



KEYNSHAM TOWN COUNCIL

PRINCIPLES OF GOOD PRACTICE

Incorporating

A PROTOCOL FOR MEMBER /OFFICER (EMPLOYEE) RELATIONS

The following guidance has been put together to give all Council members and staff guidance on accepted good practice on Council protocol.

Members of principle authorities will be familiar with such protocols which have been produced as guidance for many years, but these are increasingly seen as valuable resources for Town/Parish Councils.

Copies of this Protocol will be issued to all Members on election and to all Employees on appointment. After any revisions, an updated copy will be given to all Members and employees within 14 days of adoption.

It will complement any statutory procedures or legislation enacted from time to time and should be read in conjunction with all other adopted policies and protocols adopted by KeynshamTown Council and information and guidance provided by other publications such as "The Good Councillors Guide" and NALC guidelines on Chairship.

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PRINCIPLES OF GOOD PRACTICE

SECTION 1 – DEMOCRATIC CONTROL

1.1 ROLE OF THE CHAIR

- a. The Council Chair will be elected by the Council annually at the annual Town Council meeting. This is an office created by legislation commanding respect.
- b. As Chair they will have the following responsibilities:
 - i. The Chair's main role is to run council meetings.
 - ii. He or she can suggest the content and design of the agenda, but as legal signatory, technically the Clerk has the final say.
 - iii. The Chair is responsible for ensuring that effective and lawful decisions are taken at meetings of the council and, assisted by the clerk, guides activities by managing the meetings of the council.
 - iv. to uphold and promote the purposes of the Standing Orders and Financial Regulations, and to interpret the Standing Orders and Financial Regulations when necessary;
 - v. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community;
 - vi. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community
 - vii. to promote public involvement in the Council's activities;
 - viii. The Chair is responsible for involving all councillors in discussion and ensuring that councillors keep to the point. The Chair summarises the debate and facilitates the making of clear resolutions and is responsible for keeping discussions moving so that the meeting is not too long.
 - ix. The Chair has a casting vote. His/her first vote is a personal vote as a member of the council. If there is a tied vote, the Chair can have a second or casting vote.
 - x. The Chair has the power to call an extraordinary meeting of the council at any time.
 - xi. The Chair will often be the public face of the council and will represent the council at official events. He/she may be asked to speak on behalf of the council and, in such circumstances, should only express the agreed views of the council and not give his or her personal views.
 - xii. The Chair cannot legally make a decision on behalf of the council but is consulted by the Town Clerk when the Clerk is acting under delegated authority in accordance with Standing Orders
 - xiii. To write the following articles
 - i Quarterly article for Town Council newsletter
 - ii Annual Town Report

1.2 ROLE OF COMMITTEE CHAIR

- a. The main duty of committee Chair is to chair meetings of their respective committees.
- b. The position confers no additional powers over other Members apart from those specified in Standing Orders. Committee Chair shall confer with the Town Clerk and the committee Lead Officer on appropriate matters.
- c. Chair of committees should treat each member of their committee as equal. They should ensure that every member has the right to be heard. The Chair should encourage those members who do not so readily participate in discussions to speak out.

SECTION 2 - PRINCIPLES OF DECISION MAKING

2.1 DECISION MAKING BY THE FULL COUNCIL OR COMMITTEES

Council meetings will follow the Council's procedural rules set out in Standing Orders and Financial Regulations when considering any matter.

2.2 PRINCIPLES OF DECISION MAKING

- a. The following principles should underpin any decision made by the Council, a Committee, Sub-Committee, or Officer:-
 - Proportionality - proposed actions should be proportionate to the desired outcomes.
 - Due consultation and the taking of professional advice from officers.
 - Respect for human rights.
 - A presumption in favour of openness.
 - Clarity of aims and desired outcomes.
 - An explanation of the reasons for a decision.
 - Equality and Diversity.
- b. All Council decisions must be taken in accordance with the principles of:
 - i. **Openness:** Being open about the decisions and actions that the Council takes.
 - ii. **Responsiveness:** Listening to all sections of the community and finding a balance that will best meet local needs.
 - iii. **Representation:** The Council acting in the interest of the whole community that it serves.
 - iv. **Stewardship:** Ensuring the Council uses its resources prudently and lawfully, and in the interests of the community that it serves.
 - v. **Integrity:** Enabling the Councillors and Council employees to act in accordance with the highest ethical standards.
 - vi. **Equality:** Ensuring equality of access to Council services and equality in the delivery of services to Keynsham's communities.
- c. Members must always remember that decisions and policies once determined are subject to collective responsibility.

