

[UPDATED] **Protocol on Member / Officer Relations**

This Protocol forms part of the Constitution of Cambridge City Council and sets out the framework governing relationships between Members and Officers. It reflects the Council's commitment to high standards of governance, mutual respect, professional integrity and lawful decision-making.

1. Introduction

1.1 Effective member-officer relations are built on a series of interconnecting basic principles:

- **Ethical conduct:** Members and officers individually act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- **Mutual respect and trust:** Members and officers respect each other, their respective roles and responsibilities.
- **Clear and well understood roles and responsibilities:** The roles and responsibilities of both members and officers, including the boundaries between them, are clearly defined, consistently communicated and understood by all members and officers working with members.
- **Visible leadership:** Senior members and officers actively and visibly model, promote and uphold the authority's standards, setting clear expectations. They are committed to preventing, identifying and resolving conflicts constructively and transparently.

1.2 This Protocol operates alongside other elements of the Council's constitution and statutory legislation:

- The Members' Code of Conduct
- The Officers' Code of Conduct
- The Council's Constitution
- The Scheme of Delegation
- The Access to Information Procedure Rules
- Relevant legislation including the Local Government Act 1972 and Localism Act 2011.

1.3 Members should seek advice from the Monitoring Officer or Deputy Monitoring Officer where necessary. Officers should seek guidance from their Line Manager, Service Lead, Assistant Director, Director, or Chief Executive as appropriate.

1.4 This protocol will be reviewed on a regular basis alongside any review of the Constitution.

2. Roles of Members and Officers

2.1 Both members and officers are servants of the public and they are indispensable to one another. Their individual responsibilities are, however, distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are employees of the Council and their job is to give advice to members and the authority, and to carry out the Council's work under the direction and control of the Council, the Cabinet and relevant committees, panels etc. Officers shall act in the best interests of the Council as a whole and shall not give partisan political advice. Mutual respect between members and officers is essential to good local government.

2.2 Members have three main areas of responsibility:

- (1) determining the policy of the Council and providing political leadership,
- (2) representing the Authority externally, and
- (3) acting as advocates on behalf of their constituents.

It is not the role of members to involve themselves in the day-to-day management of the Council's services. Members should be careful to avoid involvement in internal office management, discipline and other employment related issues, as the actions of a member may be held to be the actions of the Council as an "employer".

2.3 Members of the Cabinet and chairs and vice-chairs of committees and panels have additional responsibilities. Their relationships with officers may be different from, and more complex than, those of members without those responsibilities and this is recognised in the expectations they are entitled to have.

2.4 As individual members of the Council, all members have the same rights and obligations in their relationship with officers and should be treated equally. This principle is particularly important in the context of overview and scrutiny. Where a political group forms an administration, either alone or in partnership with another group or groups, it is recognised that the relationship between officers (particularly those at a senior level in the Council) and the administration will differ from that with

opposition groups. However, members in opposition still have the same rights and obligations in their relationships with officers and should be treated equally.

2.5 The Head of Paid Service (Chief Executive), Monitoring Officer and Section 151 Officer (Chief Finance Officer) hold statutory responsibilities which must be respected at all times. The role of officers is to give advice and information to members and to implement the policies determined by the Council.

3. Expectations

3.1 Members can expect from officers:

- (a) a commitment to the Authority as a whole, and not to any political group;
- (b) a working partnership;
- (c) an understanding of, and support for, respective roles, workloads and pressures;
- (d) a timely response to enquiries and complaints;
- (e) professional advice, not influenced by political views or preference, which does not compromise the political neutrality of employees;
- (f) regular up-to-date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold;
- (g) awareness of, and sensitivity to, the political environment;
- (h) respect, dignity and courtesy;
- (i) training and development in order to carry out their role effectively;
- (j) integrity, mutual support and appropriate confidentiality;
- (k) not to have personal issues raised with them by employees outside the agreed procedures;
- (l) that employees shall not use their relationship with members to advance their personal interests or to influence decisions improperly;
- (m) that employees shall at all times comply with the Officers' Code of Conduct.

