

SELECT COMMITTEE ON LIFELONG LEARNING - 25TH JANUARY 2005

PROTOCOL FOR RELATIONSHIPS BETWEEN MEMBERS AND OFFICERS OF DUDLEY MBC

REPORT OF THE MONITORING OFFICER

1.0 PURPOSE

- 1.1 To consider a draft Protocol for Relationships between Members and Officers of the Council.

2.0 BACKGROUND

- 2.1 The relationship between members and officers of any local authority is crucial to the achievement of objectives and to ensuring good governance. Following local government modernisation under the Local Government Act 2000 this relationship has become more complex and rules of engagement have become increasingly necessary.
- 2.2 Within the last six months my professional association, the Association of Council Secretaries and Solicitors (ACSeS) has produced a model form of protocol for relationships between members and officers. This draft has been adapted by me for Dudley and a copy is attached at Appendix 1.
- 2.3 The draft protocol essentially codifies existing good practice and should not involve any major cultural change on the part of members or officers. However, the benefit of a written protocol is that the different roles of members and officers are articulated and the ways in which officers support members in a range of responsibilities are clearly set out.
- 2.4 The draft protocol has been discussed in some detail by the Corporate Board who fully endorse its adoption by the Council.
- 2.5 The draft was considered by the Standards Committee at its meeting on the 14th December 2004, and the amendments proposed by the Standards Committee are highlighted in bold print.
- 2.6 Each Select Committee is being consulted on the draft during January, following which a report will be submitted to the Cabinet. The Standards Committee will then consider the views expressed by the Select Committees and the Cabinet before submitting a report to the Council for a final decision.

3.0 PROPOSALS

- 3.1 It is proposed that the Committee consider the Draft Protocol for Relationships between Members and Officers.

4.0 **FINANCE**

4.1 There are no financial implications arising from this report.

5.0 **LAW**

5.1 Section 112 of the Local Government Act 1972 enables the Council to appoint staff to undertake its statutory functions.

5.2 Section 111 of the 1972 Act permits the Council to do any thing which is calculated to facilitate or is conducive or incidental to the discharge of its functions.

6.0 **EQUAL OPPORTUNITIES**

6.1. The adoption of the draft protocol is entirely consistent with the Council's policies with regard to equal opportunities and diversity.

7.0 **RECOMMENDATION**

7.1 It is recommended that the Committee consider the Draft Protocol for Relationships between Members and Officers.

John Polychronakis

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Monitoring Officer

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BACKGROUND PAPERS

1. Model draft Protocol produced by The Association of Council Secretaries and Solicitors.
2. Report to Corporate Board on the 12th October 2004.