

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
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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.**