2.3 PREPARATION OF COUNCIL AGENDAS, MINUTES AND REPORTS AND CONDUCT OF MEETINGS

a. *Agendas*

The Town Clerk as Proper Officer is legally responsible for the content of all Agendas and Minutes for all meetings of the Town Council, Committees and Sub Committees and for circulation of them to meet statutory requirements.

All committees have a dedicated Lead Officer appointed who specialises in the portfolio of work undertaken by that committee and it is them, not the Members, to arrange meetings, communicate information and take the necessary actions as agreed.

The Lead Officer will draft the agenda in consultation with the relevant committee Chair. The draft agenda will be submitted to the Town Clerk or in their absence the Deputy Town Clerk and once satisfied that it meets all criteria as given in Standing Orders, statute and recognised best practice they will sign it in their capacity as Proper Officer and issue the summons or invitation to members of the relevant committee and public notification.

The Chair and Lead Officers work in partnership with the Proper Officer to make sure that the Council is properly informed for making lawful decisions during meetings.

[Agendas and reports to be distributed to Councillors 3 working days before the meeting.](#)

b. *Notice of Motion*

Any Member is entitled to submit a Notice of Motion relevant to some question over which the Town Council has power or which affects its area, for inclusion on the Town Council agenda.

It must be received by letter or email at least 7 clear days before the meeting and must comply in all respects with Standing Orders

Any such motion, on being adopted, would stand referred to the relevant committee if it related directly to the Town Council's services.

c. *Officers at Meetings*

The Town Clerk or other appointed officer as delegated by the Town Clerk will be present at all meetings involving Members of the Town Council and will advise on any questions relating to Standing Orders, Financial Regulations, legal requirements or committee procedures and will supervise the production of formal Minutes of the meeting.

Where for whatever reason an officer is not able to attend a meeting the meeting is not invalidated. The Chair presides and a Member may take the minutes.

d. *Minutes*

The Town Clerk or other appointed officer is legally responsible for the content of all Minutes and for circulation of them to meet statutory requirements.

The Committee Chair will be consulted on the accuracy of draft minutes prior to circulation to all members of the committee. Committee members are encouraged to raise any issues of accuracy with the Lead Officer before the next meeting of the committee.

e. *Submission of Reports*

When a named officer has produced a written report for the consideration of Members, he/she is known as the “Lead Officer” for the particular topic and is always given the opportunity to introduce the report and answer any questions about it.

The Lead Officer may not necessarily be the same officer who attends to give advice on legal requirements or procedures and produce the Minutes as referred to in 2.3.a and 2.3.b above.

All Committee reports will usually contain a recommendation which formally sets out the best advice from the officers concerned, although the decision to accept this or not rests with the Members.

2.4 AUTHORITY TO ACT

- a. Day-to-day decision making remains the responsibility of the Town Clerk as Proper Officer and in any event, Standing Orders and Financial Regulations specifically authorise some delegation to Officers up to specified limits.
- b. The authority of Members is collective and as such they should not formally inspect any Town council property without authority or issue orders or directions to Employees. Nor should they write official correspondence on behalf of the Town Council or represent the Town Council to outside bodies unless previously authorised or agreed
- c. No individual Councillor or informal groups of Councillors can make a decision on behalf of the Council.

SECTION 3 - PROTOCOL FOR MEMBER/EMPLOYEE RELATIONS

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1 Introduction and Principles

- a. The purpose of this Protocol is to guide Members and Employees of Keynsham Town Council in their relations with one another and their dealings with other Members and Employees from any tier of Government in such a way as to ensure the smooth running of the Council.
- b. Given the variety and complexity of such relations, this Protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts to these issues will serve as a guide to dealing with other circumstances.
- c. This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed it should ensure that Members receive objective and impartial advice and that Employees are protected from accusations of bias and any undue influence from Members.
- d. It also seeks to reflect the Seven Principles of Public Life underlying the Code of Conduct which apply to Members. The object of this code is to enhance and maintain the integrity (real and perceived) of local government and the Code, therefore, demands very high standards of personal conduct.

