

Standards Committee



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19th April 2021

A meeting of the **Standards Committee** of North Norfolk District Council will be held remotely via Zoom on **Tuesday, 27 April 2021 at 2.00 pm.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel:01263 516047, Email:Matthew.Stembrowicz@north-norfolk.gov.uk.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so should inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Mr H Blathwayt, Mr J Rest, Mr A Brown, Dr P Bütikofer, Mr N Dixon, Mrs G Perry-Warnes and Miss L Shires

All other Members of the Council for information.
Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

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A G E N D A

1. TO RECEIVE APOLOGIES FOR ABSENCE

2. PUBLIC QUESTIONS

3. MINUTES

1 - 6

To approve as a correct record, the minutes of the meeting of the Standards Committee held on 18th February 2021.

4. ACTIONS ARISING FROM THE MINUTES

To consider any actions arising from the minutes.

5. ITEMS OF URGENT BUSINESS

To determine any items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act 1972.

6. DECLARATIONS OF INTEREST

7 - 8

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a pecuniary interest.

7. PARISH AND DISTRICT MEMBERS' REGISTER OF INTERESTS AND OFFICER REGISTER OF GIFTS AND HOSPITALITY

Members are reminded that the Parish and District Members' Register of Interests and Officer Register of Gifts and Hospitality are available for inspection in the Democratic Services section.

8. ADOPTION OF NEW MODEL MEMBER CODE OF CONDUCT

9 - 30

Summary: Following the introduction of a new Model Code of Conduct by the Local Government Association in December 2020, Members are asked to consider whether they wish to continue with the Council's current Code of Conduct, or whether they consider that the template Model Code provided by the LGA would strengthen the code on Member behaviour, and if so, whether it should be adopted as a whole or with amendment.

Options considered:

1. No action – preserve the status quo and continue with the Code of Conduct presently in situ.
2. Adopt the Model Code of Conduct in total
3. Adopt the Model Code of Conduct, with amendment

Conclusions: That Members consider adopting the LGA Model Code of Conduct.

Recommendations: **To recommend to Full Council that the Model Code of Conduct be adopted.**

Reasons for Recommendations: To comply with the Localism Act 2011 and to strengthen and improve the current Code of Conduct requirements presently in place.

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)

The LGA Model Code of Conduct [Model Councillor Code of Conduct 2020](#)
(local.gov.uk)

Cabinet Member(s) All

Ward(s) affected All

Contact Officer, telephone number and email:

Cara Jordan: 01263 516373 cara.jordan@north-norfolk.gov.uk

9. REVIEW OF THE MEMBER / OFFICER PROTOCOL

31 - 52

Summary: The protocol was last reviewed on 11 October 2017 in response to a specific issue and minor amendments were made. It is proposed that a full refresh would be beneficial and that the Protocol could be strengthened to reflect and support the other relevant protocols and codes and to reflect best practice.

Conclusions: It is almost 4 years since the protocol had a 'light touch' refresh and it could benefit from a full review to strengthen certain sections, including 'media relations' and to reflect best practice. The CWP reviewed the draft Protocol on 13th April, with amendments to be shared in advance of the meeting.

Recommendations: **1. That Standards Committee reviews the revised Member / Officer protocol and considers the inclusion of an additional section on expected behaviours in their upcoming review of the Member Code of Conduct.**

2. That, following any further amendments by Standards Committee, Council approves the revised Member /Officer Protocol.

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)

Cabinet Member(s)

Contact Officer, telephone number and email:

Emma Denny, Democratic Services Manager, 01263 516010,
emma.denny@northnorfolk.gov.uk

10. ANY OTHER BUSINESS (TO INCLUDE AN UPDATE ON RECENT STANDARDS COMPLAINTS)

11. EXCLUSION OF THE PRESS AND PUBLIC

To pass the following resolution:

"That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part I of Schedule 12A (as amended) to the Act".

STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee held on Thursday, 18 February 2021 at the Council Chamber - Council Offices at 2.00 pm

Committee

Members Present:

Mr H Blathwayt (Chairman)	Mr J Rest (Vice-Chairman)
Mr A Brown	Mr N Dixon
Mrs G Perry-Warnes	Miss L Shires

Officers in

Attendance:

Democratic Services Manager (DSM), Democratic Services and Governance Officer (Scrutiny) (DSGOS) and Interim Monitoring Officer (IMO)

24 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

25 PUBLIC QUESTIONS

None received.

26 MINUTES

Minutes of the meeting held on 27th October 2020 were approved as a correct record and signed by the Chairman, subject to the following minor amendments:

Page 2 - 31st April to be changed to 30th

Page 2 – Repeated word ‘then’ removed

27 ACTIONS ARISING FROM THE MINUTES

- i. Cllr N Dixon referred to an agreed outcome on page 4 that a written answer would be provided, and noted that he was yet to receive that answer. The DSM replied that the previous Monitoring Officer had now left the organisation, and it was not deemed appropriate request an answer at the time. It was accepted that a response was still required and the DSM asked whether the Interim Monitoring Officer could provide any further response. The IMO stated that she was not able to answer the question as she was not in attendance at the meeting in question and did not write the report.
- ii. Cllr A Brown suggested that it might be possible for the Chief Executive to provide a written response.
- iii. Cllr L Shires stated that she did not believe the matter fell within the remit of the Standards Committee, and therefore agreed that the most appropriate solution would be for the Chief Executive to provide a written response.
- iv. Cllr G Perry-Warnes reiterated concerns she had raised at the last meeting

regarding the issue not falling within the remit of the Standards Committee, and stated that as the report author had left the organisation, it was not appropriate for and answer to be given on their behalf.

- v. The Chairman stated that he was supportive of requesting that the Chief Executive provide a written reply and asked whether this would be satisfactory. Cllr N Dixon replied that he was satisfied that this would provide an adequate reply, but raised concerns that he felt the matter still related to the Standards Committee and should be seen by Committee Members.
- vi. Cllr L Shires stated that she did not believe that contract procurement exemptions were relevant to the Standards Committee, and asked for clarification on the matter to avoid unnecessary discussion. The DSM replied that she had reviewed the Committee's TOR and stated that its purpose was to promote and maintain high standards of conduct for Councillors, training, granting dispensations, assessing allegations of misconduct, overseeing whistleblowing and maintaining oversight of the constitution. She added that the Committee's primary focus was Member conduct, and the matter being discussed fell within the remit of GRAC. It was noted that audit work had begun on procurement exemptions that sought to improve the process, with a report expected at GRAC in September.
- vii. The Chairman noted that the previous meeting the meeting had moved into private session to discuss exempt matters, and reiterated that this had been a justified action, despite concerns. He added that from that meeting, someone appeared to have leaked exempt information, and this was a matter of serious concern. The DSM added that this was a breach of the code of conduct, and reminded Members that they must abide by the rules of confidentiality. Cllr N Dixon noted his agreement, and stated that the Standards Committee ought to set the standard for all Committees. Cllr J Rest asked for clarification on whether the minutes of the last meeting covered exempt discussion, and it was confirmed that the minutes had been sanitised for publication.
- viii. Cllr A Brown referred to the review of the Member-Officer Protocol and asked whether the review had commenced. The DSM replied that it was due to be reviewed by the Constitution Working Party in April, and that an update would be provided once this had taken place.

