

Councillor/Officer Protocol

Constitutional Review Working Party:	27 February 2024
Report Author	Ingrid Brown, Head of Legal Services
Portfolio Holder	Councillor Rob Yates
Status	For Recommendation
Classification:	Unrestricted

Executive Summary:

This report asks the Constitutional Review Working Party to consider the revised Councillor/Officer protocol at Appendix 1. The revised protocol accords with the recommendations made in the report of the Independent Monitoring Officer in 2021

Recommendation(s):

It is recommended that Councillors carefully consider the detail of the revised Councillor/Officer protocol and make any recommendations they consider appropriate to the Standards Committee for further consideration.

Corporate Implications

Financial and Value for Money

There are no financial implications arising from this report.

Legal

The Local Government Act 2000 requires the Council to periodically review and update its written Constitution.

Risk Management

There are no risks associated with this report.

Corporate

It is important for the Council to regularly review elements of its constitution to ensure that it remains up to date.

Equality Act 2010 & Public Sector Equality Duty

There are no equalities implication arising from this report.

Corporate Priorities

This report relates to the following corporate priorities: -

- To work efficiently for you

1.0 Introduction and Background

- 1.1 Effective Local Government relies on mutual trust and respect between Councillors and Officers and a clear understanding of each other's role and responsibilities.
- 1.2 The Council has an existing Member/Officer protocol and a copy of the same is at appended to this report at Annex 2. Whilst this covers many of the areas essential to an effective Member/Officer protocol, the updated protocol is more extensive and provides some additional information in respect of the sharing of information and the relationship between Councillors and Officers in a number of different contexts.

2.0 The Current Situation

- 2.1 The Current Member/Officer protocol sets out clearly many of the expectations of Councillors and Officers and also defines their respective roles. As indicated above, the revised protocol seeks to go further and as well as defining roles and responsibilities of Officers and Councillors, the protocol addresses information sharing between Officers and Councillors in different contexts.
- 2.2 The revised protocol covers the following:
 - i, The role of Councillors and Officers
 - ii, The guiding principles of the working relationship between Councillors and Officers
 - iii, The responsibility for decision taken under delegated powers
 - iv, The specific role of statutory Officers
 - v, A Councillor's role when supporting a resident with legal proceedings against the Council.
 - vi, Expectations for conduct between Councillors
 - vii, Responsibility for Officer's reports
 - viii, Officer advice to political groups and other meetings
 - ix, Local ward issues
 - x, Correspondence on behalf of the Council
 - xi, Dealing with the press and Media
 - xii, Councillors access to information
 - xiii, What to do when the protocol is not followed

3.0 Options

- 3.1 The Constitutional Review Working Party is being asked to consider the detail of the revised Councillor/Officer protocol. It may suggest amendments to the protocol to be considered by the Standards Committee. Alternatively it may

approve the revised protocol in its current form as appended to this report at Annex 1.

4.0 Next Steps

- 4.1 Once a proposal has been agreed by the Constitutional Review Working Party, it would be recommended to Standards for consideration and onward submission to Full Council

Contact Officer: Ingrid Brown- Head of Legal and Democracy
Reporting to: Chris Blundell

Annex List

Annex 1: Councillor/Officer Protocol- Proposed
Annex 2: Councillor/Officer Protocol- Current

Background Papers

There are no background papers

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

Legal: Ingrid Brown –Head of Legal and Democracy and Monitoring Officer