

Joint Standards Committee

17th April 2013

Report of the Monitoring Officer

Member Officer Protocol

Summary

1. This report asks the Committee to review the current City Council member officer protocol and to consider whether to recommend a similar protocol to Parish Councils.

City Council Protocol

2. Like most upper tier Councils the City Council has a member officer relations protocol in place. A copy of the current protocol appears at annex A to this report. It is three years since the protocol was last reviewed and it seems appropriate to do so now in light of the changes to the standards regime as well as other legislative change affecting local authorities.
3. The current protocol was put in place in response to an ethical governance health check conducted for the Council. It was introduced after widespread consultation and after consideration of a number of protocols used by other Councils. Generally it remains a comprehensive document.
4. A recent case has highlighted the fact that not all Members have understood the rights they have to access information held by the Council. These are described within the protocol although that section would benefit from some elaboration of the additional rights which members of scrutiny committee have. That gives rise to two questions – how well communicated the protocol has been and whether the Council should adopt a position of giving Members rights which go beyond those given by law.
5. Members are invited to consider whether there are any other areas of the Protocol which require review.

Parish Council Protocol

6. It is not so common for Parishes to adopt protocols dealing with relations between their Members and employees although NALC and the Society of Local Council Clerks have both supported an ACSES produced model and some other versions are available on the internet.
7. A draft of a potential Parish protocol is attached at annex B for discussion. Members are asked to consider whether to recommend to Parish Councils that they adopt a protocol and, if so, whether this draft could form the basis for a recommended model.

Recommendations

8. Members are recommended to:
 - 1) Identify any changes which they consider should be made to the City Council protocol

Reason: To add further clarity to the protocol
 - 2) To consider how best to communicate the contents of the protocol.

Reason: To ensure that Members and Officers are familiar with its key contents.
 - 3) To consider whether to recommend to Parish Councils that they adopt a similar protocol and, if so, whether the draft at annex B should be adopted as a model.

Contact Details

Author:

Andrew Docherty
Monitoring Officer

CBSS

Tel No. 01904 551004

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Report
Approved

Date 04/04/13

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A – Protocol on Member/Officer Relations

Annex B – Draft Parish Protocol