The Seven Principles of Public Life:

i. Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

ii. Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

iii. Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

iv. Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

v. Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

vi. Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

vii. Leadership

Holders of public office should promote and support these principles by leadership and example.

e. Code of Conduct for Members

The Council has adopted the Codes of Conduct for Members, and this protocol should be read in conjunction with that Code and the relevant provisions of the Council's other adopted policies.

2 Principles Underlying Member/Employee Relations

The Nolan Report on Standards of Conduct in Local Government 1995, suggests that 'No local authority can function properly without a good relationship between its Councillors and its Employees. Where the relationship breaks down, an atmosphere of suspicion or dislike can make it very difficult to devise and implement policies in any consistent way'. The 7 general principles which govern the conduct of members shown above (selflessness, honesty and integrity, objectivity, accountability, openness, personal judgement, respect for others, duty to uphold the law, stewardship and leadership) require members to respect the impartiality and integrity of an authority's statutory Employees and other Employees.

Those principles are equally appropriate for Employees in their dealings with members.

3 General Points

Both Members and Employees are servants of the public and they are indispensable to one another. But their responsibilities are distinct. The key roles of Members is to set policy and budgets and make major decisions; the key roles of Officers are to advise on and implement those decisions and ensure the council acts in a lawful manner at all times.

(By convention all Employees are known as "Officers" of the Council).

a. Roles of Members:

Councillors are responsible to the electorate and serve only so long as their term of office lasts. Members are democratically elected and are accountable to the electorate for their actions. An important feature of each Member's role is to represent the interests of his/her constituents, irrespective of how they may have voted in an election. The expectation is that Members will be more aware of the views of their constituents on major policy developments before decisions are taken collectively at Council meetings.

Members contribute to the work of the whole council by:

- suggesting ideas
- engaging in constructive debate
- responding to the needs and views of the community
- representing their constituents
- behaving in an ethical way and being open and transparent about interests
- commenting on proposals to ensure the best outcome
- voting – to enable the council to make decisions

b. Roles of Employees:

- i. The Town Clerk is employed by the Council and answers to the Council as a whole. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council, their committees and sub-committees. All other staff, although employed by the Council, answer directly to the Town Clerk who is their manager and responsible for their performance. In some cases, the Clerk may delegate the management of staff to senior Officers such as the Deputy Town Clerk, Youth Team Leader or Senior Groundsman.
- ii. All staff work to the instructions of their senior officers, not individual members of the Council, whatever office the Member may hold. Staff must not therefore be asked to exceed the bounds of authority they have been given by their manager nor should they have unreasonable demands placed on them in terms of support to an individual Member.
- iii. Certain Officers e.g. Town Clerk and Responsible Finance Officer have responsibilities in law over and above their obligations to the Council and to individual Councillors, and Councillors must respect these obligations, must not obstruct Officers in the discharge of these responsibilities, and must not victimise Officers for discharging these responsibilities.
- iv. Employees are responsible for day-to-day administrative, managerial and operational decisions within the Council and should provide support to all Members. They are employed by and accountable to the Council as a whole via the Town

Clerk. Members should respect the obligation placed on Employees to serve the Council as a whole.

- v. Employees have a duty to implement decisions of the Council which are lawful, and which have been properly approved in accordance with the requirements of the law recorded in the Minutes and therefore form part of the adopted policies of the Council.