28 ITEMS OF URGENT BUSINESS

None received.

29 DECLARATIONS OF INTEREST

None declared.

30 PARISH AND DISTRICT MEMBERS' REGISTER OF INTERESTS AND OFFICER REGISTER OF GIFTS AND HOSPITALITY

The DSGOS informed Members that the registers were available in Democratic Services for review, and that a flowchart to guide Members through the process of declaring an interest was being produced as a result of a corporate governance audit recommendation.

In response to a question from the Chairman, the IMO suggested that it would be

best to declare event tickets on the Member's register, even if the value was unknown.

31 UPDATE ON CHANGES TO THE MODEL MEMBER CODE OF CONDUCT

The IMO introduced the report and informed Members that it outlined the key aspects of the new code of conduct, as well as covering the likelihood of adoption. She added that information on the Council's obligations to develop a code in-line with the Nolan principles, had also been provided. It was noted that Council's currently used varying codes of conduct, and the proposals sought to develop and implement one code of conduct that would apply to all Councils in Norfolk. The IMO noted that the review was launched in response to a recommendation from the Committee on Standards in Public Life, and that a draft of the new code was included for consideration.

Questions and Discussion

- i. Cllr J Rest referred to table 2 on page 11, and noted that it was disappointing to see that County Councillors were the lowest respondents to the survey. Cllr N Dixon stated that in principle, adopting a common code of conduct was a very positive proposal, taking into account the time and resources spent developing Council specific policies.
- ii. Cllr A Brown said that he agreed with Cllr Dixon's comments on a common code of conduct, and asked what mechanism would be used to determine the final wording of a shared document. The IMO stated that Monitoring Officers across Norfolk were working together to reach consensus, and would bring the proposals back to their respective Standards Committees for approval in due course. The DSGOS noted that there would be a further opportunity to review the document in April, prior to final approval.
- iii. Cllr N Dixon suggested that it could be useful to indicate the Committee's support for the continuation of the process, to develop a one County approach for a universal code of conduct.

AGREED

To note the Committees' support for the ongoing development of a one County approach to create a universal Members code of conduct for use across all Norfolk Councils.

32 RESPONSE TO REVIEW OF CORPORATE GOVERNANCE ARRANGEMENTS - MEMBERS INTERESTS

The DSM introduced the report and stated that the corporate governance review had resulted in several recommendations that required implementation prior to review by GRAC. It was noted that regular reminders would be sent to Members to check and update their registers if required, and that an online form was being developed that would significantly reduce the resource required to update Parish registers. It was stated that this would be introduced once the new code of conduct was agreed, to allow for any changes. The DSM reported that the next recommendation sought to help Councillors declare interests at meetings by including a flow-chart on all agendas. She added that Members would also be reminded that the MO and Democratic Services Officers were also available to offer advice during meetings, if

required.

Questions and Discussion

- i. Cllr J Rest referred to comments on bias and pre-determination identified on page 59, and asked whether Members had to declare their bias at public meetings, and if Members could expect to be challenged for this. The DSM replied that this was a default form and the wording could be amended if necessary.
- ii. Cllr L Shires stated that the online web form would save significant officer time, and noted that the comments on pre-determination likely referred to regulatory committees as opposed to Full Council. The DSM confirmed that the pre-determination and bias referred more to regulatory committees, and was not as relevant at Full Council.
- iii. Cllr A Brown asked whether the pre-determination test had been taken out of context, and asked for clarification of the process for updating Members' registers when new information was submitted, and whether online forms would use electronic signatures. The DSM replied that she did expect that electronic signatures would be used, and noted that the Democratic Services Team were responsible for updating the registers once information had been submitted, though this was not always forthcoming. She added that it was hoped that online forms would expedite this process by reducing the number of sign-offs required to update Members' registers. Cllr A Brown added that it could be useful for Parish Councillors to be reminded to update their registers.
- iv. Cllr N Dixon referred to comments on pre-determination and bias, and noted that this was of crucial importance to the Standards Committee, taking into account its role to conduct hearings on potential breaches of the code of conduct. He then referred to Councillors exposure to online trolling, and stated that it was important that Councillors were not prohibited from expressing their views. Cllr N Dixon stated that ultimately, the process for declaring interests had to ensure that Members could not knowingly conceal an interest to make personal gain from a decision.
- v. Cllr G Perry-Warnes raised concerns regarding the declaration of biases, and noted that they were a vital aspect of cognitive processing, and suggested that they could be addressed through training. The DSM stated that she would look to amend the wording to address the concerns raised.
- vi. Cllr L Shires stated that she was supportive of the second flowchart example, and felt this would be very helpful for Members who needed to declare interests at meetings. Members indicated their support for the second flowchart.
- vii. It was proposed by Cllr L Shires and seconded by Cllr A Brown to accept the recommendations as listed in the agenda.

RESOLVED

- 1. To note the review of Corporate Governance Arrangements and endorse the management response.**
- 2. To support the inclusion of a flowchart in all committee agendas to assist**

members with declaring interests at meetings.

- 3. To recommend to Council that the Constitution be amended to reflect any consequential changes made in response to the governance review.**

33 ANY OTHER BUSINESS (TO INCLUDE AN UPDATE ON RECENT STANDARDS COMPLAINTS)

The IMO noted that there was no substantive update, with approximately ten code of conduct complaints received in the last six months, none of which had been referred for further investigation.

The DSGOS confirmed that the next meeting was scheduled to take place on 20th April 2021.

34 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 3.11 pm.

