

## **Peterborough City Council Member / Officer Protocol**

This document describes how city Councillors and employees should work together. Mutual respect and goodwill are important underlying themes.

The protocols apply to city councillors, employees and co-opted members of council committees. They recognise the contribution of politics and political groups, and complement other constitutional requirements such as Standing Orders, the Delegations Document and the Member and Officer Codes of Conduct.

There ~~is a~~ are separate protocols relating to *civic activity* and guidance provided on media/pre-election publicity activity.

## 1. USE OF TITLES IN CONSTITUTIONAL DOCUMENTS

<i>Chairman and vice-chairman</i>	The person chairing a meeting, and their deputy, whether male or female. The councillor holding office may choose their version of the title (eg. chairwoman or chair). Each chairman's choice of title should be respected.
<i>Mayor and Deputy Mayor</i>	The Mayor presides over meetings of Full Council as the chairman, supported by the Deputy Mayor in the position of vice-chairman. <del>and deputy of the full council meeting.</del> Further details in the Civic Protocol.
<i>Members</i>	Councillors. The naming convention for councillors is 'Councillor' followed immediately by surname. Some councillors insert an additional title such as 'Mrs' or 'Dr' before their surname. Their choice of title format should be respected.
<i>Officers</i>	Council employees.
<i>The Executive</i>	The cabinet members, supported by officers. They deliver the Council's services, and make any decisions necessary within the Council's approved budget and major policy framework.
<i>Cabinet members</i>	Up to 9 councillors appointed annually by the Leader of the Council, plus the Leader. Each makes decisions about their own service area.
<i>The Cabinet</i>	The cabinet members meeting to discuss and make decisions collectively.
<i>The Leader of the Council</i>	The leading councillor and the Cabinet's chairman. Appointed <u>every four years</u> annually by Council.
<i>A political group</i>	Most councillors, soon after election, sign up to a political grouping which may, but does not need to, bear the same name as a recognised political party. Each political group appoints a ' <i>leader</i> ' and a ' <i>group secretary</i> '. They may also appoint a ' <i>deputy leader</i> ' and make any other appointments which the group feels will help it conduct its affairs.
<i>A Shadow Cabinet</i>	A Shadow Cabinet may be formed by the second largest group by their nomination from amongst their Members of the Council and they shall notify the Council and the Chief Executive of the names of the Members nominated to form a Shadow Cabinet and of any changes in the membership of the Shadow Cabinet which may occur from time to time.  Members will mirror those of the Cabinet, save that a single Member may cover more than one portfolio.  A protocol on their role is attached at Appendix 1
<i>The Administration</i>	The political group with the most seats is generally known as the Council's Administration, although sometimes a coalition of groups may collectively take on this role. Administration members <u>usually</u> form the Executive and are <u>normally</u> the chairmen for many or all committees.
<i>Group representatives</i>	Councillors identified by their political group to act as their main point of contact, for information or consultation, in relation to a particular subject <u>and/or committee</u> .

<u>(Corporate/Executive)</u> <u>Directors</u>	<u>Members of the Corporate Management Team.</u> First-tier officers responsible for a <u>directorate</u> department; references to them in this protocol should also be taken to include the Chief Executive.
<u>Service Directors</u>	<u>Report to a Member of the Corporate Management Team. Responsible for departments within a directorate. These roles are usually second tier officers.</u>
<u>Assistant Directors/Heads of Service</u>	<p><u>Second-tier-Officers responsible for a division within a department;</u></p> <p><u>An AD has broad responsibility for a range of services and/or provides a service that impacts on the whole organisation</u></p> <p><u>A Head of Service is responsible for a narrower service or range of services that is relatively self sufficient and has no or limited impact on the whole organisation.</u></p> <p><del>they may also be known as ‘assistant directors’.</del> References in these protocols to heads of service <u>and</u> <del>include</del> assistant directors <u>include</u> <del>and</del> any other second <u>or third</u> tier officers acting in a senior management role.</p>

## 2. COUNCILLOR STRUCTURES

Each part of the Council's decision-making structure gets its authority from the law and the Council's Constitution. For more detail see the Delegations Document, Standing Orders and Procedural Rules. A summary of roles is:

<b>The Council</b>	All councillors collectively consider issues affecting Peterborough, and decide the major policy framework and the budget.
<b>Ward members</b>	Each councillor has a leading role and voice in their community, representing their constituents the Council and other public service agencies, and vice-versa.
<b>The Executive</b>	<p>Within the major policy framework and budget:</p> <ul style="list-style-type: none"> <li>● provides public services, whether directly or through partnerships or contracts;</li> <li>● enforces regulations*;</li> <li>● decides local policies for service delivery and enforcement;</li> <li>● gives community leadership, a 'voice' for Peterborough.</li> </ul> <p>(*Some enforcement matters are governed by regulatory committees instead of the Executive.)</p>
<b>Overview and scrutiny committees / commissions</b>	Contribute to policy development and review. Hold the Executive to account through scrutiny and challenge.
<b>Regulatory committees</b>	Decide quasi-judicial matters that are excluded by law from the Executive's remit (such as planning applications).
<b>Officers</b>	Provide services and carry out enforcement in accordance with the law and the Council's policies, using their delegated authority.

### 3. DECISION-MAKING PROTOCOLS

3.1 **The principles** of good decision-making are set out in Article 12 of the Constitution.

3.2 **Professional advice** should be taken before making a decision, including:

- relevant policy framework or previous decisions;
- who has been consulted and relevant outcomes;
- legal, financial/resource, equalities, community safety, human rights, etc implications;
- alternative options.

3.3 **Administration policy** The Executive is not bound by previous Administrations. When the Executive wishes to make a decision contrary to past practice, officers will advise:

- is the practice mandatory or discretionary?
- does current practice derive from a policy statement or precedent/an earlier decision?
- was it decided by the current or a previous Administration?