3.2 Officers can expect from members:

- (a) a working partnership;
- (b) an understanding of, and support for, respective roles, workloads and pressures;
- (c) political leadership and direction;
- (d) respect, dignity and courtesy;
- (e) integrity, mutual support and appropriate confidentiality;
- (f) not to be subject to bullying or to be put under undue pressure. Members should have regard to the seniority of officers in determining what are reasonable requests, having regard to the power relationship between members and officers, and the potential vulnerability of officers, particularly at junior levels;
- (g) that members shall not use their relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- (h) that members shall at all times comply with the local Code of Conduct.

4. Working Relationships and Conduct

4.1 It is clearly important that there should be close working relationships between all officers and members. However, such relationships should never be allowed to become so close or appear so close as to bring into question the individual's ability to deal impartially with others. Close personal familiarity between individual members and officers can damage professional relationships and can prove embarrassing to other members and officers. Situations should be avoided, therefore, that could give rise to suspicion and / or appearance of improper conduct or behaviour. Provided these guidelines are observed, there is no reason why there should not be an informal atmosphere between members and officers outside formal meetings and events.

4.2 Any dealings between members and officers should be conducted with mutual trust, respect and courtesy and neither party should seek to take unfair advantage of their position. An employee who is one of their constituents may ask a member for advice and support. Employees are entitled to seek such assistance in the same way as any other member of the public. However, members should be careful not to prejudice the Council's position in relation to disciplinary procedures or employment matters in respect of any employee. A member approached for help in such circumstances should first seek advice from the Monitoring Officer.

4.3 Members shall not pressurise any officer to change their professional opinion on any Council business matter or do anything that compromises, or which is likely to compromise, the impartiality of officers or those who work for, or on behalf of, the Council.

Constructive Criticism

4.4 It is an absolute requirement that councillors do not criticise officers personally or use, as councillors, inappropriate language or conduct in public about reports or actions taken by officers. Officers are similarly constrained by their own code, by their employment provisions and by their requirement to maintain professional integrity. It is important that there should be mutual respect and courtesy between councillors and officers and that no councillor or officer should seek to take unfair advantage of their position.

4.5 Councillors have the right to criticise reports or the actions taken by officers but they should always avoid personal attacks on officers and ensure that criticism is constructive, well-founded and likely to lead to improved performance in future, and does not seek to apportion blame.

5. Accountability of Members / Officers under Scrutiny Arrangements

An Overview and Scrutiny Committee may scrutinise and review decisions made by the Cabinet or actions taken by or on behalf of the Cabinet. As well as reviewing documentation, in fulfilling the scrutiny role, these committees may require the Leader, lead cabinet member or Chief Officer or service lead to attend before it as provided in the Overview and Scrutiny Procedure Rules.

6. Local Members (Ward Councillors)

6.1 Local members have an important role to play in representing the Council in electoral Wards, responding to the concerns of their constituents, in meetings with partners and serving on external bodies and organisations.

6.2 It is essential for the proper running of the Council that there should be full and appropriate engagement with local Ward members before new decisions are taken which affect their electoral Wards. It is the duty of each Chief Officer or service manager to ensure that all relevant staff are aware of the requirements engage and to keep local members informed and that the timing of such information allows members to contribute to those discussions.

- 6.3. Issues may affect a single electoral Ward but others may have a wider impact in which case numerous members will need to be involved and kept informed. In such instances and engagement should be proportionate and coordinated.
- 6.4 Officers must ensure Ward Councillors are consulted or advised of the exercise of delegated powers relevant to their area where appropriate.
- 6.4 Wherever a public meeting (i.e. a meeting open to the public to attend) is organised by the Council to consider a local issue, all members representing the electoral Ward(s) affected should, as a matter of course, be invited to attend. Similarly, whenever the Council undertakes a formal consultative exercise, the local member(s) shall be notified at the outset of the exercise.
- 6.5 If a local member is not sure how to handle a problem that has arisen in their Ward they may, if appropriate, seek guidance from their Group Leader or member colleagues before seeking advice from Chief Officers or service managers.