Chairman

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Declarations of Interest at Meetings

When declaring an interest at a meeting, Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate to any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

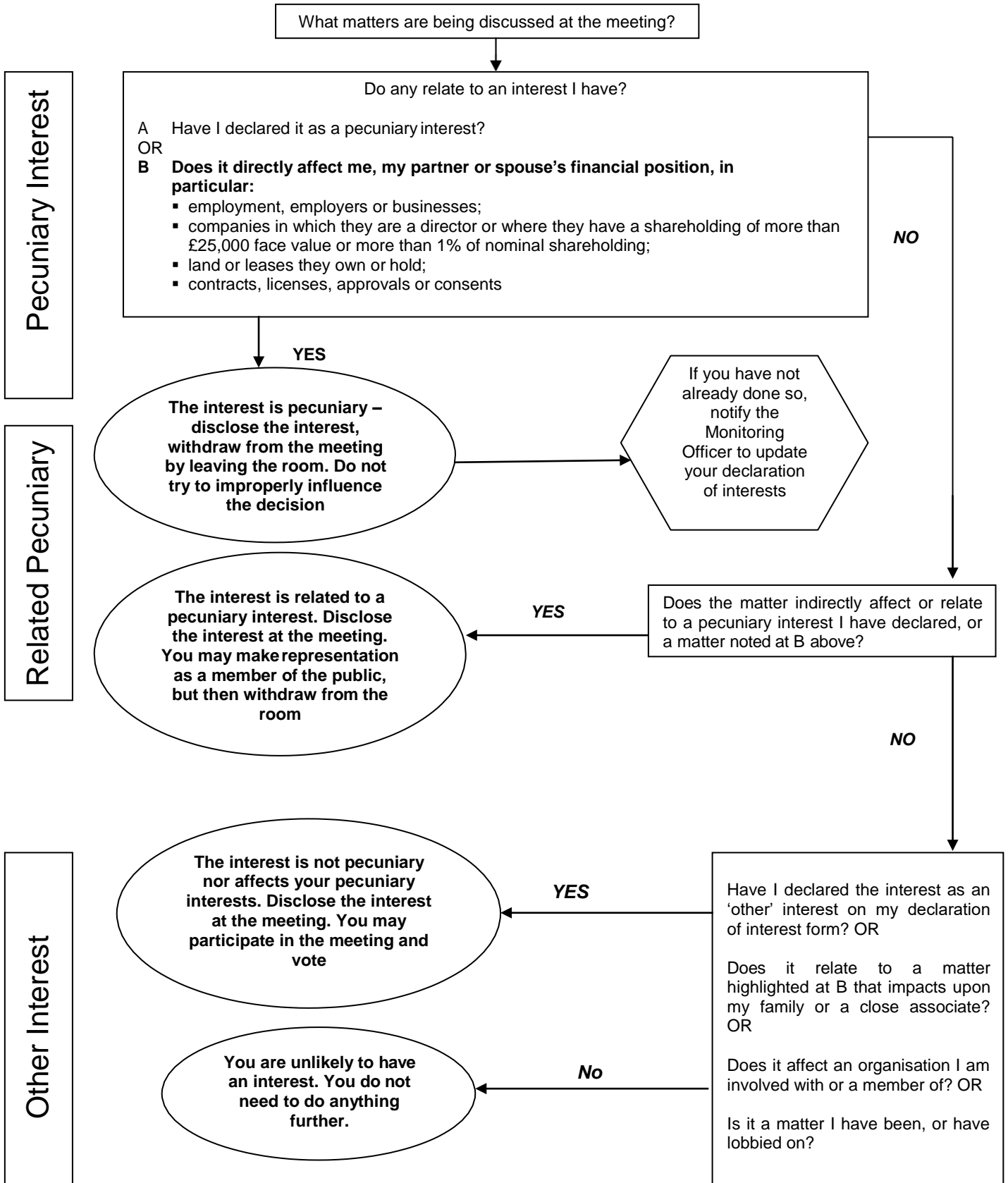
FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DEVELOPMENT COMMITTEE MEMBERS SHOULD ALSO REFER TO THE PLANNING PROTOCOL

Declarations of Interest at Meetings

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



ADOPTION OF A NEW CODE OF CONDUCT

Summary: Following the introduction of a new Model Code of Conduct by the Local Government Association in December 2020, Members are asked to consider whether they wish to continue with the Council's current Code of Conduct, or whether they consider that the template Model Code provided by the LGA would strengthen the code on Member behaviour, and if so, whether it should be adopted as a whole or with amendment.

Options considered:

1. No action – preserve the status quo and continue with the Code of Conduct presently in situ.
2. Adopt the Model Code of Conduct in total
3. Adopt the Model Code of Conduct, with amendment

Conclusions: That Members consider adopting the LGA Model Code of Conduct.

Recommendations: **To recommend to Full Council that the Model Code of Conduct be adopted.**

Reasons for Recommendations: To comply with the Localism Act 2011 and to strengthen and improve the current Code of Conduct requirements presently in place.

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)

The LGA Model Code of Conduct [Model Councillor Code of Conduct 2020 \(local.gov.uk\)](https://www.local.gov.uk/model-councillor-code-of-conduct-2020)

Cabinet Member(s) All Ward(s) affected All

Contact Officer, telephone number and email:

Cara Jordan: 01263 516373 cara.jordan@north-norfolk.gov.uk

1. Introduction

1.1 Requirement to have a Code of Conduct

Under the Localism Act 2011, Local Authorities are required to have a Code of Conduct. This is a Code based on the Nolan Principles setting a standard of behaviour expected by elected and co-opted members of the three tiers of councils. There are obligations and requirements which if breached may be acted upon. It is designed to protect democracy and encourage good conduct and public trust.

1.2 Variation in Codes of Conduct locally and nationally

All Codes of Conduct presently in place, whilst based on the Nolan Principles, vary widely from council to council. Some are very detailed and prescriptive, whilst others are extremely basic. It can sometimes be confusing to establish whether a particular behaviour breaches a specific code. This is further complicated in that a councillor who is a member of more than one local authority is likely to be subject to different Codes. There has also been some criticism of the Standards regime that it is not sufficiently robust with regard to sanctions.

1.3 **Addressing Standards**

In January 2019 the Committee on Standards in Public Life published its report “Local Government Ethical Standards: A review by the Committee on Standards on Public Life”. This report made a number of recommendations: one of which was the introduction of an updated model code of conduct. On 23 December 2020 the Local Government Association (“LGA”) published the new Model Code of Conduct. Councils may now consider whether they would like to adopt this new Model Code, which has been developed following a period of consultation. It is a significant publication being the first major revision of a model Code of Conduct for very many years.

1.4 **The Code of Conduct presently in place**

North Norfolk District Council does have a Code of Conduct at present and so is compliant, but areas have been identified where the Code could be improved or strengthened. The Model Code of Conduct has been developed by the Local Government Association following consultation and is designed as a template for councils to adopt in whole or with such local amendments as a particular council sees fit.

2. **Adoption of a new Code**

2.1 **Implementing a new Code of Conduct**

The Constitution Working Party discussed the new Model Code of Conduct in February and March 2021. The CWP generally held positive views of the new Model Code and were keen to see a Norfolk-wide consensus of it following further discussions with other Norfolk councils. It is understood that, due to the different priorities of some other Norfolk councils, that councils are at a different stage of implementation or consideration of the new Model Code, with at least one Council having already implemented an amended version of it. It may be that, in light of this information, this Council wishes to proceed with a decision as to whether or not to adopt a new Code of Conduct for its Members without delay. This would not negate some future discussion between Norfolk Councils at a later stage.

