



SUBJECT: Protocol on Member/Member Relations

1. PURPOSE OF THE REPORT

To consider the introduction of a Member/Members relations protocol in the Council's Constitution.

2. RECOMMENDATIONS

The Standards Committee is asked:

To introduce a formal Protocol on member/member relations and recommend the adoption to Full Council.

3. BACKGROUND

At their previous meetings the Committee has agreed revised Protocols on Member/Officer relations. The current Protocol is approved by Council and is contained in the Constitution of the Council. The Constitution is a key document setting out the governance framework of the Council. From time to time the Constitution is reviewed and must be regularly updated.

At their meeting in July, the Committee considered its priorities for a work programme for meetings in 2018/19. The committee identified that it would wish to review the protocols in the Constitution under Part 5, Section 3 over the next two meetings. In so doing the committee was keen to consider the drafting of a Member/Member protocol to compliment the Member/Officer protocol in the constitution.

4. RATIONALE

The current arrangements for Member/Officer relationships have been in place for a number of years. These have regularly been subject to review and updating by the Standards Committee with the Protocol on Member/Officer relations published in the Council's Constitution.

Expectations on elected councillors are set out also in the Constitution – in the Members Code of Conduct. (**Appendix A refers**).

As indicated above, at their meeting in July, the Committee considered its priorities for a work programme for meetings in 2018/19. The committee identified that it would wish to review the protocols in the Constitution under Part 5, Section 3 over the next two meetings. In so doing the committee was keen to consider the drafting of a Member/Member protocol to compliment the Member/Officer protocol in the constitution.

Members identified that there were occasions during formal meetings of the Council, or beyond, where the actions of councillors towards each other, may place councillors potentially in conflict with the Code of Conduct and Guidance (**Appendix A**), as it is clear from the Code of Conduct for Members that Councillors are expected at all times to *"behave according to the highest standards of personal conduct in everything they do as a member"*.

The Standards Committee will be aware that each individual member has a responsibility to comply with the Code of Conduct and Guidance. The Code is far ranging and covers matters relating to personal probity and integrity, to matters relating to interpersonal relationships and how others should/should not be treated.

The Code is not intended to deter from robust political argument and debate, but does expect that all councillors conduct themselves with honesty, integrity and respect in dealings with others, certainly avoiding any behaviours which could be deemed as bullying, abusive or discriminatory in any way.

As discussed at previous meetings, the Code of Conduct for Members is currently complimented by a Protocol for Member/Officer relations yet there is no complimentary Protocol for Member/Member relations, despite the fact that the Code clearly also applies to Councillor's behaviour towards fellow Councillors.

Given the Code seeks to ensure such inappropriate behaviours are not tolerated, the Standards Committee at their last meeting sought to discuss the introduction of a Member/Member Protocol for inclusion in the Constitution. If developed and agreed by Full Council this Protocol would be inserted in the Constitution in Part 5, Section 1 immediately following the Member Code of Conduct, to provide a transparent expectation of the delivery of the intention of the Code of Conduct in respect of councillor to councillor engagement.

A draft document has been produced at **Appendix B** to initiate discussion by the Standards Committee who is asked to consider reviewing and updating with their comments, subject to which then asking the monitoring officer to finalise for consideration by the Policy Council in December 2018.

5. POLICY IMPLICATIONS

Constitutions set out the governance framework for local authorities, which provide the foundations for any local authority that aspires to be effective, progressive and successful.

It is appropriate to review and update, where appropriate, various elements of Constitutions.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

The current arrangements have been in place since the enactment of the Localism Act 2011 and reflect the current legislation.

Any changes recommended will need to remain in accordance with this legislative framework and will be subject to approval by full council

8. RESOURCE IMPLICATIONS

None

9. EQUALITY IMPLICATIONS

Any proposals for change will be assessed to establish any potential equality implications. Any final proposals are subject to agreement of the full Council for which an equality impact assessment report will be prepared, as required.

10. CONSULTATIONS

The introduction of a Protocol if agreed by the Standards Committee will be considered by Full Council (all members).

Contact Officer: David Fairclough
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Background Papers: Council Constitution as published.