7. Members' Enquiries

- 7.1 The relationship between members and officers should be characterised by partnership, empowerment and trust. In order to ensure delivery of the Council's priorities and provision of high-quality public services it is essential that members and officers work in a collaborative and mutually supportive manner. Officers should recognise the need for members to receive information in a timely manner in order to carry out their constituency roles. Members should likewise be appreciative of the competing demands on officer time.
- 7.2 Members should ensure, whenever possible, they first check the City Council website to resolve queries or report issues¹. Members should advise residents to do the same, and only themselves get involved in a resident matter if there is a potential unresolved failure of service or specific advocacy is appropriate. Members' enquiries which fall within the remit of constituents' complaints, which should not generally include a request for service, shall be handled under the Council's Complaints Procedure.
- 7.4 If it is necessary to contact an officer Members should speak to the contact centre in the first instance in order to be referred to the officer / service they require or refer to 'Who Does What'.

¹ On-line options are the quickest, easiest, and most efficient way to report issues or receive a service. [Report it - Cambridge City Council](#).

- 7.3 If members need to contact an officer to resolve a query they should approach the service manager or the most appropriate officer in the first instance. Try to avoid speaking to Chief Officers about issues that should be dealt with by a service manager.
- 7.2 Chief Officers and service managers are responsible for ensuring that members' enquiries are dealt with promptly and satisfactorily within their service areas. There should however be no expectation among members that member queries will always be given priority over an officer's other work commitments.
- 7.3 Officers shall aim to provide a substantive response to members' enquiries within 7 working days of receipt. If a substantive response cannot be provided within that timescale, officers shall contact the member to explain the reason why and liaise with them regarding the timescale within which the full response shall be sent.
- 7.4 An officer shall raise with their service manager or Chief Officer any enquiry which would impose a disproportionate burden on their work and, if necessary, further discussion shall then take place with the member concerned with a view to agreement of the approach to managing the response to the enquiry.
- 7.6 The process outlined in this paragraph supplements members' statutory and common law rights to information as detailed in paragraph 10.

8. Political Groups

- 8.1 Political group meetings, whilst they form an important part in the preliminaries to Council decision-making, are not formal decision-making bodies of the Council and, as such, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not, therefore, rank as Council decisions and it is essential that members and officers understand and interpret them accordingly.
- 8.2 Officer support to political groups shall not extend beyond providing information and advice in relation to Council business (not party-political business). It may be appropriate for officers to participate in discussions within political group meetings in relation to the professional advice they give. However, it is good practice for party political discussions and debates to take place and conclusions to be reached in the absence of officers, in order to avoid suspicion of impropriety or misunderstanding.
- 8.3 Officers shall respect the confidentiality of any political group discussions. Any breach of this part of the protocol shall be brought to the attention of the Monitoring Officer for consideration. For the avoidance of doubt, it shall be recognised by all that, in discharging their duties, officers serve the Council as a whole and not exclusively any

political group, combination of groups or any individual members. Members shall, at all times, respect the political impartiality of officers and shall not expect or encourage officers to give a political view on any matter.

8.4 When an officer is requested to attend a political group meeting:

(a) the request to attend shall be made through, and approved by, the appropriate Chief Officer or Chief Executive;

(b) such a request shall only be made in relation to Council business; and officers shall:

(i) provide relevant factual advice and assistance;

(ii) leave during the deliberations of the political group on the issues;

(iii) respect the confidentiality of any party group decisions at which they are present;

(iv) not champion, defend, action a request or spend any resources of the Council, or be held responsible for actioning in any way whatsoever the decisions of the political group(s), unless and until such decisions have become the formal decisions of the Council; and

(v) inform the other political groups, offering them the right of the same information.

9. Access to Information and Documentation

9.1 Access to Information Procedure Rules set out the rights of access for members.

9.2 Any member may request a private and confidential briefing from a senior officer on matters of policy, which have already been or may be discussed by the Council within its decision-making or advisory process. All such requests shall be made to the appropriate Chief Officer or service lead and shall be subject to the constraints and demands of the service. Briefings shall remain strictly confidential and are not to be shared with other members of the Council unless so permitted by the relevant member and officer.

9.3 Individual members may request any Chief Officer (or another senior officer) to provide them with factual information, which is necessary in pursuance of the proper performance of their duties. Such requests shall be reasonable and shall also recognise the need for officers to maintain the distinction between the cabinet and scrutiny processes.

