

AGENDA MANAGEMENT SHEET

Report Title:	Draft Member and Officer Working Protocol
Name of Committee:	Scrutiny Committee
Date of Meeting:	18 July 2022
Contact Officer:	Linn Ashmore, Democratic Services Officer Tel: 01788 533522 or linn.ashmore@rugby.gov.uk
Summary:	A Task Group was established to carry out a review of Member and officer working. The outcome of that work is the creation of a new protocol.
Financial Implications:	There are no financial implications arising from this report
Risk Management Implications:	There are no risk management implications arising from this report
Environmental Implications:	There are no environmental implications arising from this report
Legal Implications:	There are no legal implications arising from this report
Equality and Diversity:	There are no equality and diversity implications arising from this report

Scrutiny Committee - 18 July 2022

Draft Member and Officer Working Protocol

Public Report of the Chief Officer – Legal and Governance

Summary

A Task Group was established to carry out a review of Member and officer working. The outcome of that work is the creation of a new protocol.

1. INTRODUCTION

The member and officer working relationship forms the foundation of service delivery of the Council.

Following a resolution at Full Council in December 2021 it was agreed that Scrutiny would review the working relationship between members and officers.

Scrutiny Committee on 2 March 2022 approved a one-page strategy for the review and agreed that a task group be established.

2. TASK GROUP REVIEW

A Task Group was established comprising the following members:

- Cllr Wayne Rabin (Chair)
- Cllr Belinda Garcia
- Cllr Bill Lewis
- Cllr Maggie O'Rourke
- Cllr Becky Maoudis

The Group carried out a short, focussed piece of work which supported the need for a new protocol and key elements for inclusion were identified.

3. PROTOCOL

The workshops held in January 2022 with both officers and Members formed the initial basis of the evidence. The draft protocol was created in line with the proposals made by the Task Group, and this was reviewed in detail by members of the Group.

The final version of the protocol incorporating the changes agreed by the Task Group is attached at Appendix 1.

The protocol will be considered by Council on 19 July for approval along with any further feedback from the Committee on the proposed recommendation and the overall protocol.

4. RECOMMENDATION

The Committee is asked to consider the protocol and approve it for adoption by Council.

Name of Meeting: Scrutiny Committee
Date of Meeting: 18 July 2022
Subject Matter: Draft Member and Officer Working Protocol
Originating Department: Legal and Governance

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink



MEMBER AND OFFICER PROTOCOL

***FACILITATING COUNCILLOR
AND OFFICER WORKING***



Responsible Officers

Aftab Razzaq, Chief Officer for Legal and Governance/Monitoring Officer
Sarah Chapman, Legal and Governance Manager

Reviewed by: Member and Officer Working Task Group, Leadership Team

Date reviewed: 07/2022

Version 1

Date of next review: 06/2023

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1. INTRODUCTION

The Council is responsible for providing a variety of services to the public. At the heart of this delivery is the relationship between Members and Officers. It is key that this relationship is strong and collaborative and both roles recognise and compliment each other.

This policy seeks to align with the Council’s objectives as set out within its present Corporate Strategy. The relationship between Members and Officers is fundamental in delivering this strategy and the Council’s wider transformation programme. This is the beginning of a new journey between Members and Officer and establishing the foundation for a strong relationship.

“It is about challenging people but also investing in people, listening to them and taking them on the journey with us. I don’t think we would have been able to do what we have done if we hadn’t taken members and officers with us and changed our attitude to risk as an organisation.”

When required this framework will also be followed by supplemental policies outlining further details and guidance.



2. PILLARS OF THE OFFICER AND MEMBER PROTOCOL

The relationship between Members and Officers is an essential ingredient that goes into the successful working of the Council. This relationship is based upon the following pillars:

MUTUAL RESPECT

There must be mutual respect between each other's role within the Council. Within this recognition there must be an understanding of each respective role and to remain within the boundaries of each.

COLLABORATION

By understanding and maintaining the balance between each other's role there must be constructive and positive collaboration to undertake each other's role and to be a catalyst for innovation.

TRUST AND INFORMALITY

Members and Officers feel free to speak to one another openly and honestly. Nothing in this protocol is intended to change this relationship.

COMMUNICATION

At the heart of a strong working relationship is positive and strong communication. This includes having a variety of constructive channels to ensure both parties can work positively together and maintaining the correct forum for such communication.

As detailed within this protocol these communication channels will include a Member Conversations, a case management system, member briefings and engagement with Councillor Liaison Officers.

The purpose of this protocol is to assist Members and Officers to perform effectively by giving guidance on their respective roles and expectations and on their relationship with each other.

The protocol must be read and operated in the context of any relevant legislation and national and local Codes of Conduct and any procedure for confidential reporting.