2.2 **New Model Code**

The Model Code of Conduct has been considered by the Constitution Working Party. Its content covers general behaviour, as well as use of local authority resources, participation in training and registration and disclosure of interests. The Local Government Ethical Standards report also included Best Practice recommendations, some of which could be considered to add further detail to the Model Code now, or at some future time.

2.3 **Other supporting protocols**

The Model Code of Conduct sets out the standards expected of councillors. It is intended to be a concise document, written in the first person, to provide a clear code of behaviour expected. It would be possible to add more detail or examples within any code adopted by this Council. However, Members are reminded that there are other sources of reference as to their conduct which sit alongside the Code of Conduct, and which make reference and go into finer detail as to conduct expectations. In particular the *Protocol on Member Officer Relations* which is currently being updated, and which outlines responsibilities of both officer and Members when interacting.

3 Corporate Plan Objectives

3.1 Customer Focus

Ensuring that the Council's democratic process runs as transparently and as effectively as possible, building on the corporate plan objective of focussing on the customer and putting them at the heart of what we do

4. Medium Term Financial Strategy

No specific impact identified

5. Financial and Resource Implications

There are no specific costs associated with the proposals set out in this report

6. Legal Implications

The Localism Act 2011 requires the Council to have a Code of Conduct dealing with Member standards

7. Risks

There is a reputational risk where there is not a sufficiently robust Code of Conduct in place governing Member conduct.

8. Sustainability

There are no specific sustainability issues identified

9. Climate / Carbon impact

There are no specific climate or carbon impact issues identified

10. Equality and Diversity

The Code deals with treating others fairly and with respect

11. Section 17 Crime and Disorder considerations

No specific issues identified

12. Conclusion and Recommendations

Members are requested to consider the view of the Constitution Working Party in its general support of the Model Code. As there does not appear to be an option for Norfolk-wide consensus at the present time, Members may wish to proceed to a decision now. Following review of the Model Code, and consideration of the views of the CWP, if Members support the adoption of the New Model Code to strengthen the current ethical standards position of the council, it may wish to make the following recommendation to Full Council:

- (i) To make a recommendation to Full Council that the Model Code of Conduct be adopted.

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none">a) any body of which you are in general control or management and to which you are nominated or appointed by your authorityb) any body<ul style="list-style-type: none">(i) exercising functions of a public nature(ii) any body directed to charitable purposes or(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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REVIEW OF THE MEMBER / OFFICER PROTOCOL

Summary: The protocol was last reviewed on 11 October 2017 in response to a specific issue and minor amendments were made. It is proposed that a full refresh would be beneficial and that the Protocol could be strengthened to reflect and support the other relevant protocols and codes and to reflect best practice.

Conclusions: It is almost 4 years since the protocol had a 'light touch' refresh and it could benefit from a full review to strengthen certain sections, including 'media relations' and to reflect best practice

Recommendations:

- 1. That Standards Committee reviews the revised Member / Officer protocol and considers the inclusion of an additional section on expected behaviours in their upcoming review of the Member Code of Conduct.**
- 2. That, following any further amendments by Standards Committee, Council approves the revised Member /Officer Protocol.**

Cabinet Member(s)	Ward(s) affected; All
Contact Officer, telephone number and email: Emma Denny, Democratic Services Manager, 01263 516010, emma.denny@north-norfolk.gov.uk	

1. Introduction

1.1 Overview

The purpose of the Member / Officer Protocol is to guide Members and Officers of the Council in their relations with one another. The intention is that it supports the establishment of good working relationships between Members and Officers as they work together. A strong, constructive, and trusting relationship between Members and Officers is essential to the effective and efficient working of the Council.

1.2 Previous review

The protocol was reviewed by the Constitution Working Party on 11th October 2017, in response to a specific issue that had flagged up an area of concern.

Some minor amendments were made and the revisions were referred to the Standards Committee for consideration and subsequent approval by Full Council. The protocol has not had a full review for several years and a change in working practices and working relationships since the start of the pandemic have highlighted where it could be strengthened. Compared to similar protocols adopted by other authorities, it is quite short in length and could benefit from the inclusion of some additional sections and wording that would reflect best practice as well as cross references to other relevant protocols and codes. In particular, many member / officer protocols include sections on the difference between the roles of members and officers and expected behaviours.

2 Review of current protocol – proposed key amendments

2.1 Introduction to the Protocol

It is suggested that this could include additional wording on the importance of mutual trust and a reference to other relevant council documents.

2.2 New section – ‘Member / Officer relationships - General Principles’

It is proposed that a new section is added to the existing protocol which will elaborate on the general principles underpinning member/ officer relationships. This will include additional wording on trust, behaviour and expectations and highlight the key differences between the roles. Specific examples are given on expected behaviour and references are included to bullying or derogatory behaviour which is not mentioned in the current protocol.

2.3 Personal relationships

This is already included in the current protocol but is a very short section. It is suggested that this could be expanded to cover the role of political groups and the importance of members being able to express political views.

2.4 New sections – Role of Members and Role of Officers

Many local authorities include sections within their Member /officer protocols outlining the roles of both members and officers and highlighting the key differences. By including such sections within the NNDC protocol clear guidance would be provided to members, officers and the public on the separate roles and help clarify expectations as well as potential areas of conflict or misunderstanding.

2.5 New section – Council as an Employer

Most protocols include a section outlining Members’ responsibilities when involved in the recruitment of senior officers. It is suggested that a short, additional section is included on this.

2.6 Decision making

Although decision making is covered to some extent within the sections on ‘officers and whole council’ and ‘officers and the Cabinet’, it is proposed that

this is strengthened to include a covering section on delegated decisions and consultation with relevant members and justification for such decisions.

2.7 Local Members / Ward Matters

This section could be strengthened by referring to the wider impact that an issue can have on adjacent wards that and suggesting neighbouring ward members are kept informed of such matters. The inclusion of reference to keeping local members informed of matters concerning town and parish councils in their ward is also suggested.

3. Corporate Plan Objectives

3.1 Customer Focus

Ensuring that the Council's Constitution is accessible and transparent and that it reflects the expectations of the public regarding the expected behaviour of members and officers, builds on the corporate plan objective of focussing on the customer and putting them at the heart of what we do.

4. Conclusion and Recommendations

A full review of the Member /Officer Protocol has been undertaken and several additions are proposed to strengthen the document, specifically regarding the distinction between roles, expected behaviours and notification / updates regarding ward matters. This will support and reflect the Member Code of Conduct (which is due for revision) and the Employee Code of Conduct as well as other relevant policies including the Council's Bullying and Harassment Policy and the Equality and Diversity Policy.