- 9.4 As regards the legal rights of members to inspect Council documents, these are partly covered by statute and partly by common law. This is commonly known as the “need to know principle”.
- 9.5 Sometimes a member’s “need to know” will be presumed. For example, a member is unlikely to be refused an opportunity to inspect documents relating to the functions or activities of a member body on which they serve. At other times, for example when documents contain confidential information or personal information about a third party, the member shall be required to satisfy the relevant Chief Officer or service lead about their “need to know”.
- 9.6 If a Chief Officer or service manager considers the cost of providing the information requested, or the nature of the request to be unreasonable they should seek guidance from the Monitoring Officer as to whether the information should be provided. Where necessary, the Monitoring Officer shall determine whether the information should be provided.
- 9.7 Confidential information relating to casework shall not normally be sought. If in exceptional circumstances members wish to discuss confidential aspects of an individual case then they shall first seek advice from the appropriate Chief Officer or service lead and may also need to seek permission from the constituent.
- 9.8 Council information provided to a member shall only be used by the member for the purpose for which it was provided (i.e. in connection with the proper performance of the member’s duties as a member of the Council). Where confidential, personal or otherwise sensitive information is obtained by a member, they shall deal with that information in accordance with the Members’ Code of Conduct.

10. Correspondence

- 10.1 E-mail relating to the Council shall be treated in the same way as formal business correspondence and its distribution considered accordingly. Members should restrict the distribution of e-mail correspondence to the intended recipients and refrain from using multi address distribution lists (for example e-mail replies copied to all members) unless there is good reason so to do. It should be noted that e-mail can be used for documentary evidence in matters such as disciplinary proceedings and libel cases even after it has been deleted.
- 10.2 Official correspondence on behalf of the Council shall normally be sent in the name of the appropriate officer, rather than in the name of a member. However, there are circumstances in which it is appropriate for correspondence to appear in the name of a member. For example, a local member may deal with correspondence with a

local constituent in relation to a local matter in their name. Similarly, the Leader of the Council or a lead cabinet member may deal with correspondence concerning their area of responsibility in their name.

10.3 Any member who receives correspondence should consider whether it is appropriate in the circumstances for it to be passed to an officer for a reply, or for them to reply in their name. Any such correspondence should always have regard to the Council's policies, practices and procedures and any mechanisms, if appropriate, for changing them. A member is advised to seek advice, as necessary, from officers before sending any correspondence in their own name.

10.4 Correspondence which creates legal obligations or gives instructions on behalf of the Council should never be sent out in the name of a member. Correspondence includes any communication by letter, e-mail, texts, social media posts or other electronic means.

11. Publicity and Media

Publicity

11.1 The Council wishes to encourage regular, open and two-way dialogue with its communities to ensure that the public are aware of the Council's activities, are informed about how to access services and are aware of opportunities for public participation in the democratic process.

11.2 The way information is publicised has changed significantly over time with online and social media being more prominent and instant. Messaging in publicity should be well considered as it is essential to ensure that local authority decisions on publicity are made in accordance with clear principles of good practice.

11.3 Officers and members of the Council shall, therefore, in making decisions on publicity, take account of the provisions of the national Code of Recommended Practice on Local Authority Publicity 2011. The Council's communications team can help to ensure publicity is timely, correct and targeted appropriately.

11.4 Particular care should be taken with Council publicity in the run-up to an election. Additional guidance is issued at these times to help members and officers. The MO or Chief Executive can provide advice where necessary about the guidance during periods of heightened sensitivity.

Media

11.5 Members wishing to publicise themselves or their political parties shall do so in an independent capacity without using Council resources. This applies to other support service Members receive to carry out their official duties, which may only be used on Council business, and may not be used for party political work.

11.6 When using Council email, or writing on behalf of the authority, correspondence should not include political comments or criticise Council policy adopted by Full Council. If members wish to make political statements in correspondence, they shall not use Council communications channels or, give the impression their views are those of the Council on any communications channels, including social media.

11.7 The Council's Communications Team provides a press office function on behalf of the Council. Media enquiries requesting information or a response on behalf of the Council should be referred to the Communications Team and all proactive communications of the Council's work should be coordinated through the Communications Team

12. When Things Go Wrong

12.1 This protocol is designed to provide the framework within which members and officers work effectively together. However, the following process should be followed in the event of any difficulties arising.

Procedure for officers to follow when experiencing difficulties with members

12.2 From time to time the relationship between members and officers may break down or become strained. It will always be preferable to resolve matters informally, through conciliation by an appropriate senior manager or member, for example an informal meeting arranged between the relevant member and officer, the member's group leader and the Chief Executive. Officers also have recourse to a procedure whereby the complaint or grievance can be referred to the Council's Monitoring Officer.