c. *Employer / Employee Issues:*

- i. At the heart of this Protocol, is the importance of mutual respect. Member/Employee relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and Employees should observe reasonable standards of courtesy and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.
- ii. Members should recognise and have due regard to their role as an employer in their dealings with Employees and be conscious that inappropriate conduct or behaviour on their part could lead to a case being brought to an employment tribunal by an aggrieved Employee. It is proper for a Member to make written or oral representations about a matter affecting a constituent who also happens to be an Employee but he/she should avoid taking a proactive part or represent or act as an advocate on behalf of the Employee in any disciplinary or grievance procedures brought against the Council by the Employee.
- iii. The long standing requirements on Members as employers were reaffirmed in law by an Employment Appeals Tribunal, *Moores v Bude & Stratton Town Council*. This confirmed that the Town Council collectively was the employer. The unofficial actions of an individual Member could destroy the entire basis of the employer/employee relationship and that employees were entitled to a "reasonably congenial working relationship".
- iv. Members should not place inappropriate pressure on Employees and must ensure that all communication between them (including written communication) does not bring the Council into disrepute, cause any embarrassment to them, or lead to a breakdown of mutual trust respect and courtesy in Member/Employee relations.
- v. In particular, Members and Employees should promote equality by not discriminating unlawfully or otherwise against any person. They should treat people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. Such principles will apply equally to the implementation of personnel and other policies, recruitment and promotion as they apply to day to day dealings with members of the public.
- vi. Members should not raise matters relating to the conduct or capability of a Council employee or of employees collectively at meetings held in public. This is a longstanding tradition in public service. An Employee has no means of responding to such criticisms in public.
- vii. Equally, Members should be aware that they have a duty of care collectively as an Employer to protect Employees from members of the public raising matters in

public meetings relating to conduct or capability of an employee or group of employees.

- viii. If a Member feels he/she has not been treated with proper respect, courtesy or has any concern about the conduct or capability of an Employee, he/she should raise the matter with Town Clerk(or in the case of the Town Clerk, with the Chair of the Personnel Committee), who will look into the facts and report back to the Member.
- ix. Any action taken against an Employee in respect of a complaint will be in accordance with the provisions of the Council's Disciplinary Rules and Procedures.
- x. Where an Employee feels that he/she has not been properly treated with respect and courtesy by a Member, he/she should raise the matter with his/her Line Manager or the Town Clerk as appropriate, especially if they do not feel able to discuss it directly with the Member concerned. In these circumstances the Line Manager / Town Clerk will take appropriate action either by approaching the individual Member or by referring the matter to the Chair of the Town Council.
- xi. It is important that there should be a close working relationship between Councillors and with staff. However, such relationships should never be allowed to become so close, or appear to be so close as to bring into question the issue of impartiality into doubt
- xii. It is necessary for members and officers to avoid close personal familiarity, which could undermine public confidence in the Council.) If a close personal relationship does develop, it is important that it is openly declared "to the Personnel Cttee under confidential business" and, where possible, members and officers who have close personal relationships should avoid working relationships where they would come into regular contact on projects and in the day to day business of the Council. Close personal relationships between members of staff are also addressed in the Employee Handbook
- ix. Provided these guidelines are observed there is no reason why there should not be an informal atmosphere between members and officers outside formal meetings and events.

4 The Relationship: Employee Support To Members: General Points

Employees are responsible for day-to-day managerial and operational decisions within the Council and will provide support to all Councillors.

Certain statutory officers - the Town Clerk/Proper Officer and Responsible Financial Officer (RFO) have specific roles. These are addressed in Standing Orders and Financial Regulations. Their roles need to be understood and respected by all Members.

a. *Independence of the Town Clerk*

- i. The Town Clerk is not answerable to any individual Councillor, not even to the Chair. The Town Clerk is an independent and objective servant of the Council as a single corporate body, recognising that the Council is responsible for all decisions and taking instructions from the Council in its capacity as a single corporate body.

- ii. As an independent and objective professional, the Town Clerk (or such delegated officer) advises the Council on whether decisions are lawful and ways in which decisions can be implemented.
- iii. All Members of the Council have a right of access to the Town Clerk. The Town Clerk is free to give advice on a confidential basis about procedural matters to any Member.
- iv. The Town Clerk (or such delegated officer) can be asked to research topics of concern to the Council and provide unbiased information that helps the Council to make appropriate choices. Such officers are entitled to seek the instructions of a Committee before responding to a request from a Councillor.
- v. On occasion, a decision may be reached which authorises the Town Clerk to take action between meetings following consultation with a specific Member. It should be recognised that it is the Town Clerk, rather than the Member or Members, who takes the action and it is the Town Clerk who is legally accountable for it.

b. Key principles that reflect the way in which the Employees generally relate to Members:

