

STANDARDS COMMITTEE

REVIEW OF THE PROTOCOL ON MEMBER/OFFICER RELATIONS

21st January 2010

Report of the Monitoring Officer

PURPOSE OF REPORT

To enable the Committee to review the Protocol on Member/Officer Relations, and to recommend any changes to the Council Business Committee.

This report is public

RECOMMENDATIONS

- (1) **That the Committee consider the amended Protocol on Member/Officer Relations appended to the report, and recommend the Council Business Committee to approve it for inclusion in the Council's Constitution.**

1.0 Introduction

- 1.1 A review of the Protocol on Member/Officer Relations is included in the Work Programme for this meeting.

2.0 Proposal Details

- 2.1 The Monitoring Officer has made some suggested amendments to the Protocol, as set out in the document appended to this report at Appendix 1. For reference, the current Protocol is appended at Appendix 2.
- 2.2 The most substantial amendments are to former Section 6, now re-numbered 8, on access to information. The amendments follow the recommendations of the Overview and Scrutiny Committee at its meeting on the 9th December 2009. The report considered by that Committee and the relevant minute are attached to this report at Appendix 3. The Committee had requested a report from the Monitoring Officer on Members' rights of access to information, after it had heard at its meeting on the 9th September 2009 from the Chief Executive regarding his decision to reject a request from a ward councillor for sight of a document concerning a development in his ward. The proposed new procedure set out in Section 8 is more streamlined and enables Members' requests for information to be dealt with without the need for a separate Freedom of Information request to be made.
- 2.3 The Monitoring Officer has made a number of other amendments to the Protocol to ensure that it reflects the current Code of Conduct and general good practice.

3.0 Details of Consultation

3.1 In addition to the involvement of the Overview and Scrutiny Committee, the Monitoring Officer has consulted with the Chief Executive, Corporate Directors, and the Head of Democratic Services on the proposed amendments.

4.0 Options and Options Analysis (including risk assessment)

4.1 The options open to the Committee are to recommend the proposed amendments to the Council Business Committee, to suggest other amendments, or to recommend that the Protocol not be amended at all. The Monitoring Officer would recommend the amendments as set out in the appendix.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None arising from this report.

FINANCIAL IMPLICATIONS

None directly arising from this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

None directly arising from this report.

MONITORING OFFICER'S COMMENTS

The report has been prepared by the Monitoring Officer in her capacity as adviser to the Standards Committee.

BACKGROUND PAPERS

None

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