

North East Derbyshire District Council

Standards Committee

3 May 2018

Review of the Protocol on Member/Officer Relations

Report of the Joint Head of Corporate Governance and Monitoring Officer

This report is public

Purpose of the Report

- For Members to consider the Protocol on Member/Officer Relations.

1 Report Details

- 1.1 At its meeting on 14 December 2017 the Standards Committee gave consideration to the Protocol on Member/Officer Relations and were given the opportunity for targeted scrutiny.
- 1.2 It was resolved at the meeting that the Joint Head of Corporate Governance and Monitoring Officer carry out consultation with Members and the Senior Management Team on the Protocol.
- 1.3 The Strategic Alliance Management Team at their meeting on 16 February 2018 also gave consideration to the Protocol in detail and offered amendments which have been incorporated in to the existing Protocol for consideration at this meeting.
- 1.4 Each Member of Council has been offered the opportunity to feed in to the Review, however, to-date no comments have been received.
- 1.5 Attached at **Appendix 1** to this report is a suggested revised version of the Protocol for Member/Officer Relations.
- 1.6 The main revisions to the report are:-
 - Inclusion of more detailed guidance around the relationships between Members and Officers, in particular “mutual respect”;
 - In light of recent political debates in Parliament, inclusion has been given to include elements covered by the Equalities Act 2010;
 - Inclusion of details around applying pressure on Members or Officers in regard to duties they are neither empowered nor within their duties;
 - Providing further guidance on advice and support to Political Groups;

- Providing more clarification around need to know information and requests for information by Members;
- Inclusion of a link to the Council's Delegation Scheme;
- Providing clarity around correspondence;
- Inclusion of a 'dos and don'ts' document as an Appendix to the protocol. This is attached at **Appendix 2** to this report.

2 Conclusions and Reasons for Recommendation

- 2.1 It is best practice that the Council's Constitution be reviewed on a regular basis and the Standards Committee has usually carried this out annually. It was agreed that the Protocol on Members/Officer Relations form part of this year's review.

3 Consultation and Equality Impact

- 3.1 All Members have been consulted on the original Protocol and the Senior Management Team have also been consulted as part of this review. There are no equalities issues.

4 Alternative Options and Reasons for Rejection

- 4.1 The Committee are asked to consider the changes included within Appendix 1. The amendments will form part of the final review of Constitution report to Annual Council.
- 4.2 The Committee could agree that the Protocol does not require further review and the current Protocol could be retained.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 None.

5.2 Legal Implications including Data Protection

- 5.2.1 None.

5.3 Human Resources Implications

- 5.3.1 None.

6 Recommendations

- 6.1 That Members give consideration to the Protocol on Member/Officer Relations and agree amendments.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><i>BDC:</i> <i>Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/></p> <p><i>NEDDC:</i> <i>Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/></p> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Affected</p>	All
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
1 2	Protocol on Member/Officer Relations Dos and Don'ts for Members and Officers
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Nicola Calver Governance Manager	(01246) 217753