinions or views on such matters in a personal or ward councillor or political group capacity provided this capacity is made clear in the communication.⁴
- 9.5. All media enquiries and requests for comment/interview made direct to an officer must be directed to the Council's Communications team for consideration and advice. Media enquiries and requests for comment/interview made direct to a councillor should also normally be

⁴ Article 2.06 of the Constitution provides additional guidance in relation to such communications by councillors.

directed to the Council's Communications team, for consideration and advice. In any event para 8.3 above still applies to any views expressed.

Summary

DO ensure media enquiries and requests to officers for comment are always directed to the Council's Communications Team for advice and that such requests to councillors are normally so directed

DO NOT seek to include party political material in any Council media communication.

DO NOT express views on behalf of the Council to press, radio, TV or MPs or other public bodies on Council business unless you are specifically authorised to do so.

10. Modelling and Monitoring Positive Behaviours

- 10.1. The Council's political leadership and Senior Management Team commit to model the highest standards of personal conduct in undertaking the Council's business. This is intended to set an appropriate example for others to follow.
- 10.2. It is important, however, that if councillors or officers have concerns about the behaviour or actions of others they should feel able to raise them in an appropriate way without fear of reprisal. This reflects the Council's legal obligations to promote and maintain high standards of conduct.
- 10.3. If an officer feels this Protocol has been breached they should discuss their concerns with the Council's Chief Executive or Monitoring Officer. As far as possible there should be an informal resolution to the concerns by discussion with the relevant councillor and/or Group Leader. However, if on initial investigation, the situation appears to be sufficiently serious it may need to be resolved by following the procedures of relevant Council policies (such as the harassment policy) or through the formal Code of Conduct complaints process.
- 10.4. If a councillor considers an officer has breached this Protocol, this should normally be dealt with first through line management arrangements. This means raising the matter with the relevant Director or Head of Service. Again, where possible an informal resolution should be sought or, if the matter is sufficiently serious, it should be handled within the Council's approved employment procedures. It is important to follow such procedures because, (as is made clear in the Appendix to this Protocol), it is inappropriate for councillors to remonstrate with or criticise officers at public or other meetings or in front of fellow councillors or officers.

Summary

DO at all times seek to model the highest standards of officer and councillor conduct in undertaking the Council's business.

DO raise concerns about behaviour or actions of councillors in breach of this Protocol with the Chief Executive or the Monitoring Officer in accordance with para 10.3.

DO raise concerns about behaviour or actions of officers in breach of this Protocol in accordance with para 10.4.

APPENDIX

Best Practice Guidance for all Elected Members of the Council

Collective & Individual Responsibilities

1. Introduction:

- 1.1 Your election to serve on Ashford Borough Council, demonstrates that the electorate has put their faith and trust in you. Therefore you are democratically accountable to the residents of your Ward and have a special duty to represent them. However, as an Elected Member you also have an overriding duty to the whole community of Ashford. These duties include assisting in the collective creation of policies that define the strategy and corporate approach to the functions of this Authority.
- 1.2 This guidance explains the expectations that complements the key roles and duties of all elected members of the Authority as defined in **Article 2 Section 2.03 of the Constitution** and in addition the more specific duties of Elected Members serving on various committees as defined in **Part 3**.
- 1.3 As an Elected Member you have accepted a number of responsibilities that you will wish to discharge in a credible way. In order to do so you will need to gain a good understanding of the Council's statutory and non - statutory responsibilities and just how these are discharged.
- 1.4 It is also important to fairly quickly gain an understanding of the organisation of the Council and the key officers, who are there to assist you. There is also a need to understand the relationship of the Council with other organisations.
- 1.5 Clearly certain duties as an elected Councillor are such that they must be your priorities and they are emphasised in the sections that follow.
- 1.6 It is quite understood that many Councillors are employed and have other pressing demands on their time. It is therefore important to differentiate between what are your key duties and what are rather more optional. It is important that you do not take on more than you can do well and effectively.
- 1.7 Elected Councillors may also have a duty to their respective group on the Ashford Borough Council and to their political organisation.

