

To: **Governance and Audit Committee**  
**22 January 2025**

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## **Review of the councillor and officer protocol**

### **Executive director: communities – democratic and legal services**

#### **1 Purpose of report**

- 1.1 To seek the committee's approval of the revised draft of the councillor and officer protocol and to recommend to council its inclusion in the council's constitution.

#### **2 Recommendation**

- 2.1 That the committee approves the revised councillor and officer protocol attached to this report and recommends it to council for inclusion in the council's constitution.

#### **3 Reasons for recommendation**

- 3.1 The council constitution contains a councillor and officer protocol which seeks to guide councillors and officers in their relations with one another. The protocol has not been formally reviewed for many years and requires updating.

#### **4 Alternative options considered**

- 4.1 The current protocol contains references to functions that no longer apply to the operation of the council, for example portfolio review groups, and therefore a review of the document is required.

#### **5 Supporting information**

- 5.1 There is no legal requirement for the council's constitution to contain guidance on the councillor/officer relationship, although it formed part of the model guidance produced by central government to support the development of council constitutions following the introduction of executive and scrutiny arrangements.
- 5.2 The health of the governance of a council may provide an indication of the effectiveness of the councillor and officer relationship. Councillors and officers depend upon each other to deliver the council priorities within the council plan. Producing guidance for councillors and officers about their roles and how they are expected to work together provides clarity and support to understand what interactions should take place and how they should be managed.
- 5.3 The council produces guidance for councillors about their role in relation to specific functions or areas within the council, for example the protocol for councillors in dealing with planning matters. The councillor and officer protocol builds on and supports this more technical guidance and provides a framework to ensure that strong and effective working relationships are developed across the council.
- 5.4 Although the protocol has not been formally reviewed for a number of years there has been external validation from trainers and facilitators who have delivered sessions on good and effective governance, part of which included reviewing the council's

protocol. The council has been commended on the quality of the protocol and its fitness for purpose. No significant issues have been raised internally regarding the content of the protocol other than some areas being out of date. This has therefore been a light-touch review, seeking to ensure that the language is accessible, and the content reflects the current decision-making structure of the council.

## **6 Consultation and other considerations**

### **Legal advice**

6.1 The borough solicitor is the joint author of this report.

### **Financial advice**

6.2 None.

### **Other consultation responses**

6.3 Group whips and the Constitution Review Group were consulted on the protocol.

### **Equalities impact assessment**

6.4 None.

### **Strategic risk management issues**

6.5 There is a significant risk to the council if the councillor and officer relationship is poor.

### **Climate change and ecological impact**

6.6 The recommendations in section 2 above are expected to have no impact on emissions

### **Health & wellbeing considerations**

6.7 None

### **Background papers**

None

### **Contacts for further information**

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