

## **Document 2.7**

# **LEADER AND DEPUTY LEADER OF THE COUNCIL PROTOCOL**

**Adopted 27 March 2017**  
**Review by March 2019**

## 1. Introduction

This protocol aims to ensure that the Leader of the Council and Deputy Leader of the Council act in a way that maintains high standards of behaviour commensurate with the role.

The Deputy Leader will only have authority to act during periods of absence of the Leader.

## 2. General Principles

- 2.1 In accordance with the statutory Code of Conduct, the Leader/Deputy Leader must not use Council resources for party political purposes. The Leader/Deputy Leader must uphold the political impartiality of the Town Clerk, and not ask the Town Clerk to act in any way which would conflict with the Council's Officer Code of Conduct, local Protocol on Councillor Officer relationships, or national Conditions of Service.
- 2.2 The Leader/Deputy Leader has line management responsibilities for the Town Clerk and can agree with the Town Clerk issues that arise on a day to day basis in relation to the implementation of Council decisions. The Leader will report back on Line Management duties of the Town Clerk to the Personnel Sub Committee and respond to questions if the need arises to any Committee.
- 2.3 Where a formal decision is required following discussion between the Leader/Deputy Leader and the Town Clerk, the matter will be submitted to the Council or a Committee for consideration, unless the matter is already delegated to the Town Clerk in consultation with the Leader.
- 2.4 Matters wholly within the responsibility of the Town Clerk or which have been delegated to the Town Clerk without consultation requirements may still be discussed between the Leader/Deputy Leader and the Town Clerk.
- 2.5 In undertaking their roles the Leader/Deputy Leader and Town Clerk should respect the following principles:
  1. As a 'visible' and accountable elected representative, with defined responsibilities, the Leader/Deputy Leader will need to be properly briefed on all significant aspects of the work of the Council. The Town Clerk should ensure a proper information flow so as to ensure that Leader/Deputy Leader can effectively "lead the Council".
  2. Good communications can be helped through planned and programmed meetings and briefing arrangements. On the basis that the Town Clerk should be ensuring that the information needs of the Leader/Deputy Leader are met. The Leader/Deputy Leader should in turn seek to avoid making requests for unanticipated briefings.
  3. The Leader/Deputy Leader should normally channel requests for information, advice, and other support via the Town clerk, or via the other managers, in which case the Town Clerk will be copied into any requests.

The Leader/Deputy Leader can approach other staff direct with requests for **information only**.

4. The Leader/Deputy Leader may work with the Town Clerk and the other managers in the development of policies and programmes.
5. Employment policies, having been set by the Council, are implemented via the Town Clerk. The Leader/Deputy Leader (subject to 6 below) should avoid becoming over-involved in issues of individual performance of officers or individual cases of grievance, disciplinary action, or harassment.

The Leader/Deputy Leader (and other Councillors) may however, bring to the Town Clerk's notice any instances where they have evidence that there are problems of inefficiency or ineffectiveness, and to be kept informed of what course of action is being pursued in such circumstances.

6. Before carrying out a staff appraisal the Town Clerk should seek the views of The Leader/Deputy Leader and other Councillors, as appropriate to help inform the appraisal process about the staff member's performance from the Councillors' perspective. After an appraisal the Town Clerk should feedback to the Leader/Deputy Leader any issues relevant to Councillors as appropriate.
7. In relation to the Town Clerk, the Leader/Deputy Leader, in conjunction with the Chairman of the Personnel Sub Committee should provide regular advice and guidance as to the Town Clerk's performance against any objectives and outcomes for the Post Holder, as determined by Council. If there are any performance, capability or disciplinary issues concerning the Town Clerk the Leader/Deputy Leader may submit a report to Council in line with Principle 9 below.
8. When a report to Committee or Council is being prepared, the Leader/Deputy Leader is entitled to discuss issues with the Town Clerk and with other officers concerning the content of such reports and the framing of recommendations.

While the leader/Deputy Leader may wish to make suggestions on content and drafting, to achieve clarity of presentation, simplify jargon, or better explain issues, the Leader/Deputy Leader should not attempt to edit out or override any content of reports which the Town Clerk or other officer feels it important to put before the Council.

This is especially relevant to matters of a professional or technical nature, and the Town Clerk retains an inherent right to report direct to Council and all committees where the Town Clerk considers it necessary. Once a Committee or Council has made a decision on a report, the Town Clerk will oversee its timely implementation (subject to Principle 9 below).

9. When the Leader/Deputy Leader wishes to put forward proposals of his/her own it is the responsibility of the Leader/Deputy Leader (via the Town Clerk or other adviser) to seek any necessary legal or financial advice for inclusion in the report. The Town Clerk may wish, and have a right, to add comments to such reports. It is anticipated that this action will be exceptional and normally Principles 7 and 8 will be followed.
10. The Town Clerk, managers and other officers exercise statutory functions or have individual responsibilities. The Leader/Deputy Leader should understand and respect with these roles.