

| REPORT TO | ON |
|---|--|
| Governance Committee Council | 31 st January 2018 21 st March 2018 |

September 2017



| TITLE | REPORT OF |
|-----------------------------|--|
| Member and Officer Protocol | Interim Corporate Improvement Manager |

| | |
|------------------------------|-----------|
| Is this report confidential? | No |
|------------------------------|-----------|

1. PURPOSE OF THE REPORT

To present the draft Member and Officer Protocol to Governance Committee for comment prior to its submission to Council for approval on 21st March 2018.

2. RECOMMENDATIONS

- 2.1 That members recommend to Council that the draft Member and Officer Protocol shown at **Appendix 1** be approved
- 2.2 That members recommend to Council that all members of the Council and all Tier 1 – 4 officers and any other officers whose posts are politically restricted be required to sign the Protocol to signify their acceptance of its contents and their commitment to their adherence to the Protocol.
- 2.3 That members recommend to Council that the Member and Officer Protocol becomes a formal part of the Council's revised Constitution

3. EXECUTIVE SUMMARY

- 3.1 Following the Scrutiny Review of Licensing and the LGA Corporate Peer Challenge, there was a need to develop a Member and Officer Protocol to set out clearly the expected behaviours of members and officers.
- 3.2 The LGA commissioned a consultant to work with members and officers to develop the Protocol and this is now submitted to members for consideration prior to Council approval.
- 3.3 The Protocol applies to all members and officers of the Council. When approved, it will form an integral part of the Council's Constitution.
- 3.4 The Protocol sets out the respective roles of members and officers and the behaviours expected of them. It details the behaviours needed to ensure mutual trust and respect and effective working relationships.

3.5 It also refers to the social media protocol approved by Council in July 2017 and the rules relating to the use of information technology.

3.6 Section 23 of the Protocol sets out the processes to be followed for addressing concerns and the sanctions to be applied for non-compliance of the Protocol.

4 CORPORATE PRIORITIES

The report relates to the following corporate priorities

| | | | |
|--|--|---|---|
| Clean, green and safe | | Strong and healthy communities | |
| Strong South Ribble in the heart of prosperous Lancashire | | Efficient, effective and exceptional council | ✓ |

5. BACKGROUND TO THE REPORT

Following the Scrutiny Review of Licensing undertaken in September 2016, the Cabinet approved a Corporate Improvement Plan incorporating the recommendations made in the Scrutiny Review.

One of those recommendations was the need to develop a Member / Officer Relations Protocol. A diagnostic to identify the issues which the Protocol should address was undertaken by the Centre for Public Scrutiny in February 2017.

The LGA Corporate Peer Challenge carried out at the end of March 2017 considered the findings from this diagnostic work and noted that there was a need to ensure strong standards of personal behaviour. It recognised the importance of Members and Officers taking collective responsibility for driving a change in culture at the Council and to help strengthen mutual trust and respect between Officers and Members.

Accordingly, the LGA commissioned work to develop a Member and Officer Protocol ('the Protocol') to provide clarity in relation to the respective roles and responsibilities of Members and Officers and the nature of the relationships that underpin effective joint working.

This work was undertaken by Mike Green from Transitional Spaces between August and December 2017.

6. DEVELOPMENT OF THE PROTOCOL

6.1 Officers worked closely with Mike Green to establish an inclusive approach to development of the Protocol.

6.2 In early October, a series of focus group with a cross section of members and staff were held to identify the challenges that currently exist so that a draft protocol could be developed to meet the Council's specific needs. The Focus Groups considered of the following.

- Cabinet members
- Scrutiny Members
- Backbench members
- Committee Chairs
- Senior Management Team
- Middle managers (including HR)

- Front line staff (office based – Including HR)
- Front line staff (Depot)

6.3 The feedback from these sessions was used to inform the development of a draft Protocol which was then tested out in a joint meeting between the Cabinet, the Shadow Cabinet and the Senior Management Team held on 13th November.

6.4 The Protocol was then refined and presented to members and officers in a series of joint workshops held in early December. A total of 5-workshops were held over two days attended by 38 officers and 30 members.

Members of the Cabinet and the Shadow Cabinet jointly facilitated these sessions alongside Mike Green and the Council's Interim Corporate Improvement Manager.

In these sessions, different scenarios were used to 'road test' the Protocol and to explore what it means for officers and members and the behaviours the Protocol is intended to promote.

Feedback from these sessions was then used to fine tune the Protocol.

6.5 A final version of the Protocol has now been developed for members' consideration and this is attached at **Appendix 1**.

6.6 **Appendix 2** provides a diagrammatic overview of the routes to resolution set out in the Protocol.

6.7 When approved, it is suggested that all elected members and all Tier 1 – 4 officers and any other officers whose posts are politically restricted are required to sign the Protocol to signify their acceptance of it and their commitment to its adherence.

6.8 Sanctions for non-compliance with the protocol are included within the Protocol at Paragraph 23.

6.9 When approved, the Protocol will become an integral part of the Council's Constitution.

7. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

7.1 Comments of the Statutory Finance Officer

There are no financial implications to this report.

7.2 Comments of the Monitoring Officer

This protocol needs to be seen in the context of a number of other council documents particularly the Code of Conduct for Members and the Code of Conduct for Employees.

For any council to function effectively there needs to be a good relationship between elected councillors and officers. At the heart of that relationship needs to be mutual respect.

7.3 Other implications

| | |
|-------------|--|
| Risk | The Council's reputation (both generally and within the local authority sector) is at risk of being damaged if member and officer relations and behaviours do not improve. The Protocol is intended to mitigate against this risk. |
|-------------|--|

| | |
|--|--|
| Equality & Diversity | The Protocol applies to all member of the Council and all of its staff. There are no adverse implications on equality and diversity. |
| HR & Organisational Development | Adherence to the Protocol will strengthen member and officer relations and will have a positive impact on both staff and member morale, which will help to address some of the issues identified in the November 2016 staff survey and the September 2017 member survey. |
| Property & Asset Management | None |
| ICT / Technology | Adherence to the Council's IT Policies is included within the Protocol. This includes adherence to the Social Media Protocol which was approved by Council in July 2017. |

8. BACKGROUND DOCUMENTS AND APPENDICES

Scrutiny Review of Licensing dated September 2016
Corporate Improvement Plan approved by Cabinet in February 2017
Centre for Public Scrutiny Report dated March 2017
LGA Corporate Peer Challenge final report dated 28th March 2017.

Appendix 1: Member and Officer Protocol

Appendix 2: Overview of the Routes to Resolution

Joanne Platt
Interim Corporate Improvement Manager

| | | |
|-----------------------|-------------------|-------------------------------|
| Report Author: | Telephone: | Date: |
| Joanne Platt | 01772 625309 | 19 th January 2018 |