


<p>Non-Executive Report of the:</p> <p><b>Standards Advisory</b></p> <p>18 April 2023</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Janet Fasan, Director of Legal &amp; Monitoring Officer</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Constitution Review – Members/Officer Relations’ Protocol</b></p>	

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

### Reasons for urgency

This report is being submitted after the statutory deadline due to time pressures and additional time required to consult with the Chair and Vice Chair of the Standards Committee. The report cannot wait until the next meeting as there are elements which feed into the Corporate Governance Improvement Plan which was due to be completed by 31 March 2023.

### Executive Summary

Standards Advisory Committee on 4 February 2021 agreed to review the Member/Officer Relations’ Protocol. Since then the Deputy Monitoring Officer (DMO) has consulted with the Chair and the Vice Chair of the Standards Committee. The outcome is reflected in the draft updated Member protocol of the report attached to this report at Appendix A. This report seeks the views of the Standards Advisory Committee on the draft updated protocol.

### Recommendations:

The Standards Advisory Committee is recommended to:

1. Review and comment on the draft updated Member /Officer Protocol.
2. Authorise the Monitoring Office in consultation with the Chair of the Committee to make any changes to the protocol arising from the review in paragraph 1.
3. Authorise the Monitoring Officer in consultation with the Chair to make any further changes deemed necessary.

### 3. REASONS FOR THE DECISIONS

- 3.1 The Standards Advisory Committee has a role in overseeing standards in relation to how Members and officers interact with each other.
- 3.2 It is therefore appropriate for the Committee to consider and review the existing protocol.

#### **4. ALTERNATIVE OPTIONS**

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

#### **5. DETAILS OF THE REPORT**

- 5.1 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.
- 5.2 It deals with a large number of issues including general conduct, decision making, use of resources and day to day contact.
- 5.3 The Protocol also includes a section setting out how Members should interact with each other and the basic standards expected.
- 5.4 The Standards Advisory Committee has a role in monitoring Member standards including how Members interact with each other and with officers.
- 5.5 As the draft updated Protocol has been reviewed, the Committee is being asked to review and comment on it and to authorise the Monitoring Officer in consultation with the Chair of the Committee to make any further changes to the protocol arising from the review.

#### **6. EQUALITIES IMPLICATIONS**

- 6.1 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

#### **7. OTHER STATUTORY IMPLICATIONS**

- 7.1 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.
- 7.2 None

## **8. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 8.1 There are no direct financial implications from this report. Any resulting proposed changes to the protocol would be separately considered for financial implications.

## **9. COMMENTS OF LEGAL SERVICES**

- 9.1 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.
- 9.2 Paragraph 11 of the 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
- 9.3 As part of this process the report requests that the Committee review the amended protocol set out in Appendix A to the report and make any comment as appropriate for the Monitoring Officer to consider in accordance with this process.
- 9.4 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 A – Draft updated Member officer relations protocol

Appendix B – Draft updated Member officer relations protocol (changes from previous version)

### **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