

SUBJECT:	MEMBER-OFFICER PROTOCOL
REPORT BY:	DIRECTOR OF RESOURCES
LEAD OFFICER:	CAROLYN WHEATER – ASSISTANT DIRECTOR (LEGAL AND CORPORATE SUPPORT SERVICES)

1. Purpose of Report

1.1 To consider the suitability and current awareness among both councillors and officers of the Member-Officer Protocol.

2. Background to the Member-Officer Protocol

2.1 The Council's Member-Officer Protocol was adopted as part of the broader reforms to governance arrangements made through the Local Government Act 2000.

2.2 As specified within the protocol's preamble, it is intended to offer guidance on the working relationship between members and officers in order to:

- promote trust, openness, fairness and honesty by establishing some ground rules;
- define roles so as:
 - to clarify responsibilities,
 - to avoid conflict, and
 - to prevent duplication or omission;
- secure compliance with the law, codes of conduct and a council's own practices; and
- lay down procedures for dealing with concerns by members or officers.

2.3 The protocol has not been subject to significant review since its initial adoption, and given the passage of time and broader changes to the standards regime affecting members, a review of the protocol's effectiveness is timely.

3. Potential Changes to the Protocol

3.1 Having regard to the developments within the Council since the protocol was originally agreed, the attached draft has been developed (**Appendix A**) to update the protocol and ensure its relevance to current working practice.

3.2 Consideration has been given by officers to a comprehensive re-write of the Member-Officer Protocol with the intention of simplifying the contents and putting as much into plain English as possible. However, the advantages in providing a

more comprehensive document are likely to outweigh those associated with creating a significantly more accessible document. In particular, the level of detail provided in the current document is likely to provide additional clarity in specific situations, which a more general approach would undermine.

- 3.3 It is also necessary to consider the manner in which the document is used by members and officers. Based on anecdotal evidence, wider knowledge of the protocol among staff is low, and it is unlikely that the majority of staff are familiar with its provisions. Given the volume of policies already in place affecting staff, there is likely to be limited value in seeking to compel officers to read and absorb even a shortened protocol from cover-to-cover.
- 3.4 Therefore, in order to increase awareness of the protocol while not undermining its current level of detail, there are potential advantages in summarising its contents and making this summary more visible to staff, while providing a link to a fuller document for those requiring further details. Members may wish to consider recommending the production of a summary along these lines which could then be highlighted to staff through internal communications.
- 3.5 In addition to making the protocol more visible to staff and members, a number of other changes have been proposed in the attached draft:
- the alteration of references to take account of changes both to the title of the Standards Committee and of broader changes made to the standards regime through the Localism Act 2011.
 - the simplification of the initial sections of the protocol to make the document more immediately accessible and relevant.
- 3.6 Further to the suggestions and proposals outlined above, the Committee should consider whether the provisions contained within the protocol are sufficiently strong and relevant to the relationship between members and officers within the Council. Any suggestions for alterations, including the attached proposed revised version of the protocol, can then be recommended to Council for approval.

4. Strategic Priorities

- 4.1 The Council is committed through its Strategic Plan to ensuring the Council as a whole is fit for purpose. Taking steps to be sure that the Member-Officer Protocol is suitably clear and accessible is an important part of the Council's efforts towards guiding the interaction between officers and members in a manner conducive towards the effective, fair, and open operation of services for the public good.

5. Finance Implications

- 5.1 There are no direct financial implications arising from this report.

6. Legal Implications

- 6.1 The Member-Officer Protocol is intended to provide a clear framework for the promotion of effective and transparent working relationships with councillors.

7. Recommendations

7.1 That the Ethics and Engagement Committee:

1. Consider the status of the Member-Officer Protocol, and current levels of awareness among officers and councillors.
2. Recommend any proposed revisions to the Member-Officer Protocol for adoption by Council and incorporation into the Constitution.