Recommendations:

- 1. That Standards Committee reviews the revised Member / Officer protocol and considers the inclusion of an additional section on expected behaviours in their upcoming review of the Member Code of Conduct.**
- 2. That, following any further amendments by Standards Committee, Council approves the revised Member /Officer Protocol.**

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Part 4. Protocol on Member/Officer Relations

1. Introduction

- 1.1 The purpose of this protocol is to guide Members and Officers of the Council in their relationships with one another. It is not intended to be prescriptive or comprehensive and seeks simply to offer guidance on some of the issues, which most commonly arise.
- 1.2 Together, elected members and officers make up ‘the Council’. They are indispensable to one another and mutual respect and communication between both is essential for good local government. By working in conjunction, they bring the critical skills, experience and knowledge required to manage an effective council. Councillors provide a democratic mandate to the council, whereas officers contribute the professional and managerial expertise needed to deliver the policy framework agreed by councillors. The roles are very different but need to work in a complementary way. (see table 1)
- 1.2 The protocol seeks to reflect the principles underlying the respective Codes of Conduct, which apply to Members and Officers and should be read in association with those Codes. The shared objective of the Codes is to enhance and maintain the integrity of local government.
- 1.3 The partnership between members and officers should be based upon mutual trust and respect and all should aspire to the highest standards of ethical behaviour. Compliance with this Protocol is critical to meeting this aspiration.
- 1.4 This Protocol, whilst not legally binding, will be relevant in judging compliance with the Codes of Conduct. A breach of the provisions of this Protocol may also constitute a breach of the Member and Officer Codes.
- 1.5 The principles of this Protocol apply to all interactions between members and officers, including the use of Social Media.

2. Member / Officer relationships – general principles

- 2.1 Both members and officers are servants of the public and are indispensable to one another, but their responsibilities are distinct. Members are responsible to the electorate and serve only as long as their term of office lasts. Officers are responsible to the Council as a whole; their job is to give advice and to carry out the Council’s work under the direction and control of the Council and its Committees.
- 2.2 The importance of mutual respect, trust and confidence between members and officers of the Council is fundamental to this protocol. This is essential to good local government and will generate an efficient and unified working organisation.

- 2.3 Dealings between members and officers should observe reasonable standards of courtesy. Neither party should seek to take unfair advantage of their position or exert undue influence on the other.
- 2.4 Whilst the duties and responsibilities of members and officers are different, both are bound by the same framework of statutory powers and duties. It is fundamental to the efficient and effective operation of the Council that both understand the boundaries of their respective roles and that neither asks the other to step beyond those limits.
- 2.5 It is not the role of members to control the day to day management of the Council and they should not seek to give instructions to officers other than in accordance with the terms of reference of their committee.
- 2.6 Members are not authorised to initiate or certify financial transactions or to enter into a contract on behalf of the Council.
- 2.7 Members and officers must avoid taking actions which are unlawful, financially improper or likely to amount to maladministration. Members have an obligation under the Code of Conduct, when reaching decisions, to have regard to advice given by the Section 151 Officer or Monitoring Officer when they are discharging their statutory duties.
- 2.8 Members must respect the impartiality of Officers and do nothing to compromise it, e.g. by insisting that an Officer change their professional advice.
- 2.9 Members are not prevented from discussing issues with officers or promoting a particular point of view. Whilst officers will consider the views / advice of members they are not, in any way, compelled to provide advice which coincides with the member's view or preferred position. Any unreasonable requests by a member to an officer to change their professional recommendation will constitute unacceptable undue pressure which is not permissible.
- 2.10 All members and officers have certain basic responsibilities and obligations. There are, however, some members and officers who, either because of statute, tradition or decisions of the Council, have extended roles and additional responsibilities. Some Members hold positions of responsibility such as the Leader and Group Leaders, the Chair and Vice Chair of Council, Chairs and Vice-Chairs of Committees/Working Groups. The Statutory Officers are the Head of Paid Service (Chief Executive), the Chief Financial Officer (Section 151 Officer) and the Monitoring Officer. Their roles are defined by statute and within the Council's Constitution.
- 2.11 As a matter of general principle, members and officers will:

- Deal with one another without discrimination
 - Observe normal standards of courtesy in their dealings with one another
 - Not take unfair advantage of their position
 - Promote a culture of mutual respect
 - Communicate clearly and openly, avoiding ambiguity and opportunities for misunderstandings
 - Work together to convert the Councils core values and priorities into practical policies for implementation for the benefit of the District
 - Observe any advice relating to publicity during the pre-election period
 - Refer any observed instances of inappropriate behaviour as necessary
- 2.12 Members must not be personally abusive to, or derogatory of officers in any correspondence, or during any meeting or discussion, in particular when this takes place in public, whether or not that individual is in attendance. Officers will likewise treat members with respect at all times.
- 2.13 Members should not criticise or raise matters relating to alleged conduct or capability of an officer at meetings of the Council, Committee or any other public forum (including on Social Media). This is a long standing tradition in public service as an officer has no means of responding to criticisms in public.
- 2.14 Officers should not raise with a member matters relating to the conduct or capability of another officer or to the internal management of a department in a manner which is incompatible with the overall objectives of this Protocol.
- 2.15 Nothing in this Protocol shall prevent an officer making a protected disclosure under the Whistleblowing Policy.
- 2.16 If an officer feels that they have been treated improperly or disrespectfully they should raise the matter with the relevant Director or the Chief Executive as appropriate. In these circumstances, the Chief Executive or Director will take appropriate action, including approaching the member concerned, and raise the issue with the Group Leader (if applicable) or referring the matter to the Monitoring Officer where there is a potential breach of the Code of Conduct.

3. Personal Relationships

- 3.1 Guidance on personal relationships is contained within the Codes of Conduct.
- 3.2 Provided these guidelines are observed there is no reason why there should not be an informal atmosphere between Members and Officers outside formal meetings and events.

- 3.3 It is clearly important that there should be a close working relationship between Portfolio holders, Opposition Group Leaders and spokesmen, Committee Chairmen and the relevant Director and other senior officers. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the individual's ability to deal impartially with others.
- 3.4 Both members and officers will need to be aware of the potential for conflicts of interest and take steps to either avoid or mitigate the position. The Monitoring Officer should be consulted in these circumstances.
- 3.5 Political Group Leaders should promote a positive atmosphere of trust, respect and understanding between members and officers and must be prepared to deal with and resolve any reported incidents of breaches of this Protocol by their Group members. In the event of a complaint being made to them under this Protocol, a Political Group Leader will seek to actively consider the complaint and achieve a satisfactory outcome. The outcome must be reported to the Officer who notified them of the complaint

4. **Role of Members**

- 4.1 Collectively, members are the ultimate policy makers determining the core values of the Council and approving the policy framework, strategic plans and budget. Their role is complex, requiring them to act simultaneously in the following capacities:-
- 4.2 *As Council / Committee Members* – Members will provide leadership and take responsibility for the authority's decisions and activities. Members have responsibility for the performance, development, continuity and overall wellbeing of the organisation as well as overseeing governance.
- 4.3 *As Representatives* – Members are community leaders who interpret and express the wishes of the electorate and are accountable to the electorate for service priorities, allocation of resources and ultimate performance. The Member represents the interests of their Ward and is an advocate for their constituents.
- 4.4 *As Politicians* – Members may belong to a Political Group represented on the Council and, if so, may express political values and support the policies of the Group to which they belong.
- 4.5 Officers can expect members to:-
- Provide political leadership and direction.
 - Initiate and develop policy to be put before Council or Committees.
 - Work in partnership understanding and supporting their respective roles, workloads and pressures.
 - Take corporate responsibility for policies and other decisions made by the Council.