3.4 **Cabinet business:**

- A **timetable** of meetings is agreed in Council's annual schedule but the Leader of the Council may add, vary or cancel meetings to provide efficient conduct of business. He or she will try to determine an arrangement that suits most Cabinet members.
- Cabinet meetings deal mainly with cross-cutting, strategic issues. Democratic Services Officers, in consultation with the Leader of the Council and Chief Executive, draw up the **agenda** taking into account the Forward Plan, other items referred by Cabinet Members ~~Cabinet's work programme and referrals from members, directors and committees~~. Any member who wants to put an item to Cabinet should contact Democratic Services who will liaise with the Leader of the Council and the member about how it should be placed on the agenda and whether the Leader agrees to include it ~~this does not remove the member's constitutional right to place an item on the agenda~~.
- When a **committee reports** to the Executive the Leader of the Council may, for example, require preliminary consideration by the relevant cabinet member. This does not remove the committee's right to refer a matter to the Cabinet without modification. The committee chairman or other representative(s) may attend to hear the debate and Cabinet's chairman may invite them to explain the recommendations briefly to Cabinet.
- Officers will **brief each cabinet member** about any proposals relating to their service before the meeting. Their recommendations will be reflected within the relevant report.
- **Ward councillors** should be consulted about matters specific to their ward. Comments submitted by them are included in the Cabinet report or tabled at the meeting. If they attend, the chairman may ask them to put their views briefly to the Cabinet meeting.
- **Corporate Directors** usually attend all meetings. Other officers may attend for specific reports.
- The Leader of the Council may request a **chairman's briefing** before the meeting, generally provided by the Chief Executive or another director.
- With the Leader's agreement, an **informal Cabinet briefing** may discuss strategic issues faced by the Council. No decisions will be made at such briefings.

3.5 **Cabinet member business:**

- Individual members take **decisions following either** at briefings with directors/departmental management teams, or at any other time provided that appropriate notice of any 'key decision' has been given and that Democratic Services officers are informed.
- Senior managers and cabinet members will build up **regular contact** to keep each other informed about developments, especially issues which may be sensitive or contentious. Briefings can be conducted in a variety of ways, the method being agreed between the member and officer to suit the subject matter and time constraints. There should be regular meetings to discuss strategic issues.
- Members should **brief officers** about their work in partnership or regional meetings, discussions held with outside organisations and constituents, conferences attended and any relevant training received.
- Officers should **brief members**, to help them prepare for meetings and discussions.
- Where it is unclear which **cabinet member to brief** about an issue, Democratic Services officers will ask the Leader of the Council to highlight the appropriate member(s).
- The **Leader** of the Council will meet the Chief Executive and Democratic Services officers Team regularly.
- **Other cabinet members** may meet the Chief Executive or Democratic Services Officers as appropriate to discuss executive business.
- The Leader or other cabinet member may ask the relevant director to arrange a joint **briefing with group representatives**, particularly when developing proposals.

### 3.6 Overview and scrutiny protocols:

- The Democratic Services Scrutiny-Team maintains a **work programme** for each committee ~~/commission~~-including issues identified by the committee ~~/commission~~ for scrutiny or review, items on the Forward Plan likely to require consideration, requests from the Executive for policy development work, and items referred by Members or directors.
- An informal **bi-annual quarterly co-ordination meeting** of scrutiny chairmen and ~~group representatives~~ is convened by the Democratic Services Scrutiny-Team, ~~in consultation with Scrutiny group representatives~~. It may include briefing and training.
- The **agenda** for each committee meeting is prepared by the Democratic Services Scrutiny-Team from the work programme, mostly in conjunction with the group representatives. Any Executive or director's referral will usually be reported to the next ordinary meeting but the chairman and group representatives may agree to postpone it if they believe that the next meeting's agenda is already fully committed.
- Any individual **member referral** will be reported to the next ordinary meeting unless the member agrees to defer (for example, the group representatives may believe that the agenda is already full or the matter could be dealt with better another way). ~~This does not remove the Member's constitutional right to place an item on the agenda.~~
- **Group representatives' meetings** are convened and supported by the Democratic Services Scrutiny-Team for all Scrutiny ~~most committees /commission~~, in a regular cycle or when needed. They deal with agenda planning, adding/changing meeting dates, agreeing (where timescales are short) the final wording of a

recommendation/report, and any other matters referred to them by the committee. Other relevant officers may attend.

- **Scrutiny** aims to identify improvement and will be conducted constructively and courteously, so that anyone being questioned can make a positive contribution. When **questioning** officers the committee ~~commission~~ should, as far as possible, confine itself to questions of fact and explanation, such as what policies are in force, the extent to which objectives are met and how services are being delivered. Officers may be asked to explain and justify their own decisions. Questions about the Executive's conclusions and political choices should be directed to the relevant Cabinet Member.
- A guideline process for **reviews** will be maintained by the Democratic Services Scrutiny Team and promoted in training sessions for officers and members. The review scope, objectives and timetable should be set realistically, with regard to organisational capacity (member and officer) to sustain the likely workload. Agreed reviews will be supported by the Democratic Services Scrutiny Team, a lead officer from the relevant service and any necessary corporate support services (financial, human resources, policy, etc).
- ~~The Democratic Services Research support for members can be co-ordinated by the Scrutiny Team related to a policy area or decision that a committee is examining. The Team can advise upon avenues of enquiry and help to identify useful contributors to research.~~ Other officers will provide support and briefings as necessary. If the Democratic Services Scrutiny Team or any other officer feels that an individual member request cannot be met without diverting time from priority work, they may through their director or head of service indicate to the requesting member that the research cannot be completed at present.
- It can arise that an activity is proposed where the director believes there is insufficient resource available. For example, there may be a **conflict of priorities**, or there may be no budget to carry out a survey or to commission an independent expert. In such cases the director should explain the situation to the committee or member. If priorities cannot be agreed, they should refer to the relevant cabinet member for guidance. If there is an **irreconcilable difference** between a committee or member's wishes and the relevant cabinet member's advice, this should be referred by the director to the Leader of the Council and Chief Executive for discussion.
- Members and officers participating must have **prior training** in scrutiny procedures and comply with the relevant legislation, codes of conduct and constitutional rules.