Procedure for members to follow when experiencing difficulties with officers

12.3 A member should not raise matters relating to the conduct, behaviour or capability of an officer in a manner that is incompatible with the objectives of this protocol. An officer has no means of responding to such criticism in public. If any member feels that they have not been treated with proper mutual trust, respect or courtesy or have any concern about the conduct or capability of an officer, they should raise the matter, in private, with the relevant Service Manager, Assistant Director or Director.

12.4 Any concerns with regard to a senior officer or Chief Officer should be discussed in private with the Chief Executive. Where the officer concerned is the Chief Executive, the matter should be raised with the Leader of the Council or Monitoring Officer, as appropriate to the circumstances. If the matter cannot be resolved informally it may be necessary to invoke the Council's Disciplinary Procedure.

13. Whistleblowing

Where an officer or councillor is concerned about potential unlawful conduct of an officer or councillor, the Council's whistle-blowing policy may also be relevant.

14. Interpretation

Questions of interpretation of this protocol shall be determined by the Monitoring Officer or Chief Executive

15. Unresolved issues and amendments to this Protocol

- 15.1 If there are any issues of concern which are not dealt with by this Protocol, then the relevant Member or officer may discuss the matter with the Chief Executive, Monitoring Officer or Deputy Monitoring Officer with a view to advice being provided.
- 15.2 Should any Member or officer wish to suggest an amendment to this protocol, they are encouraged to contact either the Chief Executive, Monitoring Officer or Deputy Monitoring Officer.

Adopted by Cambridge City Council: _____

[EXISTING] [PROTOCOL ON MEMBER/OFFICER RELATIONS](#)

Introduction

- 1.1 The purpose of this Protocol is to guide councillors, officers and other individuals who are members of Council bodies in their relations with one another. The Codes of Conduct for both members and officers have been referred to in the development of this Protocol and should be considered in addition to it when appropriate.
- 1.2 Given the variety and complexity of such relations, this Protocol does not seek to be either prescriptive or comprehensive. It seeks simply to offer guidance on some of the issues that most commonly arise. It is hoped, however, that the approach that it adopts to these issues will serve as a guide to dealing with other issues.
- 1.3 This Protocol is to a large extent no more than a written statement of current practice and convention. In some respects, however, it seeks to promote greater clarity and certainty.
- 1.4 This Protocol also seeks to reflect the principles underlying the respective rules of conduct which apply to members and officers. The purpose of the rules and this Protocol is to enhance and maintain the integrity (real and perceived) of local government by demanding very high standards of personal conduct.

Roles of Members and officers

- 2.1 The elected members are responsible for:
 - the initiation and direction of policy;
 - democratic accountability to the electorate for policies and for service delivery;
 - the scrutiny of Council services;
 - community leadership;
 - the promotion of partnership working; and
 - the presentation of Council policy.

2.2 The officers are responsible for:

- providing the professional advice that members must have before them when formulating policy and when taking decisions. The functions and areas of responsibility of the Council's Chief Officers are described in Article 11 of the Constitution (pages 23-26);
- implementing members' decisions;
- running the Council's services and day-to-day administration;
- taking managerial and operational decisions in accordance with the Council's schemes of delegation; and
- the provision of information regarding Council services and approved Council policies including via the media.

Working relationships

3.1 The Council has determined that there should be no formal separation of officer support between the executive and scrutiny functions. The Chief Executive has overall responsibility for ensuring that staffing support is sufficient. To assist this, the Chief Executive will be responsible for ensuring that proper officer support is provided for overview and scrutiny.

3.2 The working relationship between senior officers and the Executive will be particularly close. This relationship, however, must not:

- compromise officers' duties to all Members of the Council;
- be so close as to give the appearance of partiality on the part of the officer;
- undermine the confidentiality of any discussions within the Corporate Management Team or between senior officers and other Members;
- compromise officers' professional responsibility to advise Members that a particular course of action should not be pursued;
- abrogate officer responsibility for action taken under Delegated Powers.