- Prepare for formal meetings by considering all written material provided in advance of the meeting.
- Leave day to day managerial and operational issues to officers.
- Adopt a reasonable approach to awaiting officers' timely responses to calls and / or correspondence.
- Not send emails to multiple officers regarding the same issue, instead utilising one point of contact where possible.
- Use their position with officers appropriately and not seek to advance their personal interests or those of others to influence decisions improperly.
- Respect the dignity of officers and not engage in behaviour which could be reasonably regarded as bullying or harassing in nature.
- Have regard to the seniority and experience of officers and equally having regard to the potential vulnerability of officers at junior levels.

4.6 It is permissible and sensible for members to seek straightforward factual information from officers, and to seek the views of appropriately qualified officers as to technical or professional matters. However, if there is anything contentious or relates to a matter requiring a complex opinion or value judgement, this should be directed to the relevant Director or Chief Executive.

4.7 When serving on the Council's Development Committee members must observe the Planning Protocol.

4.8 Whilst members should always act in the public interest, there is nothing preventing them as politicians, from expressing the values and aspirations of the Political Group to which they belong.

4.9 As a matter of courtesy, it is expected that members involved in an issue in another member's ward will speak with the relevant ward member(s) to inform them of their involvement.

(Further information about specific roles is outlined at Chapter 11, Schedule 2 of the Constitution)

5. Role of Officers

5.1 In broad terms officers have the following main roles:

- Set and implement strategies to deliver Council policy and further the Council's priorities.
- Day to day operational management of the organisation.
- Implement decisions of the Council which are lawful and which have been properly approved.

- Give members advice on issues and the business of the Council to enable them to fulfil their roles. In doing so, officers will take into account all relevant factors and demonstrate political sensitivity.
- Manage the services for which they have been given responsibility within the framework of responsibilities given to them under the Scheme of Delegation.
- Be accountable for the efficiency and effectiveness of the services in which they work and to demonstrate proper / professional practice in discharging their responsibilities.
- Provide advice on changes in government policy for which the Council is responsible.
- Provide professional advice on industry innovation, scientific development which may assist the council in delivering services.
- Provide professional advice on innovations by other councils which may be adopted by this council to improve service delivery.
- Be professional advisors to the Council, its political structures and members in respect of their service - as such, their professionalism should be respected.
- Initiate policy proposals in line with national government requirements or council agreed priorities as well as implementing the agreed policies of the Council.
- Ensure that the Council always acts in a lawful manner and does not engage in maladministration.
- Officers may only support members in their role within the Council and must not engage in actions incompatible with this Protocol. In particular, there is a statutory limitation on some officers involvement in political activities.

5.2 Members can expect officers to:

- Undertake their role in line with their contractual and legal duty to be impartial.
- Exercise their professional judgement in giving advice and not be influenced by their own personal views.
- Have an appreciation of the political environment in which they work and demonstrate political sensitivity.
- Assist and advise all parts of the Council, officers must always act to the best of their abilities in the best interests of the authority and the residents of the district.
- Be alert to issues which are, or are likely to be, contentious or politically sensitive and to be aware of the implications for members, the media or other sections of the public.
- Maintain due confidentiality.
- Behave in a professional manner and comply with the Officer Code

of Conduct.

- Be helpful and respectful to members.
- Respond in a timely manner to telephone calls, email correspondence etc.

5.3 In their dealings with the public, officers should be courteous and act with efficiency and timeliness.

5.4 In advising members of the Council, officers should be able to give honest and impartial advice without fear or favour from members. Officers must serve all members, not just those of any majority Political Group, and must ensure that the individual rights of all members are respected. The support provided by officers can take many forms, ranging from briefing an individual member on a particular issue to, on occasions, a presentation to the Council.

5.5 Subject to the Council's whistleblowing policy, officers should respect a member's request for confidentiality when dealing with any legitimately delicate matter and members should respect an officer's request that a matter be kept confidential. Where confidentiality is requested, any written reply to a member should not be copied to any other member without the original member's permission, or in order to comply with an unavoidable legal or professional obligation.

6. The Council as Employer

6.1 Officers are employed by the Council as a whole. Members roles are limited to the appointment of specified senior posts in accordance with the Staff Employment Procedure Rules and should not act outside these roles.

6.2 If participating in the appointment of officers, members should:

- Remember that the sole criteria is merit
- Never canvass support for a particular candidate
- Not take part where the candidate is a close friend or relative
- Not be influenced by personal knowledge of candidates
- Not favour a candidate by providing them with information not available to other candidates

7. Members' Constituency Role and Individual Employees

7.1 A Member may be asked for advice and support by an employee who is one of their constituents. Employees are entitled to seek such assistance in the same way as any other member of the public. However, Members should be careful not to prejudice the Council's position in relation to disciplinary procedures or employment matters in respect of an employee. **A Member approached for help**

in such circumstances should seek to direct employees to other sources of help, such as Human Resources, and not become directly involved. If a Member is unsure, the Democratic Services Team can offer advice on who to speak to.

8. Support Services to Members and Party Groups

- 8.1 Members are provided with ICT (information and communication technology) equipment and support services (e.g., printing, photocopying etc.) to enable them to better perform their policy and constituency role as Councillors.
- 8.2 Members should not use – and Officers should not provide - such equipment and support services in connection with party political or campaigning activity or for purposes not related to Council business.
- 8.3 Except that
- limited private photocopying may be undertaken provided it is at no cost to the Council; and
 - IT equipment may be used for non-commercial purposes provided it does not cause a conflict with, or risk to, Council systems, nor increase the support required from Officers.

9. Decisions

- 9.1 Before any formal decisions are taken members will have regard to professional advice from officers. They are not obliged to follow that advice, simply to consider it before reaching a decision.
- 9.2 Officers taking decisions under delegated powers must consider whether the relevant Political Group Leader, Committee Chair or Ward Member should be consulted based on the issue and taking into account political or corporate sensitivities (see below on consultation with Ward Members).
- Where the matter falls under the responsibility of that Chair's committee
 - Where the matter relates to that ward
- 9.3 Officers must also be prepared to justify how decisions taken under delegated powers contribute to the delivery of council policy and priorities when reasonably required to do so.
- 9.4 Where officers have delegated authority to take certain actions by a Committee in consultation with a member, it is the officer who takes the action and is responsible for it. A Political Group Leader or Chair has no legal power to take decisions on behalf of the Council or a Committee neither should he / she apply inappropriate pressure on the officer.