### 3.7 Regulatory committee business:

- Democratic Services officers may prepare **agenda plans**, and an agenda planning meeting for the chairman and group representatives if requested by the chairman. The date should suit the majority of participants. Directors will summarise each potential issue for report, to help the representatives consider its appropriateness and request any relevant information.
- The agenda will try to ensure an appropriate **length of meeting**, so that members can retain concentration for dealing with complex applications and evidence, and to minimise the risk of participants and observers being kept waiting for items for unreasonably long periods. The agenda may therefore include specific timings within it.
- These committees often deal with matters involving consideration of applications and evidence. Members and officers participating must have **prior training** in and comply with the relevant legislation, codes of conduct and constitutional rules.

- When determining an application or appeal, the **procedure** will allow speakers for and against to hear the arguments put by others, all questions put and the answers given. Committee members should avoid suggesting any pre-formed opinion, bias or lack of openness and even-handedness during the sitting. Any member voting upon the case should not vote if they have been unable to hear all of the discussion about the item.
- **Site visits** required for planning applications will be arranged by officers, and members should not visit the sites unaccompanied on other occasions. Further details are included within the Planning Code of Conduct. If a member believes any other committee site inspection or visit should be arranged it would need to be approved by the relevant committee, taking account of budgetary provision for any related expenses.



#### 4. OPEN GOVERNMENT

The City Council believes in open government and makes its decisions in public wherever possible. In particular:

<b>The Forward Plan</b>	A timetable of <u>all key decisions</u> and some non-key decisions coming up in the next four months is published on the website and e-mailed to local media and other people upon request.
<b>Council, Cabinet and committee meetings</b>	<ul style="list-style-type: none"> <li>● Agenda, reports and minutes published on the web and can be inspected at the Council's <u>Town Hall main office and at libraries</u>.</li> <li>● Public seating available at meetings. The press and public are only excluded when the topics discussed are defined in law as confidential or exempt.</li> <li>● Public speaking is possible, within written guidelines, at Council and Planning &amp; Environmental Protection Committee meetings.</li> <li>● At all public meetings visitors may observe but not participate. The chairman has discretion to allow non-committee members to speak, if it would help the meeting, but not join in the debate.</li> <li>● <del>Where</del> Microphones are used for all public meetings. All public meetings <del>the meeting may be tape-recorded</del> <u>Tape recordings are only usually taken for Council, Planning &amp; Environmental Protection Committee, Cabinet and may be published on the Council's website</u> <del>Scrutiny Committee / Commission meetings</del>. Verbatim notes or <del>tape transcripts</del> of meetings are not compiled or published. A <u>copy of transcribed extract</u> from a <del>tape</del> recording may be provided, within reason, upon request about a specific issue.</li> </ul>
<b>Cabinet member decisions</b>	Every decision is published within two working days on the web and e-mailed to local media and others upon request. The decision record includes the reason for the decision and other options that were rejected.
<b>Officer decisions and freedom of Information</b>	Officers make many decisions, the majority of which are minor operational matters. When they make decisions of substance a file note is kept. Under freedom of information law, most Council documentation is opening to public inspection. The Council's scheme of documents open to the public is available on the web.

## 5. CONFIDENTIALITY

### 5.1 Personal data and exempt/confidential information:

- Councillors need information, explanation and advice to help them discharge their role. This may entitle them to information otherwise unavailable due to data protection restrictions (ie. personal data) and local government's access to information rules (ie. 'exempt' information). The Constitution's Access to Information Procedure Rules describe when a member may have a '**need to know**'. The Code of Conduct requires members to use any Council information properly, particularly confidential information.
- Officers may ask a member to explain their need to know information in accordance with the procedural rules. The **personal data flowchart** below also provides summary guidance. Advice can be sought from the relevant director or the Monitoring Officer, if anyone is not sure what can be released to whom, and how it can be used.
- When a meeting considers an **exempt report**, all members and officers without direct involvement with the report (except directors, heads of service, the lawyer and the democratic services committee officers) must leave. Only directors may access exempt or confidential reports that do not relate directly to their service area. Other requests for such information should be referred to the relevant director and, if not resolved, to the Monitoring Officer.

