

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 7
28 JANUARY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
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MEMBER OFFICER PROTOCOL UPDATE

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
It is recommended that the Constitution and Ethics Committee consider and recommend to Council for approval the updated Member Officer Protocol, set out in Appendix 1 to the report.	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following requests from Committee members to review the protocol.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to obtain the views of the Committee on a proposed update to the Member Officer Protocols and for the Committee to consider recommending approval to Full Council.

2.2 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1, '*Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.*'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 All proposed changes are set out in the draft Member Officer Protocol at **Appendix 1**. The key changes to note relate to:

- Definitions of senior officer positions - acknowledging the introduction of the 'service director' position.

- Recording of meetings - confirming that all meetings are now recording and may be published online.
- Forwarding of Council email addresses - updating guidance to ensure that peterborough.gov.uk emails are not forwarded to personal accounts.
- Requests to receive briefings as Group Representatives - requiring senior officers to brief group representatives on service changes and/or at the request of the representative.
- Support from Members Services - regarding case work, photocopying, office supplies and car parking.

4.2 There are, however, no new ways of working set out. The changes suggested are all in relation to updating the protocol to reflect how officer and Members currently operate.

5. CONSULTATION

5.1 Consultation has been carried out with Officers at this stage, including the Monitoring Officer, Head of Constitutional Services, and Data Protection Officer. It is presented to the Constitutional and Ethics Committee in order for Members to provide their comments on the proposals and make amendments as they see fit.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 That the Member Officer Protocol will reflect more accurately current and new ways of working and will ensure that Members and Officers have reliable guidance upon which to carry out their work.

7. REASON FOR THE RECOMMENDATION

7.1 The recommendation is proposed in order to update the Member Officer Protocol to reflect current and new ways of working.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Not to Update the Protocol - This was rejected as it became clear from reviewing the Protocol that a number of sections were out of date. The manner in which Members and Officers fulfil their roles has changed since the Protocol was last comprehensively updated in 2012.

9. IMPLICATIONS

Financial Implications

9.1 There are no financial implications arising from this report.

Legal Implications

9.2 There are no legal implications arising from this report.

Equalities Implications

9.3 There are no equalities implications arising from this report.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 Peterborough City Council Constitution

11. APPENDICES

11.1 Appendix 1 - Draft Part 5 Section 3 - Member Officer Protocols