10. Officers and Whole Council

10.1 While the Constitution does not at present include provision for delegation of decisions to individual Portfolio Holders it may do so in the future. In any event the Constitution does show that there is a clear division between the decision making functions of the Cabinet and the Scrutiny Committee and other roles of Members.

10.2 However, Officers are required at all times to serve the whole Council and provide support regardless of political affiliation and will need to exercise judgement in fulfilling this obligation, whilst maintaining the distinction between executive and scrutiny. Members must recognise this obligation on Officers.

11. Officers and the Cabinet/Portfolio Holders

11.1 Any decision by an individual Portfolio Holder (if the Council should so delegate in future) or collective decision by the Executive Committee should except in an emergency be supported by written advice from the appropriate Officer(s). An Officer's obligation to the whole Council requires that such advice is independent and Members must not seek to suppress or amend any aspect of such professional advice.

11.2 Reports to Committees will normally be produced by Officers but there may be occasions when a Portfolio Holder or other Member prepares a report. In either situation, the appropriate Officer shall place on record his/her professional advice to the Committee and ensure that advice is considered when a decision is taken.

11.3 Officers may be representing the decisions (internally and externally) of a single party Cabinet or an individual Portfolio Holder. Other Members will need to recognise that, in so doing, the Officer is representing an executive decision of the Council.

12. Officers and Political Party Groups

12.1 There is statutory recognition for political groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of consideration by the relevant Council body.

12.2 On the invitation of a Group Leader, a Director or his/her nominee may attend a Group meeting to give factual information about an issue which is currently being or will shortly be debated by a Council body, provided that:

- the meeting is held on Council premises;
- notice of attendance is given to the appropriate Head of Service and made available on request to the other Group Leaders.

12.3 Officer support in these circumstances must not extend beyond providing information in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if Officers are not expected to be present when matters of party business are discussed.

- 12.4 Group meetings, while they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings are not Council decisions and it is essential that they are not interpreted or acted upon as such.
- 12.5 Similarly where Officers provide information and advice to a Group in relation to a matter of Council business this cannot act as a substitute for the Officer providing all necessary information and advice to the relevant Council body when the matter is considered.
- 12.6 Officers will not normally attend and provide information to any political party group meeting which includes non-Council members. Exceptions to this may be approved by the Chief Executive who shall do so in writing and copy the correspondence to all the political Group Leaders.
- 12.7 In all dealings with Members, in particular when giving advice to political party groups, Officers must demonstrate political impartiality and must not suppress their professional advice in the face of political views.
- 12.8 Officers must respect the confidentiality of any political party group meeting at which they are present. They must not relay the content of any such discussion to another party group.
- 12.9 Any particular cases of difficulty or uncertainty in this area of Officer advice to political party groups should be raised with the Chief Executive who will discuss them with the relevant Group Leader(s).

13. Officers and Individual Members

- 13.1 Any Group Leader, Portfolio Holder, Group Spokesman or Committee Chairman may request a private and confidential briefing from a Corporate Director on matters of *policy* which have already been or may be discussed by the Council or within its decision-making or advisory process. All requests should be made to the appropriate Corporate Director/Head of Service who should invite the Monitoring Officer or his/her nominees to attend if this is thought appropriate. Briefings shall remain strictly confidential and are not to be shared with other Members of the Council unless so permitted by the relevant Member.
- 13.2 Except for the confidential *policy advice* referred to above, where possible *information* will be shared among political group representatives. In particular, Overview & Scrutiny is a cross-party process involving all political groups represented on the Council. *Information* supplied to Overview & Scrutiny Chairmen will therefore be shared as a matter of course with each of the political groups.
- 13.3 Individual Members may request the Chief Executive (or Head of Service) to provide them with factual information. Such requests must be reasonable, and must recognise the need for Officers to maintain the distinction between the executive and scrutiny processes. The relevant Cabinet members, Committee

or Overview & Scrutiny Committee Chairman and the Opposition Spokesmen will, unless it is of a minor nature, be advised that the information has been given and, on request, will be supplied with a copy.

- 13.4 If a /Head of Service considers the cost of providing the information requested - or the nature of the request - to be unreasonable, he/she shall seek guidance from the Monitoring Officer as to whether the information should be provided. Where necessary, the Leader in consultation with the other Group Leaders, will determine whether the information should be provided.
- 13.5 Confidential information relating, for instance, to casework should not normally be sought. If in exceptional circumstances Members wish to discuss confidential aspects of an individual case, then they shall first seek advice from the /Head of Service and follow appropriate guidance.
- 13.6 Finally, any Council information provided to a Member must only be used by the Member for the purpose for which it was provided (i.e. in connection with the proper performance of the Member's duties as a member of the Council). This point is emphasised in the Code of Conduct.

14. Officers and Non-Council Elected Representatives

- 14.1 Officers may be requested to meet with Councillors or Elected Representatives from other Councils or organisations to provide briefings and/or policy advice.
- 14.2 Any Officer requested to attend a meeting of this nature which is not held on a cross-political party basis must obtain the prior authorisation of the Chief Executive who shall inform all Group Leaders of the arrangements.

15. Media Relations

- 15.1 A primary intention of the Government in introducing executive arrangements was to raise the public and media profile of Portfolio Holders and to make the Cabinet directly accountable for decisions taken. It follows that media presentation and media support will reflect this. Advice to the Cabinet and Portfolio Holders in relation to the media will be provided on a confidential basis if requested.
- 15.2 Overview & Scrutiny Chairmen shall ensure that all media statements relating to the scrutiny function have the support of the relevant Overview & Scrutiny Committee. Any such statements must be consistent with the Council's intent that the scrutiny function shall help to achieve a culture of continuous improvement throughout the Council.
- 15.3 The Communications & PR Manager and other Officers will also assist non-Cabinet Members in their media relations (on a confidential basis if requested).
- 15.4 Any Officer assisting a Member with media relations must act at all times in the interests of the whole Council and in a politically impartial manner. Other than factual statements, Members should not seek assistance from an Officer with

the preparation or issue of any media statement that will adversely affect the reputation of the Council.