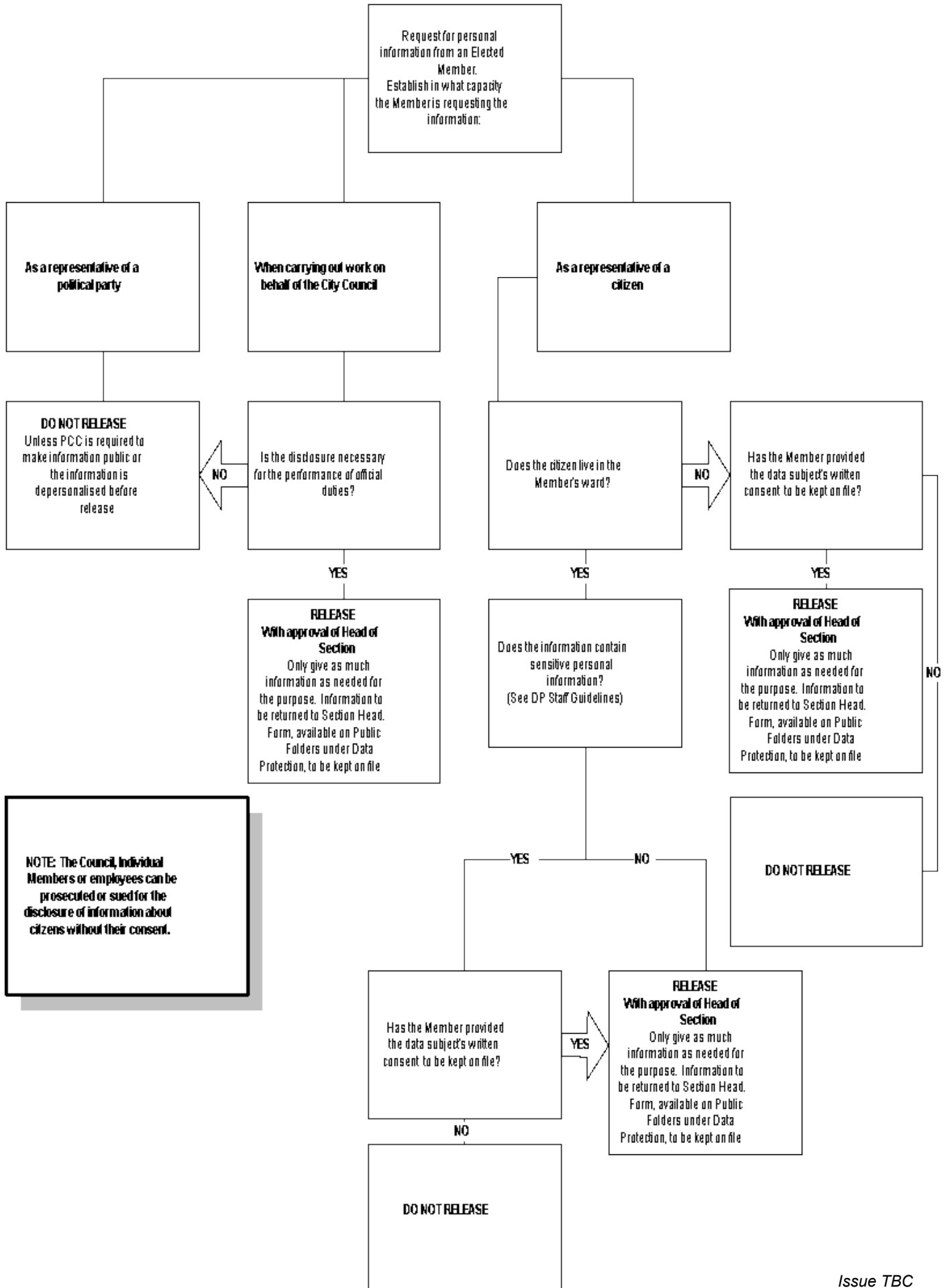
### 5.2 Confidentiality in briefings:

- Information **initiated** and volunteered by officers to members should be given to all political groups equally even handedly.
- Information given **in answer** to specific member requests will not usually be shared with other members, unless the enquirer agrees. On occasions when an officer believes that information given to one member or political group should be shared with others, the officer will tell the requesting member or political group beforehand.
- Officers should not reveal their discussions with one member to another, including the relevant cabinet member, unless they have told the enquirer beforehand that they would and have received consent from the member.
- Members should recognise that they may be involved in the early stages of a project or developing ideas, when it would be unhelpful for the matter to be discussed in public. If confidentiality has been requested, this should be respected.

### 5.3 E-mail and letter confidentiality:

- ~~Member's~~ ~~Because a member's~~ peterborough.gov.uk e-mail account or calendar may not be routed automatically to a private e-mail account or calendar. ~~it is important to protect the privacy of the member's account address which may appear if their e-mails are forwarded.~~
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- Officers who receive an e-mail or letter from a member should generally not forward this to colleagues or other members without first checking with the originator that this is permissible. If the permission is not given, then a new e-mail may be created which contains a summary ~~the gist~~ of the original information. The reason for this is: firstly, the originator may not wish the content of the e-mail or letter to go further; secondly, they may not wish their originating e-mail address to be publicised.

**DISCLOSING PERSONAL INFORMATION TO ELECTED MEMBERS**



## 6. ACCESS TO PREMISES

- 6.1 Officers may enter Council land and premises to carry out their work. Some officers are authorised by legislation and the Delegations Document to enter land and premises owned by other people or organisations.
- 6.2 Councillors have common law rights of access to Council land and premises to enable them to carry out their duties as a councillor, such as to attend a meeting they have been invited to. If a member wants access in other circumstances they should make arrangements in advance with the appropriate director or the manager of the premises.
- 6.3 **Insurance** The Council has personal accident cover for members who are injured while carrying out their official duties as a councillor, and public liability cover against claims by a third party against a member while the latter is undertaking official duties. However, a member visiting Council premises outside the scope of official duties is only covered by the public liability policy as a member of the public. Thus, to claim, it would be necessary to prove that the accident/injury arose due to negligence of the Council or its officers.
- 6.4 **Building work** At sites where building work is in process, the contract conditions in force will specify that the site is in possession of the contractor and only certain officers (eg the supervisor) have right of entry. Anyone else must make contact with the contractor (through the relevant director or head of service) before going on site.
- 6.5 **Planning application sites** If Members they want to inspect a planning application site, members should make arrangements with the relevant planning officer who has statutory rights under Town & Country Planning law to enter the site. There are various situations where an occupier may be liable for injury sustained by someone on his or her premises, but the liability is reduced if the person was not invited by the owner so could be termed a trespasser.

## 7. WORKING WITH GROUP REPRESENTATIVES

- 7.1 **Why?** ~~It is helpful for each political group to appoint a 'group representative' for each main service/subject area to make clear, for each group:~~
- ~~• who officers should inform about policy/service developments~~
  - ~~• who officers should consult, for advice and views about a policy/service~~
  - ~~• which contact names may be given to the media, when news releases are issued or if a media request is received;~~
  - ~~• who will respond to the various informal processes related to decision-making (such as agreeing meeting dates), with fair involvement of all political groups.~~
- 7.1 **Who?** ~~A group representative is usually appointed for each committee from each political group.~~ The chairman is automatically their group's representative. Groups may organise their group representation in other ways. If the designated representative is not clear, officers should ask the group leader or secretary who to contact. For cross-cutting/corporate issues, officers will usually inform and consult group leaders, unless they are asked to do otherwise by the group.
- 7.2 **How?** ~~Directors and heads of service should brief each have regular contact with each group representative for the committees that fall within their service area following a request from group representation or any significant development or change within the service.~~ Where there is a vice-chairman relevant to the service area, they should also be kept informed, particularly if they are likely to cover for the chairman at a meeting. ~~The members should, in turn, ensure that they maintain regular contact with the relevant director/heads of service. Each should build up a regular working relationship with the other. Confidentiality should be respected.~~

- 7.3 ~~When~~ Formal group representatives' meetings relating to scrutiny committees are usually arranged by Democratic Services. There should be regular briefings between group representatives and relevant senior managers, whether jointly or separately. They may include the cabinet member. The method chosen should be agreed between the director and representatives, to suit the subject matter and time and other constraints of all parties concerned.

