

# **COUNCIL BUSINESS COMMITTEE**

## **Protocol on Member / Officer Relations Constitutional Amendment 18 March 2010**

### **Report of Head of Democratic Services**

#### **PURPOSE OF REPORT**

The report recommends approval of the amended Protocol on Member/Officer Relations to be included in the Council's Constitution.

This report is public

#### **1.0 RECOMMENDATIONS**

**That Council Business Committee approve the attached revised Protocol on Member/Officer Relations to be included in the Council's Constitution.**

#### **2.0 Introduction**

2.1 Members will be aware that the Constitution currently provides a protocol on member officer relations, to provide Members and Officers with guidance in their relations with one another, to define their respective roles and to provide guidance for dealing with particular issues that may most commonly arise or cause concern. The protocol seeks to reflect the principles underlying the respective Codes of Conduct which apply to Members and officers; the shared object of these codes is to enhance and maintain the integrity of local government. Reviewing the protocol falls within the remit of the Standards Committee.

2.1 At its meeting on 21<sup>st</sup> January 2010, the Standards Committee considered a report submitted by the Monitoring Officer presenting some amendments to the Protocol and resolved that a revised Protocol, (as shown at Appendix 1) be forwarded to the Council Business Committee for approval and inclusion in the Council's Constitution.

2.2 The most substantial amendments are in the new Section 8 relating to access to information, and enable members' requests for information to be dealt with without the need for a separate Freedom of Information request to be made. These amendments follow the recommendations of the Overview and Scrutiny Committee at its meeting on the 9th December 2009. In addition, other amendments have been made 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 preparing the revisions, the Monitoring Officer has consulted with the Standards Committee, the Overview and Scrutiny Committee, the Chief Executive, Corporate Directors and the Head of Democratic Services.

### **4.0 Options and Options Analysis**

4.1 The options open to the Committee are to approve the proposed amendments, to suggest other amendments, or to recommend that the Protocol not be amended at all.

### **5.0 Conclusion**

5.1 Council Business Committee is requested to agree the attached Protocol on Member/Officer relations, as revised by the Monitoring Officer and recommended by the Standards Committee.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
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<b>FINANCIAL IMPLICATIONS</b>
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None directly arising as a result of this report.

<b>SECTION 151 OFFICER'S COMMENTS</b>
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The Section 151 Officer has been consulted and has no further comments to add.

<b>LEGAL IMPLICATIONS</b>
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There are no direct Legal implications as a result of this report.

<b>MONITORING OFFICER'S COMMENTS</b>
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The revised Protocol has been prepared by the Monitoring Officer in her role as adviser to the Standards Committee.

<b>BACKGROUND PAPERS</b>	<b>Contact Officer:</b> Debbie Chambers <b>Telephone:</b> (01524) 582057 <b>E-mail:</b> dchambers@lancaster.gov.uk
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Standards Committee agenda and minutes of 21 January 2010 meeting.