- 3.3 Officers will also provide advice and assistance to individual Members in respect of Council business, including issues raised by constituents. They must not be requested to advise upon private matters.
- 3.4 Paragraph 2 of the Officer Code of Conduct (Pages 295-299) emphasises that officers are employed by, and serve, the whole Council. They are politically neutral and must avoid being identified with any political party. Members must respect this.
- 3.5 Directors/Assistant Directors (but not normally any other officer below second tier) may, in exceptional circumstances, be invited to attend political group meetings to explain or advise on policies and/or issues provided that this facility is available to all political groups represented on the Council. The Chief Executive should be informed by an employee that he/she is to attend such a meeting.
- 3.6 Paragraph 3.5 does not apply to invitations to officers to attend group meetings in their capacity as trade union representatives, which shall be permitted.
- 3.7 Political group meetings fall outside the Council's decision-making process. Conclusions reached at such meetings are not Council decisions and so should not be relied upon as such.
- 3.8 The Chief Executive and Directors may attend collectively to brief meetings of those members making up the Executive and the Chairs of Scrutiny & Regulatory Committees, on forthcoming issues.
- 3.9 Scrutiny committees have the power to require Executive Councillors and officers to appear before them and answer questions. So far as Executive Councillors are concerned, scrutiny committees should, wherever possible, require attendance only at meetings that appear in the Council diary. So far as officers are concerned, the statutory guidance states that "local authorities may wish to adopt conventions that overview and scrutiny committees would normally only require officers above a certain grade to attend to ensure that more junior officers are not put under undue pressure". Accordingly, the Council's scrutiny committees will only be able to require the attendance of Chief Officers and Directors/Assistant Directors. However, to

facilitate proper conduct of business, they may arrange, as necessary, for other officers to attend meetings to assist.

Familiarity

- 4.1 Close personal familiarity between individual members and officers can damage the principle of mutual respect. It could also, intentionally or accidentally, lead to the passing of confidential information or information which should not properly be passed between them, such as personal details.
- 4.2 Such familiarity could also cause embarrassment to other members and/or other officers and even give rise to suspicions of favouritism.
- 4.3 As a result care should be taken by individual members and officers in their relationship with each other.

Undue Pressure

- 5.1 It is important that in any dealings between members and officers neither should seek to take unfair advantage of their position.
- 5.2 In their dealings with both Directors and officers (especially junior employees), members need to be aware that it is easy for officers to be overawed and feel at a disadvantage. Such feelings can be intensified where members hold official and/or political office.
- 5.3 A member should not apply any pressure on an officer to do work outside of normal duties. A member should also not normally require an officer to do work outside of reasonable working hours but if deemed essential then this should be negotiated. Neither should pressure be put on an officer to do anything that he or she is not empowered to do.
- 5.4 Similarly, an officer must not lobby or use influence on an individual member to make a decision in his or her personal favour. They should not raise personal

matters to do with their job, nor make claims or allegations about other officers, nor make negative comments on the competency of another officer as the Council has formal procedures for this.

- 5.5 Members should recognise that officers' workloads frequently require extended periods of concentration or involve tight deadlines. Members should respect officers' working time and should, where possible, arrange appointments and avoid frequent unscheduled interruptions.

Constructive criticism & redress

- 6.1 It is important that there should be mutual courtesy between Members and officers. It is important that there are reasonable standards of courtesy and no member or officer should seek to take unfair advantage of their position.

- 6.2 Members have the right to criticise reports or the actions taken by officers but they should:

- always avoid personal attacks on officers;
- ensure that criticism is constructive and well-founded.

- 6.3 If a member considers that he or she has not been treated with proper respect or courtesy, he or she may raise it with the officer's line manager or Director without delay if it is not possible to resolve it through direct discussion. If the issue still remains unresolved appropriate action may be taken by the Director in accordance with the Council's normal procedures. Feedback should be given to the member on the outcome.

- 6.4 If an officer considers that he or she has not been treated with proper respect or courtesy, and a direct discussion is impractical or fails to resolve the matter, he or she should raise the matter with the line manager or Director without delay. In such circumstances, the Director will take such action as is appropriate either by approaching the individual and/or Party Group Leader. The Director will inform the

Chief Executive if the Party Group Leader becomes involved, or in any other case where it is appropriate. Feedback should be given to the officer on the outcome.