3. ROLES OF MEMBERS AND OFFICERS



The respective roles of Members and Officers can be summarised as follows: Members and Officers are servants of the public and they are indispensable to one another but their responsibilities are distinct.

Members are elected and during their term they are responsible to both the Council and the electorate.

Officers are responsible to the Council. Their job is to give advice to Members and to the Council, and to carry out the

Council's work within the delegated powers and under the direction and control of the Council, the Executive, and various committees.



Members



**Members of the Executive,
Chairmen and Vice-Chairmen**



Officers

MEMBERS

Members as Councillors have four main areas of responsibility:

- a) determining the policy of the Council and giving it political leadership;
- b) monitoring and reviewing the performance of the Council in implementing that policy and delivering services;
- c) representing the Council externally; and
- d) 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. This includes the day to day operational decisions that are made from Officers.

MEMBERS OF THE EXECUTIVE, CHAIRMEN AND VICE-CHAIRMEN

Members of the Executive, Chairmen, Vice-Chairmen of Committees, Boards, Groups etc. have additional responsibilities. Because of those responsibilities, their relationships with Officers may be different from, and more complex than those of other Members without those responsibilities, and this is recognised in the expectations they are entitled to have. However, such Members must still respect the impartiality of Officers, must not ask them to undertake work of a party-political nature, or to do anything which would put them in difficulty in the event of a change in the political composition of the authority.

OFFICERS

The role of Officers is to give advice and information to Members upon which they may determine policy issues and to implement the policies determined by the Council, and to provide advice to Members as to how this might properly be done.

In giving such advice to Members, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. Whilst an Officer may report the views of individual Members on an issue, if the Member wishes to express a contrary view he/she should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view.

Certain Officers, e.g. Executive Director (The Head of Paid Service and the Section 151 Officer) the Chief Officer for Legal and Governance (The Monitoring Officer) and the Statutory Chief Officers have responsibilities in law over and above their obligations to the Council and to individual Members, and Members must respect these obligations, must not obstruct Officers in the discharge of these responsibilities.

4. WHAT DO MEMBERS AND OFFICERS NEED FROM EACH OTHER?

In order for Members to carry out their roles, they need from Officers:

- Sufficient, detailed and accurate information on which to make informed decisions.
- Access to appropriate Officers to obtain timely information on matters they are involved in.
- To be kept informed on matters they are involved in or affect their Wards.
- To be consulted on matters that are relevant to their Wards.
- Key points of contacts within all service areas to facilitate Member and Officer relationships.
- Clarity on matters for which Members are responsible and matters for which Officers are responsible.

In order for Officers to carry out their roles, they need from Members:

- Sufficient, detailed and accurate information on which to make enquiries or take action.
- Access to Councillors to obtain timely information on matters they are involved in.
- To be kept informed on Members' involvement in matters including those that affect their Wards.
- Timely responses to consultations on matters that are relevant to Members' wards.
- Clarity on matters for which Officers are responsible and matters for which Members are responsible.

5. FACILITATING MEMBER AND OFFICER WORKING

Member Conversations



Member conversations will provide a universal approach in communicating to all Members present and future workstreams.

What is a Member Conversation?

A Member Conversation is a meeting between key Officers and Members on key areas of present and future workstreams. It is an open invite to either all Members or selected Members based upon the item that is being discussed.

What is the aim of a Member Conversation?

The aim of a Member Conversation is to update members on present and future workstreams. It also a forum to facilitate collaborative communication between both members and officers. The member conversations should be both proactive and reactive in respect of issues being addressed by both officers and members.

Members can expect officers to consider the input from Members; however, this is not an opportunity for members to become involved in operational delivery. Any input should be solely in their capacity as Members.

A clear programme of workshops enabling Members to liaise with citizens and community groups within their ward to ascertain matters to be raised and provide feedback on progress.

Members and Officers will be able to submit proposed matters – e.g. issues facing the Ward or projects proposed in the ward.

Matters for discussion and any background papers to be available in advance to enable Members and Officers to effectively prepare for workshops. Officers with appropriate knowledge and decision-making capability to attend the workshops to reduce reliance on Chief Officers and potential bottlenecks.

Post Member Conversation?

It is important that Officers follow up any input from Members and where required continue to update key Members on the item that has been discussed.

Councillor Open Days



It is recognised that Members have open access to the Council buildings. The proposed open days will take place bi-annually basis and will be an encouragement for Members and Officers to come together in the workplace. This initiative will develop and build on the foundations within this protocol.

**Officer Directory/
Councillor Liaison Officers**

As set out above at the heart of the pillars of the Officer/Member working relationship is communication. In order for there to be the required accessibility to Officers there must be an up to date online directory in respect of Officer details.