- i. Employees are responsible for day-to-day administrative, managerial and operational decisions within the Council and should provide support to all Members. They are employed by and accountable to the Council as a whole via the Town Clerk. Any questions relating to operational or administrative matters should always be directed to the Town Clerk and not the employee directly concerned
- ii. Members must not issue orders, instructions or directions to Employees. Authorisation to carry out work on behalf of the Council can only be issued by the Town Clerk. The Office of Chair or as a Committee Chair does not confer this status.
- iii. It should be remembered that Employees are accountable to their Line Manager and that whilst Employees should always seek to assist a Member, they must not, in so doing, go beyond the bounds of whatever authority they have been given by their Line Manager.
- iv. Officers will do their best to give timely responses to Members' enquiries. However, officers should not have unreasonable requests placed on them. Their work priorities are set and managed by their Line Managers. Members should avoid disrupting officers' work by imposing their own priorities.
- v. Much of the work of the Council is time sensitive and Employees are usually working to tight deadlines. In order to help minimise disruption and to enable Employees, particularly Managers to plan and prioritise their work programme, Members should always seek to make an appointment to see an Employee and give an outline of what issues are to be discussed. This will help officers to provide the most relevant advice, as preparation and research where necessary, can be carried out before the meeting.
- vi. Members should try to give timely responses to enquiries from officers, particularly where the Council must itself comply with legal time limits for making decisions (for example in relation to planning applications).

- vii. Members and officers should respect each other's free time. Council business should only be discussed when both Member and Employee are acting in their official capacity.

5 Employee Advice to Party Groups and Individual Members

- i. It must be recognised by all Employees and Members that in discharging their duties and responsibilities, Employees serve the Council as a whole and not any political group, combination of groups or any individual Member of the Council.
- ii. In Town Councils there is no statutory recognition for party groups. Employees must at all times maintain political neutrality. All Employees must, in their dealings with political groups and individual Members, treat them in a fair and even-handed manner.
- iii. Certain points must therefore, be clearly understood by all those representing party groups. In particular:
 - employee assistance must not extend beyond providing information and advice in relation to matters of Council business. Employees must not be involved in advising on matters of party business.
 - where Employees provide information and advice to a party group in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the relevant Council decision making body when the matter in question is considered.
- iv. Dual Hatted or Party Members must at all times ensure they do not seek assistance from Town Council employees for their work as a Party representative or as a Unitary Authority Councillor.
- v. Officers must never be asked to attend ward or constituency political party meetings.
- vi. It is acknowledged that some Council staff may receive and handle messages for Members on topics unrelated to the Council. Whilst these will often concern diary management, care should be taken to avoid Council resources being used for private or party political purposes.
- vii. In seeking to deal with constituents' queries or concerns, members should respect the Council's procedures. Officers have many pressures on their time. They may not be able to carry out the work required by Members in the requested timescale and may need to seek instructions from their Line Managers.

6 Use of Council Resources

- a. A Member must, when using or authorising the use of the resources of the Council, act in accordance with the Town Council's requirements and ensure that such resources are not used for political purposes or other roles (eg Unitary Authority Councillor) and that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Town Council or of the office to which the Member has been elected or appointed.
- b. The Council provides support services such as stationery, typing, printing, photocopying to Members to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business

and should never be used in connection with party political or campaigning activity or for private purposes by either members or officers.

- c. The only mail to be despatched from the Town Hall will relate to Town Council business and Members and Officers must not request that any mail is despatched of a private nature.

