

**North East Derbyshire District Council**

**Standards Committee**

**25 February 2026**

**Review of Councillor – Officer Relations Rules**

**Report of the Assistant Director of Governance and Monitoring Officer**

Classification: This report is public

Report By: **Assistant Director of Governance and Monitoring Officer**

Contact Officer: **Assistant Director of Governance and Monitoring Officer**

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**PURPOSE / SUMMARY**

As part of the annual review of the Constitution, the Rules for Councillor – Officer Relations (the Member Officer Relations Protocol) have been reviewed for members consideration.

However this is against recent LGA advice about creating and reviewing such protocols. This requires a much more inclusive review of the document with officers and members. Members are therefore being asked to consider how to move this forward whilst agreeing to the immediate changes to the document.

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**RECOMMENDATIONS**

1. That the Rules for Councillor – Officer Relations be renamed the Member Officer Relations Protocol to align it with the LGA guidance.
2. That Members comment on and approve the amended version for inclusion in the Constitution for 2026.
3. That the Monitoring Officer and the Governance Manager bring a report to the next meeting in relation to the issues raised by the LGA guidance on Member Officer Relations Protocol.

**IMPLICATIONS**

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**Finance and Risk:** Yes  No

**Details:**

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):**                      **Yes**                       **No**

**Details:** It is good practice to have a Member Officer Relations Protocol and to review it regularly. This is enshrined in the Constitution and is being reviewed as part of the annual constitution review. It will also be reviewed in the light of recently issued LGA guidance.

On Behalf of the Solicitor to the Council

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**Staffing:**        **Yes**                       **No**

**Details:** This Protocol is for Officers as well as Members and should therefore be considered in suitable employee groups.

On behalf of the Head of Paid Service

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## DECISION INFORMATION

Decision Information	
<b>Is the decision a Key Decision?</b> 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:  <b>NEDDC:</b> <b>Revenue - £125,000</b> <input type="checkbox"/> <b>Capital - £310,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None directly

<b>Equality Impact Assessment (EIA) details:</b>	
<b>Stage 1 screening undertaken</b> <ul style="list-style-type: none"> <li>Completed EIA stage 1 to be appended if not required to do a stage 2</li> </ul>	Yes, appended.
<b>Stage 2 full assessment undertaken</b> <ul style="list-style-type: none"> <li>Completed EIA stage 2 needs to be appended to the report</li> </ul>	No, not applicable
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Cabinet</b> <input type="checkbox"/> <b>SMT</b> <input checked="" type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/>	Yes  Details: Standards Committee. SMT. Ultimately others such as Service Managers Forum.

<b>Links to Council Plan priorities;</b>
<ul style="list-style-type: none"> <li><b>A great place to access good public services</b></li> </ul>
Guidance for Members and employees on acceptable working relationships.

## REPORT DETAILS

### 1 **Background** *(reasons for bringing the report)*

- 1.1 As part of the annual review of the Constitution, the Rules for Councillor – Officer Relations (or Member Officer Relations Protocol) is being reviewed. It is some time since this was reviewed in detail.
- 1.2 The LGA has issued new guidance (November 2025) on Member Officer Relations which, as a matter of good practice, must be taken into account.

### 2. **Details of Proposal or Information**

- 2.1 The link for the existing “Rules for Councillor – Officer Relations” which is in the Council’s Constitution is: [Appendix Seven - Code of Councillor-Officer Relations PDF 279 KB](#) I have amended the Protocol including renaming it and the draft is attached in Appendix 1. The changes are meant to increase the understanding of the behaviours required of both Members and Officers and to add more guidance on the issues as well as clarity.
- 2.2 As said above there is new guidance from the LGA on Member Officer Relations Protocols. This includes how such a Protocol should be reviewed, who should be involved in the review etc.

- 2.3 This Council has and has had for many years, a Member Officer Relations Protocol. This has been regularly reviewed. The LGA guidance needs careful consideration to establish how much further work needs doing on the Council's Protocol and to decide who should be involved in that review. The question is more about how the requirements in the Protocol are promoted to all Members and officers including through training.
- 2.2 The new LGA guidance is on the link [google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwIj44rc9sSSAxUKZ0EAHVwjGX4QFnoECBgQAQ&url=https%3A%2F%2Fwww.local.gov.uk%2Fpublications%2Fgood-practice-guidance-member-officer-relations-protocols&usg=AOvVaw19yl-8v5tm6rQCr-nrgPfl&opi=89978449](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwIj44rc9sSSAxUKZ0EAHVwjGX4QFnoECBgQAQ&url=https%3A%2F%2Fwww.local.gov.uk%2Fpublications%2Fgood-practice-guidance-member-officer-relations-protocols&usg=AOvVaw19yl-8v5tm6rQCr-nrgPfl&opi=89978449)
- 2.3 The guidance suggests that the review should be carried out with a Member Officer Working Group consisting of Party Leaders, the Chair of Standards Committee, a Scrutiny Chair and a back bencher.
- 2.4 Officers on the Group would include the 3 Statutory Officers and the Director of Growth and Assets, HR and OD Manager and the Governance Manager together with a member of an operational team which deals with Members frequently - such as an officer from Planning.
- 2.5 This would ensure a thorough engagement in the review process from both the point of view of Members and officers. There are choices – there could be a single meeting to review the revised Protocol and for Members and Officers to comment before Standards Committee looks at the revised Protocol at its meeting in April is one option. Alternatively there could be a series of meetings to go through the document.
- 2.6 In terms of consideration it might be helpful to take any revised document to JCG before it comes to Standards Committee. There will also be a need to consider what training is required for both Members and officers.
- 2.7 There is a lot of preparation work through. Accordingly it is recommended that a further report is presented to the next meeting.

### **3 Reasons for Recommendation**

- 3.1 To ensure that the review of this document includes Members and Officers' views on how the review should be carried out as well as issues that need to be dealt with in the document.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 Not to review. This is not in line with the Council's practice of reviewing the Constitution annually and making sure that the parts of the Constitution are up to date. This was therefore rejected.

## DOCUMENT INFORMATION

Appendix No	Title
1	Draft revised Member Officer Relations Protocol
2	EIA Stage 1 screening
<b>Background Papers</b> (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 you must provide copies of the background papers)	
None	