16. Local Members / ward matters

- 16.1 The Council will keep local members fully informed about significant operational matters on which they may be required to make decisions or which affect their electoral wards.
- 16.2 Each chief officer will ensure that all relevant staff are aware of the requirement to keep local members informed and that, subject to paragraph 3 below, the timing of such information allows local members to respond appropriately and contribute to relevant decisions.
- 16.3 Any notification under this protocol should include sufficient detail to enable the local member(s) to have a broad understanding of the issue including a summary of advantages and disadvantages of any proposal and any financial implications.
- 16.4 Where lawful, communication of such information to local members will be made seven days before publication by the council of that same information. During those seven days the local member shall keep confidential the information imparted and not disclose it further without the agreement of the Chief Executive.
- 16.5 Local members must be informed of the formative stages of policy development as it affects their ward. This includes any consideration of the matter by working parties, internal boards or committees of the Council
- 16.6 **Issues may affect a single electoral ward but others may have a wider impact in which case a wider number of members will need to be kept informed.**
- 16.7 Whenever a public meeting is organised by the Council to consider a local issue all the members representing the electoral wards affected should as a matter of course be invited to attend the meeting.
- 16.8 Whenever the Council undertakes any form of consultative exercise the local members must be included.
- 16.9 **In dealing with Town or Parish Councils, officers should consider whether there is a need for Ward members to be copied into any correspondence for information. Likewise, officers may advise Town and Parish Councils to ensure that Ward members are provided with information relative to their role. This will need to be considered on a case by case basis to avoid creating an unnecessary administrative burden on officers.**
- 16.10 Where a news release specifically relates to an issue affecting a particular ward or geographical area, the local Member(s) will be advised by email, or

telephone as appropriate and sent a copy of the proposed release prior to distribution to the local media.

16.11 The local member's name will always be added to the contacts list on the press release and the Communications Team will offer advice and guidance in the usual way, seeking a quote from the local member if appropriate.

17. Member Training

17.1 Members are expected to embrace the principles of personal development and skill training and ensure they allocate time to participate in all the necessary training and personal development activities. This includes the necessary skills to take advantage of the ICT facilities made available to them.

12.2 Officers will work with individual members to produce a personal development plan, seek to ensure resources are available to fulfil the actions agreed in the plan and provide appropriate training to ensure that all members have the skills needed to fulfil their duties.

Other Codes, Protocols and Policies that should be referred to:

Member Code of Conduct

Employee Code of Conduct

Bullying & Harassment Policy

Access to Information Procedure Rules (Chapter 10 of the Constitution)

Table 1.

Elected Members	Officers
Democratically elected (receive an allowance)	Employed by the Council (paid a salary)
Community leaders – with a focus on their ward	May have specialist role with a specific focus
Make decisions on behalf of the District, and for the whole Council	Work for the District and the whole council
Can bring a political dimension to the role	Impartial – must give unbiased advice and information to all members equally
Abide by a Member Code of Conduct	Bound by their employment contract and the employee code of conduct
Set policy & oversee service delivery	Implement policies & ensure delivery of services
Only involved in senior officer appointments	Day to day management of officers and service areas

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10. Media Relations

- 10.1 A primary intention of the Government in introducing executive arrangements was to raise the public and media profile of Portfolio Holders and to make the Cabinet directly accountable for decisions taken. It follows that media presentation and media support will reflect this. Advice to the Cabinet and Portfolio Holders in relation to the media will be provided on a confidential basis if requested.
- 10.2 Overview & Scrutiny Chairmen shall ensure that all media statements relating to the scrutiny function have the support of the relevant Overview & Scrutiny Committee. Any such statements must be consistent with the Council's intent that the scrutiny function shall help to achieve a culture of continuous improvement throughout the Council.
- 10.3 The ~~Media Officer~~Communications Manager and ~~other Communications~~ Officers will also assist non-Cabinet Members in their media relations (on a confidential basis if requested). Contact details for the Communications Manager and Communications Officers will be circulated annually to all members and shared at any other time on request
- 10.4 Any Officer assisting a Member with media relations must act at all times in the interests of the whole Council and in a politically impartial manner. Other than factual statements, Members should not seek assistance from an Officer with the preparation or issue of any media statement that will adversely affect the reputation of the Council.

11. Local Members

- 11.1 The ~~council~~Council, via the relevant Officer(s), will keep local members fully informed about significant operational matters on which they may be required to make decisions or which affect their electoral wards.
- 11.2 Each ~~C~~hief Officer will ensure that all relevant staff are aware of the requirement to keep local members informed and that, subject to paragraph 3 below, the timing of such information allows local members to respond appropriately and contribute to relevant decisions.
- 11.3 Any notification under this protocol should include sufficient detail to enable the local member(s) to have a broad understanding of the issue including a summary of advantages and disadvantages of any proposal and any financial implications.
- 11.4 Where lawful and practical, communication of such information to local members will be made ~~seven days~~ before external publication by the council of that same information. During the period between being alerted about significant information affecting their ward which is to be published and the time/date of publication, ese seven days the local member shall keep confidential the information imparted and not disclose or publicly comment on

it further, either directly or via social media or external media without the agreement of the Chief Executive.

11.5 Local members must be informed by the relevant Council officers of the formative stages of policy development as it affects their ward. This includes any consideration of the matter by working parties, internal boards or committees of the Council. It should be noted that passing on of information to members in this way is not necessarily the responsibility of the Communications team and may come directly from officers in other departments. The Communication team's involvement will usually start when the Chief Executive or other relevant senior officer asks the Communications team to prepare external publication of a policy development/announcement.

~~11.6~~

11.6 Issues may affect a single electoral ward but others may have a wider impact in which case a wider number of members will need to be kept informed. The Communications team will, under the direction of the Chief Executive, share all significant Council news releases which affect the wider District or a number of electoral wards with members when they are published externally.

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11.7 Whenever a public meeting is organised by the Council to consider a local issue all the members representing the electoral wards affected should as a matter of course be invited to attend the meeting.

11.8 Whenever the Council undertakes any form of consultative exercise the local members must be included.

11.9 Where a news release specifically relates to a ~~significant~~ issue affecting a particular ward or geographical area, the local Member(s) will be advised by email, or telephone as appropriate and sent a copy of the ~~proposed~~ release prior to distribution when it is published on the Council's official news channels and/or shared with the local media.

11.10 The local member's name will, where appropriate, be shared with media as a potential contact for comment ~~always be added to the contacts list on the press release~~ and the Communications Team will offer advice and guidance in the usual way, seeking a quote from the local member in advance for the release if appropriate and providing advice for dealing with any retrospective approach for further comment from the media.

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11.11 When a member is approached for comment or interview by the media about a matter pertaining to the work of North Norfolk District Council, they should not feel obliged to instantly provide comment. They should instead acknowledge the request and ask the journalist to contact the Council's Communications team to register their request. The Communications team can then advise Members as to whether to proceed with the request and source and share relevant background information with the member to help inform their comments to the media. This will help to ensure comments made in the media are accurate, well-informed and issued in a co-ordinated way.

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11.1011.12 Members should be aware that any comment made about matters pertaining to North Norfolk District Council's work via their own personal social media channels are, in effect, statements to the media by said member - and as they are in the public domain, can be lawfully re-published verbatim by the media without the poster's permission. The Communications team will provide advice and guidance about general social media use or about specific proposed personal social media posts on request to all members.

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