7 Members' Access to Information and to Council Documents

- a. There is a general presumption of open government within the Council. Members are free to approach the Town Clerk to obtain such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as Members of the Council. This can range from a request for general information about some aspect of a department's activities, council policies to a request for specific information on behalf of a constituent.
- b. Any enquiries relating to operational matters must always be directed to the Town Clerk or other head of service.
- c. Any enquiries relating to staffing matters should be addressed to the Town Clerk who will, in consultation with the Chair of Personnel committee, decide whether such information should be disclosed either to the individual Member, or the Personnel committee as a whole or whether by reason of confidentiality the request should be denied.
- d. Members are requested to submit their questions in writing / e-mail, or request a meeting with the relevant senior Officer giving notice of the topic so that it can be researched.
- e. Where information is requested on behalf of a third party, this will be treated as a request made under the Freedom of Information Act 2000, and the Council's normal procedures under that Act will be followed. If members intend to share information with third parties, they should notify the Clerk as part of their request. For the avoidance of doubt, third parties include the Members spouse/partner and close family members
- f. As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law.
- g. Members have a statutory right to inspect any Council document which contains material relating to any business which is to be transacted by the Council. This right applies irrespective of whether the Member is a Member of the Committee or Sub Committee concerned and extends not only to reports which are to be submitted to the meeting, but also to any relevant background papers. This right does not, however, apply to documents relating to certain items which may appear as a confidential item on the agenda for a meeting. The items in question are those which contain exempt information relating to Employees, occupiers of Council property, applicants for grants and other services, the care of children, contract and industrial relations negotiations, advice from Counsel and criminal investigations.
- h. The common law rights of Members remains intact, are much broader and are based on the principle that any Member has a prima facie right to inspect Council documents so far as his/her access to the document is reasonably necessary to

enable the Member properly to perform his/her duties as a Member of the Council. This principle is commonly referred to as the 'need to know' principle.

- i. The exercise of this common law right depends therefore, upon an individual Member being able to demonstrate that s/he has the necessary 'need to know'. In this respect a Member has no right to 'a roving commission' to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the 'need to know'. This question must initially be determined by the particular Line Manager whose department holds the document in question, in consultation with the Town Clerk.
- j. In some circumstances (e.g. a Committee Member wishing to inspect documents relating to the business of that Committee) a Member's 'need to know' will normally be presumed. In other circumstances (e.g. a Member wishing to inspect documents which contain personal information about third parties) the Member will normally be expected to justify the request in specific terms. In some circumstances duties of confidentiality to external bodies, or imposed by statute may override the common law right.

k. Confidentiality

- i. Any Council information provided to a Member must only be used by the Member for the purpose for which it was provided, i.e. in connection with the proper performance of the Member's duties as a Member of the Council. Therefore, for example, early drafts of Committee reports/briefing papers are not suitable for public disclosure and should not be used other than for the purpose for which they were supplied.
- ii. A Member must not:
 - disclose information given to him/her in confidence by anyone or information acquired which he/she believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so; and
 - prevent another person from gaining access to information to which that person is entitled by law'
 - raise matters relating to the conduct or capability of individual Officer(s) (either individually or collectively) at any meeting which is open to the press and public Any such criticism must be raised initially with the Town Clerk or other appointed Officer (In the case of the Town Clerk) the Chair of Personnel Committee
 - raise matters relating to the conduct or capability of individual Officer(s) (either individually or collectively) by emails that include recipients other than the Town Clerk, or other appointed Officer or (In the case of the Town Clerk) the Chair of Personnel Committee
- iii. Any such breach of confidence may result in a complaint made under the Code of Conduct or, if sufficiently serious, in civil action against the Member and/or the Council for damages.
- iv. All confidential Agendas/Reports are circulated on yellow paper and are "exempt information" as defined by the Local Government Act 1972. Reports or discussions

thereon should not be revealed outside any council meeting and can be shredded at the Town Council Offices.

- v. Employees must not raise matters relating to the conduct or capability of Members (either individually or collectively) at any meeting which is open to the press and public.
- vi. Any item marked confidential for a member should not be opened by an officer.

8 Correspondence (including email)

- a. Correspondence between an individual Member and an Employee should not normally be copied (by the Employee) to any other Member. Where it is necessary to copy the correspondence to another Member, this should be made clear to the original Member. In other words, a system of 'silent copies' should not be employed.
- b. Correspondence between an individual Member and an Employee should not normally be copied (by the Member) to any other Member or to a wider circulation to include party representatives, or Unitary Authority Officers and Councillors. Where it is necessary to copy the correspondence, this should be made clear to the Employee. In other words, a system of 'silent copies' should not be employed.
- c.
- d. Official letters must be sent on Keynsham Town Council headed paper. Official letters on behalf of the Council should normally be sent in the name of the appropriate Employee, rather than in the name of a Member. It will, however, be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter to appear in the name of the Chair of the Council. Letters which, for example, create legal obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.