## 8. SUPPORT FOR THE WARD MEMBER ROLE

All members play an important role in their ward, providing community leadership at local level and acting as advocates for their constituents. Officers should be open and supportive, providing information and briefings both upon request and through the officer's initiative.

### Ward members are entitled to:

- Briefing about local issues to help them represent the Council to the community and vice-versa.
- Find out about new issues from the Council first, not the media or other local sources.
- Help and advice about their ward. If their request cannot be met, they should be told why and the officer should suggest an alternative approach to meet their aims where possible.
- Notice of any Council consultative exercise that affects their ward, with an opportunity to submit views in time to have an influence, and also to be informed of local responses.
- Notice of public meetings arranged by the Council affecting their ward.
- Draft reports or decision notices, from the author, and any views shown in the final report/notice.
- All final Cabinet or committee reports affecting their wards, sent by Cabinet/Scrutiny officers. ~~with an invitation to submit written comments directly to the meeting.~~
- Attend the relevant meeting, at which the chairman of the meeting may invite them to speak.
- Raise ward issues through question times at Council meetings and at Cabinet.
- Notice, from the officer organising the event, of any official engagements by the Mayor in their area where these are ward specific. This only applies to events arranged by the Council and not to the whole range of the Mayor's numerous engagements within the community, notice of which is publicly available on the mayors' page on the Council website.
- An invitation to any ward meeting or site visit initiated by officers - either one joint meeting for all the ward councillors, or an equal opportunity for each to have a separate meeting.

### Ward members should:

- Tell officers about local concerns, perspectives and ideas.
- Take complaints or service requests from local people to officers informally first. The issue will often be a misunderstanding rather than service failure, which can be resolved without escalation through formal channels. If a member is not happy with the response received, they should then generally contact the relevant head of service or director.
- Refer any constituent's specific *formal* complaint straight to the central Complaints Officer so that it can be logged and the Council's response can be arranged.

- Not 'jump the queue' for service delivery, for their residents and enquirers. Members should respect the Council's policies and service procedures.
- If receiving a request for help from a resident outside their ward, tell the resident who their local councillors are and only take up the request if the resident still asks them to. Members will normally, as a courtesy, keep Ward Councillors advised of matters in the ward in which the resident they are dealing with lives. There may be circumstances where urgent or immediate action needs to be taken (such as safeguarding or health & safety issues) which means this communication/information sharing is retrospective.
- Not ask officers to attend a meeting or site visit in their ward where the public is expected to attend, without inviting the other local ward councillors. This does not apply to private meetings/site visits with officers or a ward 'walkabout' with an officer.

## 9. MEMBER AND OFFICER ROLES

<b>Members</b>
<ul style="list-style-type: none"> <li>● Responsible to the Peterborough electorate. Serve up to a four-year term of office.</li> <li>● Give political direction for the Council's services. Determine policy for providing the Council's services. Carry out reviews of Council services.</li> <li>● Scrutinise the effectiveness of Council and local health services, monitoring performance against plans and targets. Actively contribute valuable local knowledge and experience.</li> <li>● Hear applications and appeals about Council services, where not decided by officers.</li> <li>● Help residents, organisations or businesses to access services, acting as advocates for them.</li> <li>● Lead the community, at Council-wide and local levels. Speak for Peterborough in regional, national and international arenas.</li> <li>● Work together across political divides as far as possible, for the benefit of the Council's services and Peterborough's diverse community.</li> <li>● Promote partnership working with other service providers and local organisations, where appropriate.</li> <li>● May be appointed to represent the Council on external organisations, such as a local health service management board or a community centre management committee. Attend regularly and keep the Council briefed about the organisation</li> <li>● <del>More detail about the role of members who take on special responsibilities is shown in the member roles at Appendix A.</del></li> </ul>

<b>Officers</b>
<ul style="list-style-type: none"> <li>● Employed by, and accountable to, the Chief Executive as 'head of paid service'.</li> <li>● Serve all members, acting impartially. Support them in their work as ward members, as Executive or committee members and as Council representatives on other organisations.</li> <li>● Make managerial and operational decisions about service delivery and enforcement, within delegated authority. Carry out the decisions made by members.</li> <li>● Give professional advice about policy development and decision-making. Be aware of the political and sensitive nature of much of their work, and take steps to understand the political</li> </ul>

and media implications of their recommendations.

- Support and advise the Administration. While all members must be treated equally, officers must support the Administration's objectives and implement the Executive's policies. This inevitably means that a considerable amount of officer time is spent upon Executive business.
- Day-to-day partnership working and liaison with service users, residents, communities, public service providers, businesses and organisations. Inform and consult about council services.
- Liaise with regional, national and international organisations, especially governmental organisations, in the interests of Peterborough.
- Advise appropriate cabinet member(s) of the results of the above consultations.