2. Councillors Collective Responsibilities:

- 2.1 Whilst, the administrative party will set the policies and drive forward their agenda, which opposition members are free to challenge, it must be remembered that all elected members are working not only for their wards but also for the good of the entire Borough.
- 2.2 All Elected Members have a duty to contribute to the good governance of the Ashford area and encourage citizen involvement in their wards. Accordingly you have a prime duty to attend the Full council meetings when called to do so by the Mayor. Indeed, under Section 85 of the Local Government Act 1972, any Elected Member who fails to attend any meetings of the Council or its Committees for a six month period would automatically be disqualified and lose their seat. A By-Election would then have to be held.
- 2.3 You also have a collective and personal duty to attend any committee to which you have agreed to be appointed. If you are unable to attend a meeting it is good practice to send apologies via Member Services. You also have the opportunity to arrange a substitute (Part 4, Appendix 4 of the Constitution refers). This should be done via your Political Group. You should remember that membership of the various committees, forums, task groups, boards, panels or sub committees is optional and you should not accept an appointment to any that you cannot attend on a regular basis.

3. Individual Responsibility:

- 3.1 Collective responsibility is not the same as individual responsibility, which means that elected members have certain personal responsibilities.
- 3.2 In order for elected members to be effective, they must become knowledgeable and fully understanding of the methods and practices used by Council officers to deliver the Council's corporate plans and policies. If there are any issues that are unclear or of concern they should approach the relevant Portfolio Holder, Senior Officer or a Senior Member of the Authority. Induction and training is offered to all Elected Members and you are encouraged to make every effort to attend such sessions. Attendance at training in Planning and Licensing is mandatory for Members appointed to serve on those Committees.
- 3.3 Elected Members must understand that it is as much their responsibility to keep themselves informed of what is going on in

the Council as it is of others to inform them. Unfortunately, it is sometimes the case that Elected Members remonstrate, stating that they are unaware of certain matters only to find that they have been so informed, but have failed to either attend the briefing or have failed to read the documents provided.

- 3.4 The Leader of the Authority is keen to ensure that the Council has as an inclusive approach as possible and to that end has introduced the practice of producing a series of numbered "Leader's Briefings". These briefings are circulated to all Members of the Authority irrespective of party affiliation.
- 3.5 The Administration is responsible for corporate policy formation under the cabinet system, all Elected Members of the Authority must share in the responsibility of ensuring that these Council policies are being executed in an effective and timely manner.
- 3.6 Whilst the robust nature of British politics is well understood and whilst it is reasonable to robustly challenge differing political views and decisions, good manners, good behaviour and respect are the order of the day. Your attention is drawn to the Council's adopted Code of Conduct for Members in Part 5 of the Constitution. As Elected Members representing the people of Ashford, you have a duty to set that good example in your day to day activities. You need to think about what you say and what you write and the use of inappropriate or inflammatory language is not acceptable.
- 3.7 It is particularly inappropriate for elected members to remonstrate with individual staff for any perceived shortcomings. It is however, important that you take up any such matters of concern with the respective Service Head and or Portfolio Holder. Elected Members should not be hovering around the workplace of the officers or becoming involved with their detailed activities, because they have line managers to whom they report.
- 3.8 If any Elected Member is unhappy or concerned with any process or procedure or indeed performance of any department or officer of the Council, then it may be appropriate to take it up with the Leader, CE or the appropriate Head of Service, dependent on the nature of the issue.
- 3.9 Under no circumstance is an Elected Member to remonstrate with any officer of the Council in front of either other Elected Members, or indeed other officer colleagues. At public or closed meetings it is also unacceptable to remonstrate with officers in a way that would cause embarrassment or humiliation, because that is in effect bullying and is not acceptable in this Authority. It is also likely to be a breach of the Council's adopted Code of Conduct

which could lead to a formal complaint, investigation and sanctions.

- 3.10 Elected Members have an inherent duty to effectively represent the interests of their ward and individual constituents. However, in doing so they will often have to balance competing interests both in the ward and with the wider interests of the Borough.
- 3.11 It should be remembered that if, you are approached by a member of the public about a Council matter that they are concerned about, Members should first check that they are indeed resident in your ward. If not it is important that you refer them to the appropriate ward member and do not yourself get involved, unless invited to do so by the ward member.
- 3.12 In terms of elected members wishing to make or express a view on behalf of the Council, your attention is drawn to **Part 2, Article 2 Section 2.06 of the Constitution**. In addition Members will need to adhere to any group rules applicable in this area.

Gerry Clarkson
Leader - Ashford Borough Council (Rev: May 2018)