9 Publicity and Press Releases

- a. Local authorities are accountable to their electorate. Accountability requires local understanding. This will be promoted by the Town Council, explaining its objectives and policies to the electors and Council tax-payers. In recent years, all local authorities have increasingly used publicity to keep the public informed and to encourage public participation. Every Council needs to tell the public about the services it provides. Increasingly, local authorities see this task as an essential part of providing services. Good, effective publicity aimed to improve public awareness of a Council's activities is, in the words of the Government, "to be welcomed".
- b. Publicity is, however, a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that local Town Council decisions on publicity are properly made in accordance with clear principles of good practice.
- c. The Government has issued a Code of Recommended Practice on Local Authority Publicity. The purpose of the Code is to set out principles that should apply to all publicity at public expense and which traditionally have applied in both central and

local government and concerns the content, style, distribution and such other matters as appropriate.

- d. Employees and Members of the Council will, therefore, in making decisions on publicity, take account of the provisions of this Code. If in doubt, Employees and/or Members should initially seek advice from the Town Clerk. Particular care should be paid to any publicity used by the Council around the time of an election.
- e. Press releases will be issued in accordance with the Media and Publications Protocol adopted by the Council.
- f. In essence relations with the media are the responsibility of the Town Clerk in consultation with the Chair. The Town Clerk may authorise other officers to provide factual information or delegate day to day matters in accordance with the approved policy and protocol.
- g. Members may comment on approved Council policies but may not comment on behalf of the Council on any non policy matter. If any Member wishes to make comments to the press, it must be made clear that the comment is that of the individual Member as a resident and not necessarily the corporate view of the Town Council.

As outlined in the protocol there are two types of press release:

h. Official Council Releases

An official Council release is made on behalf of the Council as a whole; it will be written by an Officer and issued by the Town Clerk. It is non-party political and may include a quote from the relevant Councillor(s). This is usually the Chair of the Council, or Committee Chair. In some circumstances it may be appropriate to also include the Ward B&NES Councillor or other Councillor promoting the scheme.

i. Councillor Press Releases

Councillors' press releases (a letter to the local paper letters page is one example) are personal and are written and issued by the Councillor responsible in their capacity as a Resident. This release may or may not be political and should not include the name of a Council officer or for example a Council telephone number as a point of contact. Members should be aware that using their title of Councillor on a personal letter may infer to the public they are representing the Town Council and not their personal views. It would be beneficial for copies of intended releases, especially those of a factual nature, to be provided to the Town Clerk. Councillors seeking advice can contact the Town Clerk or the Monitoring Officer.

- j. The Town Clerk will assist members in their relations with the media. Any Employee assisting a Member with media relations must act at all times in the interests of the whole Council and in a politically impartial manner.
- k. Other than factual statements, Members should not seek assistance from an Employee with the preparation or issue of any media statement that could adversely affect the reputation of the Council.

10 Involvement of Local Councillors

- a. Whenever a public meeting is organised by the Council to consider a local issue, all the Town Council Members representing the Electoral Division or Divisions (Wards)

affected should as a matter of course, be invited to attend the meeting.
Consideration should also be given as to whether to invite the B&NES Ward Councillors

- b. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the Town Council Ward Members should be notified at the outset of the exercise and consideration be given as to whether to include the B&NES Ward Members. More generally, Employees should consider whether other policy or briefing papers, or other topics being discussed with Committee, should be discussed with relevant Ward Members

11 Conclusion

Mutual understanding, openness on these sorts of sensitive issues and basic respect are the greatest safeguard of the integrity of the Council, its Members and Employees.

12 Arbitration

Where necessary, the Town Clerk will arbitrate on the interpretation of this protocol.

Amendment History

Paragraph	Detail	Committee or Town Council	Approval date
Original	Initial version	Town Council	17 th September 2017
	1 st review	F & P Committee	9 th September 2025
	1 st review	Town Council	16 th September 2025
	Next Review	F&P Committee	September 2027

Signed A. Beaumont Date 16 Sept 2025

Chair of Council

Signed [Signature] Date 15th September 2025

Town Clerk

Approved by Keynsham Town Council 17th September 2017