## 10. WORKING RELATIONSHIPS, IMPARTIALITY AND CONFLICT RESOLUTION

Dilemmas	Approaches
<p><b>Balancing time and priorities</b></p> <p>Members and officers have to balance many competing priorities, and may not always be able to respond to requests immediately</p>	<ul style="list-style-type: none"> <li>• Members should explain their preferred timescale at the time of any request, especially if it is urgent, so officers can make informed judgements about competing requests and priorities.</li> <li>• Officers should take into account other demands (Council, work, other public appointments, etc) upon members.</li> <li>• Officers should not swamp members with written material.</li> <li>• Reports and <u>correspondence</u> letters should be concise and jargon-free.</li> <li>• Officers should not expect members to routinely respond to requests at short notice. Reasonable deadlines should be set and highlighted on the front of correspondence.</li> </ul>
<p><b>Familiarity</b></p>	<p>Members and officers need open working relationships, but should treat close personal familiarity with caution. It could cause difficulties in terms of conflicts of interest, inadvertently passing on confidential information, or giving rise to suspicions of influence or favouritism.</p> <p>Members should not apply undue pressure on officers to undertake work outside their normal duties, procedures or working hours.</p> <p>Officers should not use their working relationship with a member to influence a decision in their favour, raise personal matters connected with their job or make allegations about other employees.</p>
<p><b>Proper conduct</b></p> <p>Members and officers are expected to:</p>	<ul style="list-style-type: none"> <li>• perform their duties effectively and efficiently;</li> <li>• give timely responses to enquiries and complaints;</li> <li>• keep each other updated;</li> <li>• participate in briefings and training, to keep up to date with changing legislation, circumstances and roles;</li> <li>• understand and respect each others' roles and pressures;</li> <li>• not use their position to advance personal interests or influence decisions improperly;</li> <li>• comply with the Members' and Officers' Codes of Conduct.</li> </ul>

<b>Conflict resolution</b>	<p>If a member feels they have not been treated with respect and courtesy, or their requests are being frustrated or dealt with inadequately, they should ideally first raise this with the officer concerned. If matter is not then resolved, they should then raise it with the director <u>or head of service</u>, (or, if <u>either</u> the director <u>or head of service</u> is the cause of the concern, the Chief Executive) either directly or through their group leader/group secretary. The senior officer will consider whether there has been a breach of the officer code of conduct, and any appropriate action.</p> <p>If an officer feels a member has been rude or placed unreasonable demands upon them, or a representative is not working with the lead officer, they should ideally raise this first with the member concerned. If the matter is not then resolved, they should raise it with their director (or the Chief Executive, if it is a director who is concerned), who will raise it with the member and/or the member's group leader, as appropriate. If it there may have been a breach of the members' code of conduct then the Monitoring Officer's advice will be taken.</p>
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## 11. MEETING PROTOCOLS

- 11.1 **Meetings schedule** Council sets an annual schedule of dates for Council, the Cabinet and standing committees. This is confirmed at each annual council meeting for the municipal year just starting. A draft version of this schedule is provided to full council in January each year, or as soon as possible afterwards. and is rolled forward to a provisional Year 2 schedule at the same time.
- 11.2 **Variations to the schedule, and other meeting dates** Variations to the schedule, and dates and times of other committees or working groups not listed in the schedule, will be determined by the chairman, after prior consultation with group representatives. (In the case of Cabinet, there is no need for such consultation). Democratic Services officers will consult the group representatives (or, if time is short, another member of that group if the representative cannot be contacted) and the relevant lead officers. Chairmen will try to ensure that meetings are timed to be accessible to all members and officers who are required to attend. The Mayor determines any variation to the Council schedule, in consultation with group leaders.
- 11.3 **Timing** For a committee meeting, if there is disagreement about timing between the chairman and group representatives, the meeting will start at the normal time for meetings of that committee as identified in the Annual Calendar of Meetings approved by Council. If there is an unresolved dispute for a working group this will be determined by the parent body.
- 11.4 **Meeting cancellation** Any meeting may be cancelled if there is insufficient business. For Council this will be determined by the Mayor in consultation with the group leaders; for Cabinet meetings, by the Leader of the Council; and for all committees and working groups, by the chairman in consultation with the group representatives.
- 11.5 **Meeting conduct** The chairman's role is to maintain order, a business-like approach, an atmosphere of respect and a good flow of debate, following constitutional rules and also the common law of meetings wherever the Council's procedural rules are silent upon an issue. The chairman will allow adjournments for comfort breaks where reasonable, especially during the hearing of applications or appeals when any member who leaves the meeting may not participate in the vote at completion of the hearing.
- 11.6 **The meeting room** Most meetings take place at the Town Hall, but other venues can be used with the committee's agreement. The layout of seats and tables may be varied to create a more or less formal atmosphere, depending upon the nature of the business. When



members of the public are participants (for example, at question and answer sessions or when speaking for or against an application), efforts will be made to ensure the layout is not intimidating. The aim is to help the person make a positive contribution.

- 11.7 **Refreshments** ~~Water is soft drinks are~~ made available at all meetings. Food will not be eaten at meetings which are open to the public and when decisions are being made, to avoid detracting or distracting from the seriousness of the business at hand. ~~Refreshments may be appropriate where participants have been asked to attend across a meal time.~~

## 12. ~~ALL PARTY POLICY PLANNING BRIEFINGS (APP)~~

- 12.1 These cross-party meetings are held regularly, usually on the last Thursday of each month excepting May, August and December. They allow the full Council membership to receive briefings, and ask questions and discuss points arising both informally and confidentially.
- 12.2 In general, one presentation per meeting will be arranged by Members Services Unit (in consultation with the ~~APPP~~ chairman) about contemporary, significant service and corporate issues. This may include external presenters.
- 12.3 Council will determine the date and time of ~~APPP~~ meetings, usually through the annual meetings schedule. The meeting itself will appoint its chairman.

## 13. OFFICERS' MANAGEMENT ARRANGEMENTS

- 13.1 **Corporate Management Team (CMT)** meets fortnightly to consider strategic issues affecting the Council. Formal meetings are serviced by Democratic Services, and chaired by the Chief Executive or a nominated director. The agenda is agreed with the Chief Executive or meeting chairman. ~~Action points/minutes are made available within the Council.~~ Typical issues discussed:
- draft Cabinet/committee reports and work programmes;
  - new initiatives from government or other agencies and the likely impact on the Council;
  - items requested by members, directors or heads of service;
  - the outcomes and expectations of best value and other inspections;
  - a workshop to discuss specific issues or as part of overall organisational development.

The Group usually sees all draft Cabinet reports before they are issued. It may request sight of draft overview and scrutiny committee reports based upon forward examination of the work programme. This allows strategic management of the authority's business.