- 6.5 The Council operates a confidential whistle-blowing policy overseen by the Standards Committee. The Council is committed to the highest possible standards of operation, integrity, openness and accountability. It is expected that where an officer or member is concerned about potential unlawful conduct of an officer or member, they voice those concerns so that they can be dealt with effectively. Nb. The Code of Conduct for Members (Part 5a of the Constitution pages 287-294) refers to those matters where a member is aware that another member has failed to comply with the Code.

Officers' advice on declarations of interest

- 7.1 The Council's Head of Legal Practice will provide advice and information to Members on declarations of interest of a personal nature and whether or not such an interest might amount to a prejudicial interest. However, Members will know the nature and extent of any interest they may have. It is the Member's responsibility, therefore, to decide whether any interest should be declared.

Officers' reports and advice

- 8.1 The Director/Assistant Director in whose name a report to the Council (or any part of its formal decision-making structure) will always be fully responsible for the contents of it.
- 8.2 A report will only be amended where the suggested amendment also reflects the professional judgement of the author of the report. Any remaining disagreement between the Executive Councillor/Chair and the author of the report should be referred to the Chief Officer, or, if the author of the report is a Chief Officer, to the Chief Executive for resolution after consultation with the Leader.
- 8.3 On occasions, officers will need to express a professional view on a matter which may not support the view of the Executive and/or the relevant Chief Officers of the

Council. They must be allowed to do so without interference from, or victimisation by, members or officers.

Officer decisions taken under delegated powers

- 9.1 When making a decision under powers delegated to them, it must be recognised that it is the officer, and not any member, who takes the action and it is the officer who is accountable for it.

Dealing with the Media

- 10.1 Officers and members should be aware of the Convention on dealing with the Media in Appendix F of the Council Procedure Rules in Part 4a of the Constitution (pages 138-140). This is also listed on the Council's Intranet under 'Publicity and Media'.

Involvement of ward councillors

- 11.1 Whenever a public meeting is organised by the Council to consider a local issue, all the councillors representing the Ward or Wards affected should, as a matter or course, be invited to attend the meeting with the maximum possible notice being given. Similarly whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Councillors should be consulted at the outset of the exercise.
- 11.2 Ward Councillors should be notified in advance about any issues likely to affect them. This would include press releases relating to a particular Ward or significant matters likely to affect a Ward.
- 11.3 Officers are reminded of the protocol for consulting Ward Councillors before exercising delegated powers (Part 3 – Discharge of Council Functions pages 83-84).

Correspondence

- 12.1 Unless a member or officer requests confidentiality, it is to be assumed that correspondence between a Member and an officer is not confidential and may be shown to others (an obvious exception is where an issue relates to an individual constituent and would normally be treated in confidence). If, in an officer's view, correspondence between an individual member and an officer is of interest to other members, to keep them fully informed, it should be made clear to the original member that copies have been sent to other members.
- 12.2 Where issues are raised by, or with, individual members relating to a matter of general interest in a ward, (as it is in the best interests of the Council to ensure that all members are properly informed of general issues in their Ward), copies of correspondence will normally be sent to all members for the Ward and the appropriate Executive Councillor. However, a member may specifically request that correspondence is not copied to other members and/or there may be a political, or other reason, why it is not appropriate to do so.
- 12.3 Where an officer sends information on his/her own initiative to an Executive Councillor, copies will be provided to the relevant minority spokesperson(s) and Chair of Scrutiny.
- 12.4 Official letters sent on behalf of the Council should normally be in the name of the appropriate officer, rather than in the name of a member. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter to be signed by a member, but this should be the exception rather than the norm.

Member support services

- 13.1 The Council provides a range of support services, including stationery, typing and postage to enable Members to carry out their duties. These may only be used on Council business. They may not be used for party political work of any kind except for the administration of party group meetings (but not attending or minuting such meetings).

Unresolved issues and amendments to this Protocol

- 14.1 If there are any issues of concern which are not dealt with by this Protocol, then the relevant Member or officer may discuss the matter with the Chief Executive with a view to advice being provided.
- 14.2 Should any Member or officer wish to suggest an amendment to this protocol, he/she is asked to contact either the Chief Executive or Director of Customer & Democratic Services.
- 14.3 Any amendments require approval of Council on the recommendation of the Civic Affairs Committee. The Standards Committee and any other relevant body may be consulted on issues raised by the Protocol and on proposed amendments when appropriate.

