

## **Manchester City Council Report for Resolution**

**Report to:** Standards Committee – 13 June 2019

**Subject:** Review of Member/Officer Relations Protocol

**Report of:** City Solicitor and Monitoring Officer and Interim Director of HROD

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### **Summary**

The report provides an update to the Standards Committee following a review of the Member/Officer Relations Protocol as requested in their meeting of 21 March 2019.

### **Recommendation**

The Committee is asked to:

1. Note and endorse the report and the suggested minor amendments recommended to the Member/Officer Relations Protocol.
  2. To request Council to agree the amendments for inclusion within the Council's Constitution, when it next considers the full review of the Constitution
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**Wards Affected:** All

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### **Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and

have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Manchester City Council's Member/Officer Relations Protocol (Manchester City Council Constitution Part 6, Section F: May 2018)
- Local Government Ethical Standards: (Committee on Standards in Public Life: January 2019).

## **1.0 Background**

- 1.1 Members will be aware, as reported to this Committee in March 2019, of the Committee on Standards in Public Life (“the CSPL”) review of local government ethical standards published in January of this year. In addition to the 26 recommendations made by the CSPL to improve ethical standards in local government, the CSPL made 15 best practice recommendations for local authorities that should be considered as a benchmark of good ethical practice, which it expected that all local authorities could and should implement.
- 1.2 As reported in March, the intention is that these best practice recommendations are considered by Chief Legal Officers across Greater Manchester with the aim of identifying a consistent approach, where possible. This work will likely require changes to the Members Code of Conduct which will be subject to the consideration of this Committee in due course.
- 1.3 As an initial step, this Committee asked that a review be undertaken of the current Member / Officer Relations protocol. This document forms part of the Council’s constitution and provides a high-level position with regards to Member / Officer interactions from which the Members Code of Conduct and Officers Code of Conduct flow.
- 1.4 In-line with this recommendation a review has been undertaken from Officers across HROD and Legal Services. As well as the CSPL best practice recommendations, this review has taken account of other feedback from both Officers and Members and also sought to ensure the language of and references within the Protocol is fully up-to-date.

## **2.0 The review findings**

- 2.1 The review of the Protocol identified no significant areas of required revision, accounting for both the CSPL recommendations and other feedback on the Protocol’s relevance and operation. The language has been refreshed and clarified in some areas and a small number of substantive changes are also suggested as summarised below:
  - Paragraph 1.6 has been added to clarify that the Protocol relates to interactions and relations between Members and Officers both in-person and via other means, including through Social Media. Whilst the City Solicitor, in her report to this Committee of 21 March 2019, did not deem complaints linked to social media use at a level that gave rise to specific concerns in this area, it is considered prudent to take this opportunity to update the Protocol to reference social media given its growing use.
  - Paragraph 2.2 has been updated to note the importance of a mutual appreciation of work/life balance from Members and Officers. Again, this reflects the growing use of technology which allows communications to be sent and accessed 24 hours a day, 7 days a week and the need to ensure respect in terms of requests for responses and turn-around expectations.

- Paragraph 3.2 has been added to strengthen the need for Members to respect that Officers must remain impartial at all times
- Paragraph 3.4 has been amended to strengthen articulation of the importance of Officers remaining politically neutral at all times
- Paragraph 6.2 has been added to note that the Monitoring Officer will meet regularly with political group leaders or group whips to discuss standards. This is a CSPL best practice recommendation and already happens in practice.
- Section 8 has been updated to bring reference to relevant data protection and information sharing legislation up to date.

The changes have been highlighted in bold in the attached Protocol.

2.2 The Member Induction Programme includes a session on the Member /Officer Protocol. Paragraphs 2.3 and 2.7 of the Protocol cover the situation where a Member wishes to raise issues about an Officer and the reverse scenario. The Monitoring Officer is of the view that the Protocol is working as intended and if any issues have been raised they have been resolved in accordance with the processes set out in these paragraph of the Protocol.

### **3.0 Conclusion**

3.1 As noted above, only a small number of amendments have been identified as necessary to the Member / Officer Relations protocol to bring the document up to date with the CSPL recommendations and other feedback. Further changes may well be required in the future to take account of developments to the Council's Code of Conduct for Members following the work by Greater Manchester Chief Legal Officers as noted above and these will be progressed in due course.

3.2 The recommendation appears at the front of the report.