- 13.2 **Departmental management teams (DMTs)** comprise the director and the heads of service for each division within a department, with other officers as necessary to give legal, financial, constitutional or other advice. They meet regularly to discuss strategic and operational matters. These meetings may include:
- meetings with the cabinet member and/or group representatives;
  - organised training sessions about specific issues;
  - feedback from the Executive, committee meetings and CMT;
  - inspection reports;
  - Cabinet/committee work programmes and draft reports;
  - service planning and employee related matters;
  - contributions to and responses to corporate initiatives.
- 13.3 **Communications:** Consistent two-way communication between members, managers and other employees, is important, avoiding duplication. Communication channels include:
- Chief Executive's regular briefings ~~via Insite open to all employees~~;
  - service specific briefings – as and when necessary;
  - ~~monthly~~ weekly Members' Information bulletin ;

- ~~Weekly Bulletin provided and Members' Digests. Officers should use these to staff via email reduce the reading burden for members and printing and distribution costs;~~
- ~~newsletters for all employees and members per department;~~
- information passed from CMT to DMTs to team meetings;
- the 'ask Gillian' section of Insite;
- one to one meetings with employees or councillors;
- ~~shared computer databases.~~

13.4 **Politically restricted posts** All officer posts are impartial, but the following have a special political restriction by law: the Chief Executive; directors; the Monitoring Officer (~~i.e. the Solicitor to the Council~~); and officers on a list which the Council must maintain of all posts which *either* have annual pay equivalent to or above pay spinal column point 44, *or* involve the officer in regularly giving advice to Council, the Executive, a committee or sub-committee, *or* regularly speaking on the Council's behalf to journalists and broadcasters.

Officers whose posts are "politically restricted" may not:

- hold office in a political party, act as an election agent or canvas on behalf of a political party or candidate for election;
- stand for election to a local authority (except to a parish council);
- speak in public, give interviews or publish any written work with the intention of affecting public support for a political party.

These restrictions do not affect the employee's family. They do not prevent the officers from, for example, displaying an election poster in a window of their home if they so wish.

## 14. SUPPORT SERVICES PROVIDED FOR MEMBERS

The Council may only help members to discharge their role as councillors, and may not use its resources for party political activity. Members will not ask officers to publish material that appears to seek public support for a political party, or to do work that would compromise their impartiality. Any such requests are referred back to the member for themy or their party office to undertake.

**Secretarial and administrative Support for ward casework** Provided by the Members Services Unit ('the Unit'). Carried out strictly in the form date order of guidance and information to Members receipt unless marked as to the appropriate department to direct their query. 'urgent', and completed within three working days where possible.

Any correspondence through Members Services must May not refer to membership of/support for political parties. Local newsletter titles may be mentioned unless this places the impartiality of the Unit at risk. Political views may be expressed, if the correspondence includes a statement that it may not reflect the Council's views.

Members Services The Unit may interview constituents who phone or visit the Town Hall, take and record appropriate action on members' behalf. The constituent is kept informed of action taken and the member notified in writing, with copies of any correspondence instigated on their behalf. Correspondence is not be copied to another member, without prior consultation.

**Member details** Maintained by Members the Unit and Democratic Services. Published on the web, if the member's permission has been given.

**Ward Casework generated by surveys and feedback forms** Acknowledgement letters can be undertaken by Members Services the Unit. Information such as service requests is taken from the survey form and forwarded to the relevant officer, to avoid circulating any material showing political bias. Officer replies are recorded and the ward resident contacted on the member's behalf. The Unit will not, however, produce or otherwise be involved in the implementation of the survey itself.

**Ward profiles** Available to members, on request to the Unit.

**Members' post** This will be placed in Members pigeon holes in their group rooms. Urgent items that need to be posted will be done so with the agreement of the Head of Constitutional Services

Inappropriate items (advertising, political material and junk mail, etc) are logged and placed in Group Rooms for collection by members. Political groups' correspondence relating specifically to Council policy and business will also be posted in members pigeon holes.

**Photocopying** Each request judged on its merits. Maximum 250 copies per member per month or 3,000 per year. Members collect/distribute bulk copies; they are not mailed by the Council.

**E-mail** A peterborough.gov.uk email address and calendar is provided for all members, for Council work. Emails or diary invitations to this address or calendar routed automatically where the member has a private e-mail facility available, and otherwise forwarded hard copy by the Unit. Hard copy forwarding should not be forwarded to any private email address or calendar in order to keep the information secure. used to conduct personal or party political business.

**Ward surgeries** Arranged by the member, but advertised by Members Services. Members Services the Unit. The Unit pays invoices for surgery venues. Officers are not expected to attend members' surgeries.

**Office supplies** Reasonable supplies of ~~letter head paper~~ business cards and basic office stationery Dictaphones, fax machines and replacement fax cartridges for Council use. ~~Provided in Group Roms, and for home use upon request from the Unit~~ Shredding available for council papers. (Allowances and ICT support are described in the Members Allowances Scheme.)

**Car parking** ~~Amendment An annual bulk request to~~ car parking details are the responsibility of individual members. Members Services will administer new ~~renew members'~~ car parking permits following the election process and any change to special responsibility status.

## 15. POLITICAL GROUPS

- 15.1 Councillors ~~may~~ must give notice of membership of a political group. Each group appoints a leader and secretary, may appoint a deputy leader and otherwise arranges its own affairs.
- 15.2 Private **political group meetings** may be held at the Town Hall. ~~Members Services Unit will arrange, providing a secretariat service if requested, up to one meeting each month. These~~ will usually follow the All Party Policy Planning meeting.
- 15.3 Officers may attend political group meetings on Council business. Any request for an officer to attend a Group meeting should be directed to the Chief Executive or relevant director, stating the subject matter. The Chief Executive or director will determine which officer(s) should attend, usually a second-tier officer or above. If they believe officer attendance would be inappropriate, they will discuss this with the group leader.
- 15.4 Officers must not advise group meetings about political or party business. Members and officers should avoid any conduct that could compromise officers' impartiality. Special care is needed if the meeting includes party representatives/observers who are not councillors. These people will not have signed the statutory Code of Conduct and do not have members' rights to information, so officers may not be able to provide the same level of advice. The meeting chairman will tell officers if there are observers present.
- 15.6 Confidentiality: the content of discussions will not be relayed directly or indirectly to members of another group or officers without the consent of the political group.
- 15.7 A **public political group meeting** may not be held at the Town Hall, to avoid any confusion in public perception as to the Council's official views about an issue.

