

Minutes of the Standards and Ethics Committee

Lakeview Room, County Hall, Worcester, WR5 2NP

Wednesday, 17 January 2024, 10.00 am

Present:

Cllr Bob Brookes (Chairman), Cllr Dan Boatright-Greene, Cllr David Chambers, Cllr Laura Gretton, Cllr Steve Mackay, Cllr Dan Morehead, and Cllr Tom Wells

Independent Member: Dr Philip Whiteman

Also attended:

Independent Person: Raymond Needham

Available papers

The members had before them:

- A. The Agenda papers (previously circulated); and
- B. The Minutes of the meeting held on 18 October 2023 (previously circulated).

320 Apologies and Named Substitutes (Agenda item 1)

Apologies were received from Cllr Mike Rouse and Dr Murray Mylechreest.

321 Declarations of Interest (Agenda item 2)

None.

322 Public Participation (Agenda item 3)

None.

323 Confirmation of Minutes (Agenda item 4)

RESOLVED that the Minutes of the meeting held on 18 October 2023 be confirmed as a correct record and signed by the Chairman.

324 **Review of Member/ Officer Relations Protocol (Agenda item 5)**

The Committee considered the review of Member/ Officer Relations Protocol.

In the ensuing debate, the following points were made:

- The Assistant Director had indicated that she would consult group leaders on the protocol. It was queried whether this was sufficient given the importance of member engagement with the protocol. In addition, officers needed to fully understand the protocol and the role of members. Hazel Best, Assistant Director for Legal and Governance responded that it was intended that group leaders would feed back the details of the protocol to their groups. She would liaise with the Head of Human Resources and Organisational Development to consider the best way to provide training for officers. It was important that any training provided with a purpose and was not a 'tick box' exercise. The protocol did not require a wholesale rewrite but needed to provide clear guidance to officers/members on what to do if an issue occurred and to ensure mutual respect between officers and members
- In response to a query, Hazel Best confirmed that officers have to complete mandatory online training and would check if the training included the importance of the member/ officer protocol. In relation to members it was recommended that this could be part of code of conduct training
- The protocol should include reference to issues outside the Nolan principles including: communication; relationships between individuals; confidentiality; social media; access to information; regular reviews; and accessibility to the protocol
- The number of complaints received in connection with officer/member relations were very few. It did not mean that the Council was complacent but it provided the context for the review of the protocol
- A reference to the sanctions available for breaching the Protocol should be included in the protocol
- The introduction of an Executive Summary to the protocol would be welcomed
- Members and officers would benefit from the inclusion of a pre-election guide in the protocol
- Over time, areas of responsibility between officers and Cabinet Members had become blurred. Some members of the Committee commented that officers could feel compromised and open to intimidation by Cabinet Members. For example, officers could feel obliged to take a matter to a Cabinet Member for approval that was clearly operational in nature. It was particularly difficult for junior officers to decline such requests from Cabinet Members
- It was queried how the protocol would link into the complaints procedure. Hazel Best explained that officers, as well as members, were able to make a complaint concerning a breach of the Code of Conduct

- It was very easy for the tone on an email to be misinterpreted and for email exchanges to escalate into a breach of the Code. Guidance on the appropriate tone to use in emails and de-escalation practices should therefore be included in the protocol
- It was important that the protocol was concise and easy to understand to ensure maximum engagement. If the protocol attempted to cover every eventuality, it could become too large, restrictive and not user-friendly
- The common trait amongst failing councils was having a poor officer/member protocol. Openness and transparency was vital for a well-run council
- It was not obvious where to find the officer/member protocol on the Council's website. Hazel Best indicated that the protocol formed part of the Council's constitution on the website. She would look to ensure that clearer signposting was provided on the Council's website
- Hazel Best indicated that there were examples of best practice from other local authorities, particularly the use of tables to clarify guidance and she would refer to these as well as the points made during the debate before reporting back to this Committee at its next meeting in April 2024 with the final version of the protocol for approval. The protocol would then be referred to Council in May 2024 for final approval as part of the review of the Council's Constitution.

RESOLVED that the progress on the review of the Member/ Officer protocol be noted.

325 Work Programme (Agenda item 6)

RESOLVED that the work programme be noted.

The meeting ended at 10.35am.

Chairman