It is recognised that Member and Officer communication should not be restricted solely to the Leadership Team. Where necessary members should be able to approach key Officers and this can only take place if there is accessibility to up to date details.

The creation of an up to date directory will be coupled with the creation and inclusion of Councillor Liaison Officers. This directory will also include a description and profile of the Councillor Liaison Officers.

Councillor Liaison Officers will provide various officers within each service to facilitate Member and Officer relationships and reduce reliance on Chief Officers for operational matters.

Furthermore, Members will receive up to date information and it will also be a catalyst for the various pillars and initiatives within this protocol and this includes Member Conversations.



Training



Members and Officers to continually review training needs and proactively seek training and development to assist them in carrying out their roles.

There is a clear focus on Member training through the Council's Corporate Strategy Delivery Plan and this will be through a new Councillor Learning and Development Policy. This will provide a comprehensive training framework for Members whereby both individual and collective needs can be focused and developed.

Member Briefings



At present, a weekly update is provided to members via the Council's Communication Team. This will continue and be actively encouraged as a communication platform for both Members and Officers.

The briefings will be supplemental to the case management system and various communication forums throughout this protocol.

Member Profiles/SharePoint



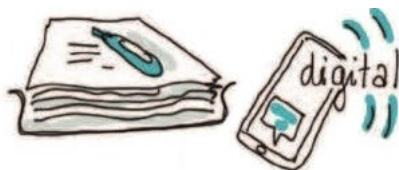
As set out above there is a requirement for Members to positively engage with Officers outside of the Leadership Team. Equally there must be an encouragement and familiarity from Officers towards Members.

The pillars within this protocol and recognition of each other's roles will be assisted through the creation of Member profiles. These profiles will be accessed through the Council's internal SharePoint page. It will create a familiarity from Officers of the Council's Members and also their background and key strengths. Again, this will allow the pillars of this protocol to be established, strengthened and developed.

Members will have a profile on SharePoint which sets out key details to assist Officers. Details will include:

- Photograph
- Contact details
- Political party
- Ward
- Cabinet and Portfolio responsibilities (if applicable)
- Membership of committees, working parties and task and finish groups
- Additional responsibilities (e.g. Group Leader, Champion)
- Outside appointments (e.g. County Councillor, Parish Councillor, or Council appointed positions)
- Skills, interests or expertise relevant to their role

Case Management System



The Council has a corporate priority towards digitalisation and the introduction of a case management system will accord with this objective.

The introduction of the case management system will ensure the following:

- A centralised case management system through which matters can be managed.
- The case management system will provide a repository for all relevant documents and communication.
- It will also provide a communication channel through which Councillor Liaison Officers (and other officers) can provide updates to Members between member conversations and briefings.
- Information stored on the case management system will inform reports to Cabinet and Committee on key projects or matters affecting Wards.

**Research/
Case Studies**

It is important that both Members and Officers look towards both research and case studies.

This is set out within Appendix 1 and this includes reference to the study undertaken by Birmingham University in respect of being a 21st Century Councillor.

This study does align with the various pillars and elements throughout this protocol.



Research

<https://21stcenturypublicservant.wordpress.com/21st-century-public-servant/>
<https://21stcenturypublicservant.wordpress.com/21st-century-councillor/>
<https://21stcenturypublicservant.wordpress.com/coronavirus-and-local-government-in-the-uk-culture-change/>

Case Studies

Taking the example of a minibus service for the elderly, which had been costing £500,000 a year to run, the Council asked users what they thought of the service. “It transpired that it picked people up on a day they didn’t want to be picked up, at a time that was inconvenient for them, took them to a place they didn’t really want to go to and they either had too long or too little time to do what they needed to do,” Cllr Fleming explains. After a year, the service was stopped with no complaints and users were redirected into other local services and those offered by the voluntary sector: “That gave us the confidence to look at how you don’t just stop services but reshape and reprovision them,” he adds. Additionally, the Council started investing in property, and set about making a cultural change of how members and officers worked together, with Sevenoaks District Council being the first public sector organisation to be awarded the prestigious Platinum Investors in People Award in 2016 – an accolade it has retained since. “It is about challenging people but also investing in people, listening to them and taking them on the journey with us. I don’t think we would have been able to do what we have done if we hadn’t taken members and officers with us and changed our attitude to risk as an organisation,” he adds.

*Statement from Leader Councillor Peter Fleming
MJ Article How ‘to do a Sevenoaks’, MJ Edition 26 May 2022*

The graphics used on pages 7 to 10 are derived from the 21st Century Councillor research developed by Catherine Mangan, Catherine Needham, Karin Bottom and Steven Parker at the University of Birmingham. Artwork is by Laura Brodrick, Think Big Picture. For more information see:
<https://21stcenturypublicservant.wordpress.com/21st-century-councillor/>