## 16. SHADOW CABINET

- 16.1 Should the second largest Political Group on the Council wish to form a Shadow Cabinet they will need to notify the Council and Chief Executive of their nominated membership to a Shadow Cabinet
- 16.2 A Shadow Cabinet will be subject to the same rules and conditions as outlined in this Member/Officer Protocol.
- 16.3 A Protocol outlining the role and support to the Shadow Cabinet is outlined in Appendix 1 to this Member/Officer Protocol

## 17. MEMBERS' OFFICES

- 17.1 **Group Rooms** Most All-Members will have access to their 'political group room', which is not open to other members or officers. These are supported by Members' Services Unit.
- 17.2 **Members' Lounge** This is open to all members. It can be used when meeting visitors to discuss ward related issues and other council business. It may also be used by members to hold small meetings where it is not appropriate to hold these within the group rooms.
- 17.3 **Leader's office** The Leader of the Council is provided with an office.

## 18. MEMBER APPRAISAL, TRAINING AND DEVELOPMENT

- 18.1 **Service-specific briefing and training** This is arranged and funded by the service department. Attendance at external events should be approved in accordance with the

- Delegations Document. Any expenses incurred on behalf of an individual councillor must be notified to the Head of Governance Constitutional Services, both to track overall training provision and to ensure that legal requirements (see the Members' Allowances Scheme) are followed.
- 18.2 Members should receive appropriate training in order to sit on all regulatory committees and also to undertake best value reviews.
- 18.3 **Corporately arranged briefing and training** A central budget is provided for corporately arranged members' training, managed by Democratic Services. ~~and advised by the Organisational Development section within Human Resources Division.~~ The Head of Constitutional Services Monitoring Officer oversees the central funds to ensure that there is provision for the following categories: ~~executive development;~~ overview and scrutiny development; generic/cross-party skills development; and individual member requests supported by their political group.
- ~~18.4 The Peterborough **Guide to Training and Development** for City Councillors highlights the skills needed to be a ward councillor, carry out scrutiny or serve on the Executive. It suggests a method for members to identify their training and development needs in a personal development plan. It can be used for a self-assessment with officers, on request.~~
- 18.4 Democratic Services The Chief Executive will maintain a database of members' training. This is used to develop an **annual training plan** for members.
- 18.5 Members attending an external training event/conference should feed back to the relevant director or head of service, to consider how the information learnt can be disseminated.
- ~~18.7 **Member roles** (Appendix A) have been drawn up to advise the independent remuneration panel. These can be used alongside the training guide, to help clarify learning needs, and also help members of the public to know what they can expect of elected members.~~
- 18.6 The Council does not operate a formal **performance appraisal** scheme for members. ~~Standards Committee agreed that this would be impractical to operate.~~ Members are ultimately held accountable by their electorate through local elections. Residents can find out about their councillors by means of contact details and explanatory information ~~about members' roles provided in leaflets and~~ on the Council's website.
- 19. OFFICER APPRAISAL, TRAINING AND DEVELOPMENT**
- 19.1 The Council's learning policy recognises that all employees need to learn and develop. Each department is encouraged to have a training plan, reflecting the Council's and services' objectives and action plans. Officer attendance at briefings, courses, seminars and conferences is arranged and funded by the department's budget in line with their training plan and service plans.
- 19.2 Afterwards, the officer and line manager should evaluate whether the learning objectives were met and share learning, to maximise benefit from the investment in the event.
- 19.3 All employees should have a personal development plan reviewed at least annually through the appraisal process. Annual appraisal includes at least six-monthly meetings where the officer and manager review job description, achievements, progress with meeting current objectives, new objectives, learning needs and any other ways in which support could be given to improve the person's job and or performance.

## **SHADOW CABINET PROTOCOL**

### **1. Composition**

The Leader of the second largest Political Group may choose to form a Shadow Cabinet by their nomination from amongst the Members of the Council. If so they shall notify the Council and the Chief Executive of the names of the Members nominated to form a Shadow Cabinet and of any changes in the membership of the Shadow Cabinet which may occur from time to time.

The distribution of portfolios between and amongst Shadow Cabinet

Members will mirror the Portfolios of those of the Cabinet, save that a single Member may cover more than one portfolio.

### **2. Number of Members**

The Shadow Cabinet shall comprise no greater number of Members than the number of members of the Cabinet.

### **3. Role**

The Shadow Cabinet will have collective responsibility for providing an effective challenge to the controlling Executive and for constructive scrutiny of the achievement of the Council's corporate and service objectives and priorities.

### **4. Officer Support**

4.1 On request the Chief Executive, or senior officers acting under their direction, shall attend private meetings of the Shadow Cabinet. At such meetings, the Chief Executive (or nominee) shall brief the Shadow Cabinet on:

- (a) proposals that are to be considered by the Cabinet and that have been published; and
- (b) other matters identified by the Shadow Cabinet.

4.2 Officer briefings at private Shadow Cabinet meetings shall be factual and professional and non-political in nature and shall not extend to the evaluation of policy options, justifying or defending proposals of the Executive, or revealing information and advice that is properly confidential in nature

4.3 Officers shall not speak or answer questions at Shadow Cabinet meetings that are open to the general public or anyone who is not a Member of Peterborough City Council, save for any properly appointed Political Assistant and any officer present at the request of the Chief Executive.

4.4 Individual shadow Portfolio Holders are not holders of office within the Council. However, shadow Portfolio Holders may receive advice and support from the Chief Executive or senior officers acting under their direction. All such advice and support will need to comply with the Member/Officer protocol contained in part 5 of the Council's Constitution.

### **5. Powers**

1. For the avoidance of doubt the Shadow Cabinet will not have any Executive powers and in this respect officers cannot be instructed to act on behalf of the Shadow Cabinet or individual Members of the Shadow Cabinet in any way

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