

RHONDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2024-2025

STANDARDS COMMITTEE

16 SEPTEMBER 2024

**REVIEW OF THE COUNCIL'S MEMBER – OFFICER RELATIONS
PROTOCOL**

REPORT OF THE MONITORING OFFICER

1. PURPOSE OF THE REPORT

- 1.1 To (i) consider the feedback of the Council's Democratic Services Committee following its consideration of the amended version of the Council's Member-Officer Relations Protocol, as annexed at Appendix 1 to this report; and (ii) determine whether to commend the an amended version of the Protocol to Full Council for adoption.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 Members consider the feedback of the Council's Democratic Services Committee following its consideration of an amended version of the Council's Member-Officer Relations Protocol, and
- 2.2 Members determine whether to commend an amended version of the Member-Officer Relations Protocol, as attached at Appendix 2 to the report, to Full Council for adoption..

3. BACKGROUND

- 3.1 In 2013 the Council adopted a revised 'Member – Officer Relations Protocol'. As a reminder the Member - Officer Relations Protocol sets out a framework for good working relationships between Members and Officers as the best means of supporting the work of this Council. It explains how the nature of the relationship between elected Councillors and employed officials should work and describes their different but complementary roles within the Council. It also sets out the behaviours and treatment that each can expect from the other and thereby expands upon the Councillors Code of Conduct. It is only the Ombudsman who has the right to receive complaints made by Officers where Members are in breach of the Members' Code of Conduct itself. The Monitoring Officer will advise the Officer whether in his/her opinion the allegation should be dealt with as a breach of the Member - Officer

Relations Protocol or whether it should be referred to the Ombudsman as an allegation of breach of the Members' Code of Conduct.

- 3.2 The Member/Officer protocol is an adjunct to the Councillors' Code of Conduct and is an important contributor to the working culture within the Council. It sets out:
- the differing roles of members and officers and what they can expect from each other;
 - further explanation and guidance on appropriate behaviours;
 - mechanisms for handling concerns or problems within the relationship.
- 3.3 An alleged breach of the Protocol cannot be directly enforced in the same way as an alleged breach of the Code of Conduct. However, the document will inform any investigation by the Public Services Ombudsman for Wales.
- 3.4 The procedures to be followed for dealing with complaints made against Members under the Member – Officer Relations Protocol are those procedures adopted by the Council in relation to complaints made under the Local Resolution Protocol unless a complaint is formally made with the Public Services Ombudsman for Wales.

4. REVIEW OF MEMBER – OFFICER RELATIONS PROTOCOL

- 4.1 The Member-Officer Relations Protocol was reviewed by the Committee during the previous Municipal Year.
- 4.2 At the Standards Committee's meeting in January 2024 Members approved an amended version of the Council's existing Member - Officer Relations Protocol, attached at Appendix 1 to the report. At that meeting Members also agreed that the Council's Democratic Services Committee should review and comment on the amended protocol and agreed to receive any feedback from that Committee. once it had considered the protocol, at the next Standards Committee meeting.
- 4.3 The Democratic Services Committee considered the proposed amended protocol on 1st May 2024. The Committee thanked the Standards Committee for providing them with the opportunity to review the protocol which they felt was a very important document as regards the relationship between Members and Officers. Members were happy to accept the content with the proposed revisions, subject to a review of the language used to ensure it was gender neutral where possible.
- 4,4 The protocol has since been further amended to take into account the Democratic Services Committee's feedback and is attached at Appendix 2 to the report.

- 4.5 Members are asked to consider the amended protocol and, if in agreement, commend the amended protocol at Appendix 2 to Full Council for adoption.

5. LEGAL IMPLICATIONS

- 5.1 There are no specific legal implications arising from this report however both Members and Officers are subject to the respective adopted Codes of Conduct of the Council and in the case of officers its disciplinary policies and employment rules.

6. CONSULTATION

- 6.1 The Standards Committee is being consulted on any proposed amendments to the Member-Officer Relations Protocol prior to any suggested amendments being considered at a meeting of Full Council. An amended protocol, approved by the Standards Committee during the previous Municipal Year has since been considered by the Council's Democratic Services Committee and that Committee's feedback is presented in this report.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 There are no specific equality and diversity implications arising from this report however both Officers and Members must conduct themselves in accordance with the provisions of the Equality Act 2010 applicable to a Local Authority in Wales.

8. FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 There are no financial implications arising from this report.

LOCAL GOVERNMENT ACT 1972
AS AMENDED BY
THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
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Background Papers: Member – Officer Relations Protocol