

OFFICERS' EMPLOYMENT PROBLEMS – COUNCILLOR INVOLVEMENT

Councillors have duties in relation to issues brought to them by constituents, including complaints about the council. Those will sometimes come from council officers (usually employees) about their employment by the council. Councillors should decline to get involved in any matters relating to an officer's employment with the council, even if they are constituents. Officers' enquiries about other council services can be dealt with by them as normal.

The [Councillors' Code of Conduct](#), [statutory guidance](#) and Standards Commission [advice notes](#) provide rules and guidelines to members about taking up officers' employment or HR problems. Being aware of those rules and following them will ensure these issues are dealt with properly and consistently:-

- Councillors must not become involved in operational management of the council's services (the planning, organising and execution involved in day to day activities and service delivery) - that is the responsibility of its employees
- Day to day operational management of the council is delegated to employees, who are answerable to the Chief Executive as the Head of Paid Service
- In raising issues for their constituents in relation to the council, councillors must recognise that they are still representing the council and so need to exercise extra care
- Councillors should not become involved in issues relating to an individual employee's pay or terms and conditions of employment (even if they are a constituent), unless they are serving on a committee delegated to deal with such matters
- Councillors should decline to get involved if approached by any officer, who is also a constituent, in respect of any matters relating to their employment with the council
- If approached in this way, councillors should advise officers to contact their line manager, trade union or follow the appropriate internal procedures for raising any such issues

The Employee Code of Conduct helps as well. On making employment-related complaints through an elected member it says that:-

- As a citizen, officers are entitled to raise with their councillor any complaint, which they have about the services of the council
- If the complaint concerns any aspect of their work with the council, however, they must make use of the council's grievance procedures

Any enquiries from members on behalf of council officers should be answered with reference to these guidelines. The officer concerned should be informed of the appropriate route to follow.

A copy of this note has been provided to members as well as being available to officers.