

LANCASHIRE COMBINED FIRE AUTHORITY REVISED PROTOCOL ON MEMBER/OFFICER RELATIONS

REVIEWED AT NEW STANDARDS ARRANGEMENTS WORKING GROUP HELD
24 APRIL 2012 AND SUBSEQUENTLY RATIFIED AT COMBINED FIRE AUTHORITY
HELD 18TH JUNE 2012

General Principles

Councillors who serve on the Combined Fire Authority and professional officers who are its employees or appointed to serve it, have complementary roles in providing local governance which is transparent and accountable. Effective partnership requires mutual respect and a proper understanding of the status and obligations of the individuals concerned.

Councillors and Officers are expected to adhere to the principles relating to conduct and behaviour as laid down in their respective codes.

This protocol applies, where appropriate, to voting co-opted members of the Combined Fire Authority or any of its committees.

Expectations of Officers by Councillors

Councillors are the elected representatives of their communities and are accountable to the electorate for the delivery of policies and services. Officers are required to respect the representational role of Councillors. Councillors should not involve themselves in the day to day management of services but they are entitled to be listened to when raising issues on behalf of the people they represent. In fulfilling their role, the following standards can be expected of officers:

- Officers to provide objective unbiased information and advice on matters of Authority business;
- Officers to act with integrity and respect confidentiality within the limits of their own responsibilities;
- Officers to respect and support the representational and leadership role of councillors and associated workloads and pressures.

Expectations of Councillors by Officers

Officers are accountable to the Authority for the implementation of policies and the delivery of services, and are responsible for the day to day management of services. In fulfilling these roles, officers can expect:

- To be treated with dignity, courtesy and respect by councillors;
- Councillors to provide mutual support and respect appropriate confidentiality;
- Not to be put under any undue or unnecessary pressure by councillors, who will have regard to the respective seniority of officers and demands that can reasonably be made upon relevant grades of officers;
- Councillors reasonably to fulfil commitment to attend and participate in public meetings and events;
- Respect for their own working time and requirements of their posts.

Officers

Officers employed by the Fire and Rescue Service are accountable to the Chief Fire Officer. Although they should always seek to assist a Councillor, in doing so they must not exceed the powers which they have been authorised to exercise by the Chief Fire Officer.

Relationships between Officers and Councillors performing particular roles

The Chairman of the Authority and the Vice-Chairman require regular briefings from the Chief Fire Officer, the Clerk and the Treasurer.

Chairs and deputies of committees will be consulted and briefed routinely as part of the process of preparing agenda reports for committees. Any advice given by officers must be considered by chairs and members of committees in reaching a decision.

Group Briefings

Group spokespersons are entitled to request and receive regular briefings on issues of Authority business.

Non group councillors

Councillors who do not belong to a party group are entitled to seek and receive information on authority business on a similar basis.

Officer relationships with party groups

Officers will not normally provide advice or information to a party group. Similarly officers should not normally be asked to brief party group meetings or discussions which involve non-authority representatives.

Councillors access to documents and information

Councillors can approach the Chief Fire Officer, the Clerk or the Treasurer to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a Councillor. A request might be for general information about a particular aspect of activities or a request for specific information on behalf of the constituent. If councillors wish to visit Authority premises, they should, whenever possible, contact the Chief Fire Officer or Head of Service Delivery/Community Protection Manager so that the necessary arrangements can be made.

Councillors have legal rights of access to documents and information held by the Authority. However, these rights are not absolute and in some instances a councillor may have to establish a "need to know" to justify access. Data Protection and Human Rights considerations may also apply in particular circumstances.

When Part II reports are provided to councillors this is on the basis that they are private and confidential and disclosure may be unlawful. Any information contained within a Part II report must not be given to the Press or members of the public unless permission is specifically given by the Chairman or Chair of a Committee following advice from the monitoring officer.

A Councillor of one party group does not have the right to inspect a document that forms part of the internal workings of another party group or any document or part of a document containing advice provided by a political adviser or assistant.

Confidential Information

The requirements of confidentiality referred to in the Code of Conduct for councillors must be strictly observed. Any material provided on a confidential basis must remain so unless permission to share that information is given by the person providing it. Officers must also at all times consider Data Protection and any other statutory provision relating to confidentiality and confidential material.

Local Government Act 1986 - Publication of Material

Material must not be published which in whole or in part appears to affect public support for political party and information published is restricted to the provision of information relating to the functions of the authority only. Restrictions also apply to the publication of material within 28 days of any local election or referendum.

Correspondence

Correspondence between an individual councillor and an officer should not normally be copied by the officer to any other councillor. Where it is felt necessary to copy the correspondence to another councillor, this should be made clear to the councillor who originated the enquiry. If the correspondence includes information relating to another councillor then it will automatically be copied to the other councillor concerned, without reference to the councillor originating the enquiry.

Support Services to Councillors and Party Groups

The only basis on which the authority can lawfully provide support services such as stationery, typing, printing, photocopying, transport to councillors is to assist them in discharging their role as councillors. Such support services must therefore only be used for authority business. The services should not be used in connection with party political campaigning activity. Any service used for this type of activity can only be provided with prior approval and is subject to payment of an appropriate charge by the individual councillor or group. Councillors must ensure that they adhere to the relevant codes of conduct or procedures relating to the use of computers. They should also follow Health and Safety procedures. The Code of Recommended Practice on Local Authority Publicity is attached to this Protocol (Annexes 1 and 2). They should also follow Health and Safety procedures.

Monitoring and Evaluation of the Protocol

The operation of this protocol will be monitored by the Authority itself or an appropriate Authority Committee.

Advice on the Operation of the Protocol

The protocol is intended to act as a guide for both councillors and officers. The Clerk to the Authority will offer advice on the implementation and operation of the protocol.