

Non-Executive Report of the:  <b>Standards Advisory Committee</b>  Thursday, 10 February 2022	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Janet Fasan, Divisional Director, Legal Services and Interim Monitoring Officer	<b>Classification:</b> Open (Unrestricted)
<b>Member / Officer Relations Protocol – update report</b>	

<b>Originating Officer(s)</b>	Agnes Adrien, Head of Litigation
<b>Wards affected</b>	(All Wards);

### **Executive Summary**

At its meeting on 4 February 2021, the Committee received a report on the current Member/Officer Protocol from Part C of the Constitution. The Protocol includes a section on Member to Member behaviour.

In light of previous discussions by Committee Members and recommendations in external reviews of the Council’s governance that this Protocol should be reviewed and split off as a separate document). The Committee agreed that the Protocol be passed to the working group for consideration before reporting back to the Committee.

### **Recommendations:**

The Standards Advisory Committee is recommended to:

1. To review and comment on the progress to date in relation to the attached Member/Officer Relations Protocol attached at Appendix 1 to the report.

### **1. REASONS FOR THE DECISIONS**

- 1.1 The Standards Advisory Committee has a role in overseeing standards in relation to how Members and officers interact with each other. It is therefore appropriate for the Committee to consider and review the existing protocol.
- 1.2 This report enables the committee to steer the development work on the draft new Member/Officer Relations’ Protocol and draws the attention of the Protocol to the Members.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Committee may make any suggestions it deems appropriate for consideration by the Interim Monitoring Officer.

## **3. DETAILS OF THE REPORT**

- 3.1 The Member / Officer Relations Protocol in Part C of the Council's Constitution sets out the parameters through which Members and Officers should engage with each other through their roles.
- 3.2 It deals with a large number of issues including general conduct, decision making, use of resources and day to day contact.
- 3.3 The Protocol also includes a section setting out how Members should interact with each other and the basic standards expected.
- 3.4 The Standards Advisory Committee has a role in monitoring Member standards including how Members interact with each other and with officers.
- 3.5 The Committee are therefore asked to review the suggested amendments made to current protocol set out in Appendix 1 to the report and make any comment as appropriate for the Interim Monitoring Officer to consider.
- 3.6 It should be noted that on a number of occasions, including in external reviews of the Council's governance, it has been suggested that the Member to Member portion of the protocol could be reviewed or set out separately to give it more prominence.

## **4. EQUALITIES IMPLICATIONS**

- 4.1 The Committee should consider the extent to which the Protocol supports equality of opportunity and engagement for all Members and officers including any impact on protected characteristics.

## **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
  - Data Protection / Privacy Impact Assessment.

5.2 None.

**6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 There are no direct financial implications arising from this report.

**7. COMMENTS OF LEGAL SERVICES**

7.1 The Members/Officer protocol set out at Part 3, section 32 Constitution forms part of the Council's ethical framework and should be read in conjunction with the Council's Constitution, the Code of Conduct for Members, disciplinary codes which regulate the conduct of officers and other relevant codes and guidance.

7.2 Paragraph 15 of the amended Protocol specifies that the Standards Advisory Committee and the Monitoring Officer will jointly keep this Protocol under review, taking place on an annual basis, and make recommendations for changes as appropriate.

7.3 As part of this process the report requests that the Committee review the suggested amendments to the current protocol set out in Appendix 1 to the report and make any comment or specific requests as appropriate for the Interim Monitoring Officer to consider in accordance with this process.

7.4 As set out at paragraph 4.1 of the report, the Committee should pay regard to the Council's Public Sector Equality Duty (Equality Act 2010) and its obligations to equality and diversity in facilitating and/or discharging the business of the Council including the extent to which have informed the protocol and any proposed revisions to it as part of the Committee's review.

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**Linked Reports, Appendices and Background Documents**

**Linked Report**

- None

**Appendices**

- Appendix 1 – Member / Officer Relations Protocol

**Local Government Act, 1972 Section 100D (As amended)**

**List of "Background Papers" used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- None

**Officer contact details for documents:**

N/A