

Protocol for Member/ Officer Relations

Standards Committee Monday, 15 March 2021

Report of: Head of Legal Services & Monitoring Officer

Purpose: For decision

Publication status: Unrestricted

Wards affected: All

Executive summary:

Following the recent review of the Member Code of Conduct, the Protocol for Member/ Officer Relations has also been reviewed and revised in light of good practice in other councils.

Proposed revisions are designed to clarify the mutual responsibilities of Members and Officers and set out how each will work effectively with each other in relation to matters such as decision-making, giving information and advice and responses to enquiries.

The Committee is asked to recommend that Council adopt the new Protocol as part of the Constitution.

This report supports the Council's priority of: Building a better Council

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Recommendation to Committee:

To accept the proposed changes to the revised Protocol on Member / Officer Relations at Appendix A and agree forwarding to Full Council for adoption.

Reason for recommendation:

The Annual Governance Statement action plan includes a commitment to review all Protocols. The Protocol for Member/ Officer Relations has been revised to

reflect relevant good practice in other councils and is designed to support effective working relationships between Members and Officers.

Introduction and background

- 1 The current Protocol for Member/ Officer Relations was adopted in February 2019.
- 2 Closely related to the Member Code of Conduct, a good Protocol for Member/ Officer Relations should clarify expected standards of behaviour and be an aid to effective working relationships in the Council.
- 3 The Annual Governance Statement action plan includes a commitment to review all Protocols in the Constitution.
- 4 The Protocol for Member/ Officer Relations has been reviewed and revisions drafted in light of good practice in other councils.
- 5 A small group of Members, with representation from each Group, has reviewed and commented on the draft revisions.

Proposal

- 6 A proposed revised version of the Protocol appears at Appendix A. New text appears in italics and deleted text appears in strikethrough.
- 7 The majority of the proposed revisions relate to:
 - (i) the distinction between strategic and operational decision-making (the remit of Members and Officers respectively);
 - (ii) mutual respect for the non-working time of Members and Officers;
 - (iii) clarification that, while Officers will do their best to give timely responses to Members' enquiries, Officers' work priorities are set by their line managers;
 - (iv) the provision of information and advice to inform Member decision-making;
 - (v) the requirement to report promptly any Member/ Officer relationship which might unduly influence work in their respective roles;
 - (vi) arrangements for Councillors' access to information;
 - (vii) use of the Council's email address for Council business to ensure compliance with data protection legislation;
 - (viii) preparation for Committee meetings;
 - (ix) provision of information for ward Councillors;
 - (x) the role of Group Leaders in promoting a culture of trust, respect and understanding between Councillors and Officers;
 - (xi) annual reporting to this Committee on matters related to the Protocol.
- 8 Timely and accurate responses by Officers to Member enquiries in relation to constituents' casework are understood to be a key concern for Members. This Protocol gives contact details for Members to use if they are not aware of the relevant Officer for their issue in the first instance. Officers will also

be reminded of the importance of using 'out of office' messages on email and voicemail. The Executive Leadership Team will keep these arrangements under review and will revert to Members later in the year to discuss how further improvements can be made to arrangements for responding to Member enquiries, within the context of existing resources.

- 9 Text has also been reordered and precisised to remove duplication and increase concision.
- 10 There is no budgetary implication arising from the review of the Protocol.

Other options considered

- 11 A range of practice in other councils has been considered when preparing draft revisions to the Protocol: the revisions proposed are those which are considered most relevant to the context of the Council.
- 12 The Committee could choose not to revise the Protocol at this time: this would mean that a commitment in the Annual Governance Statement action plan was not met, and an opportunity to clarify expected standards of behaviour would be lost.

Key implications

Comments of the Chief Finance Officer

There are no financial implications arising from this report.

Comments of the Head of Legal Services

It is within the purview of this Committee to review the Protocol on Member/Officer Relations. The existing Protocol is included in Part F of the Constitution. There is no statutory requirement for the Council to have such a protocol, however, it is considered good practice to do so.

It is two years since the existing Protocol was adopted and reviewed. As part of the Annual Governance Statement action plan, the Protocol has been reviewed and updated.

Equality

The Protocol is designed to complement the Member Code of Conduct which includes content designed to promote equality and ensure no unlawful discrimination by Members.

Climate change

There are no significant environmental / sustainability implications associated with this report.

Appendices

Appendix A - Protocol for Member/ Officer Relations – proposed revisions with tracked changes

Background papers

None.

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