

### **Cheshire East - A member led Council –**

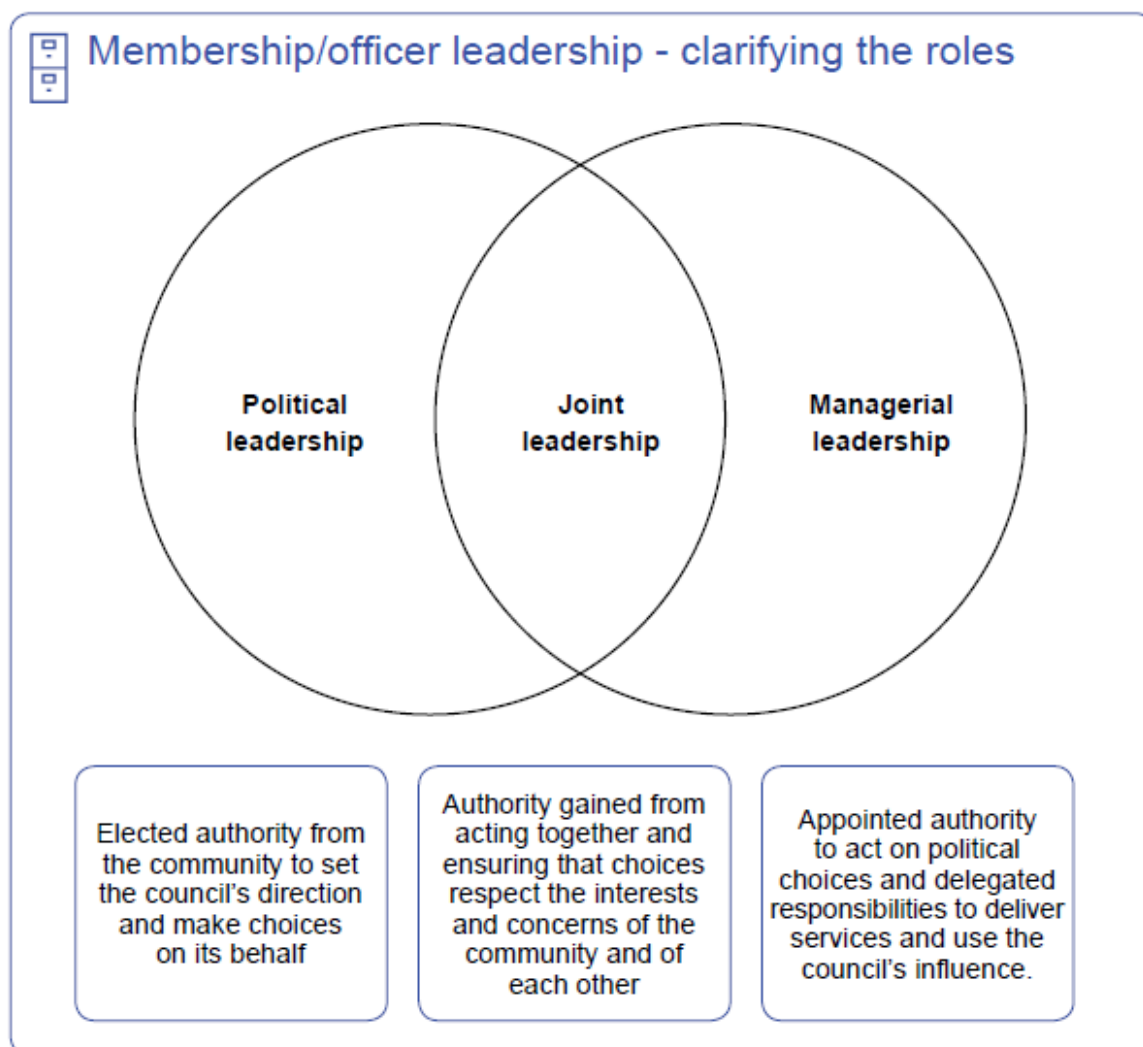
#### **Developing effective member and officer relations**

As part of our approach to refining member and officer relations it is useful to identify some of the issues and differences that need to be considered and, where necessary, addressed. The following points are based on the LGA guidance on member and officer relationships.

1. Members provide democratic mandate to the council and set the policy framework for the Council; whereas officers provide the professional advice and expertise needed to deliver the policy framework that has been agreed by members.
2. Officers are employees of the Council and are the people who put policies into effect and organise the provision of services. Officers also have powers and responsibilities delegated by members to make decisions on behalf of the Council.
3. Officers must act with political impartiality, serving the whole council rather than particular groups or members. They have a duty to provide unbiased professional advice and, as such, may have to advise members that certain courses of action should not be taken.
4. The Council has an agreed Member/Officer Protocol in place. This document is not intended to replace this, but it is of key importance in understanding the wider issues related to the way in which members of the Council and its officers should work together.
5. The following diagram outlines some of the differences in role:

<b>A Quick Guide to some of the distinct roles</b>	
<b>Members</b> ←	→ <b>Officers</b>
Are accountable to the electorate.	Accountable to the Council.
Are a Community Leader for a Ward.	Serve the whole Council.
Add a political dimension.	Politically Impartial.
Set high level policy/strategy.	Ensure operational delivery is effective.
Are involved in Chief Officer/CLT appointments.	Day to day staff and resources management.
Provide political perspective.	
Collectively set the policy and strategy framework for the Council.	

6. The roles of Members and officers are not however divided into distinct areas. The effective running of the Council requires an effective partnership and collaboration between Members and officers. The diagram below provides some further examples. Further to the descriptor above the following model outlines the differences and the overlaps:



7. A useful table to consider, in relation to expectations, is as follows:

What all Members can expect from Officers	What Officers can expect from Members
A commitment to the authority as a whole, not to an individual political group	Political leadership and direction
A working partnership	A working partnership
A timely response to enquiries and complaints	Compliance with ethical standards and probity requirements

Professional advice not influenced by political views or preference	Non-involvement in the day to day management
Integrity, mutual support and appropriate confidentiality	Respect, dignity and integrity, but no special consideration

8. Based on the above information and guidance we agree to sign up to, and work within the following principles:

**Principles –**

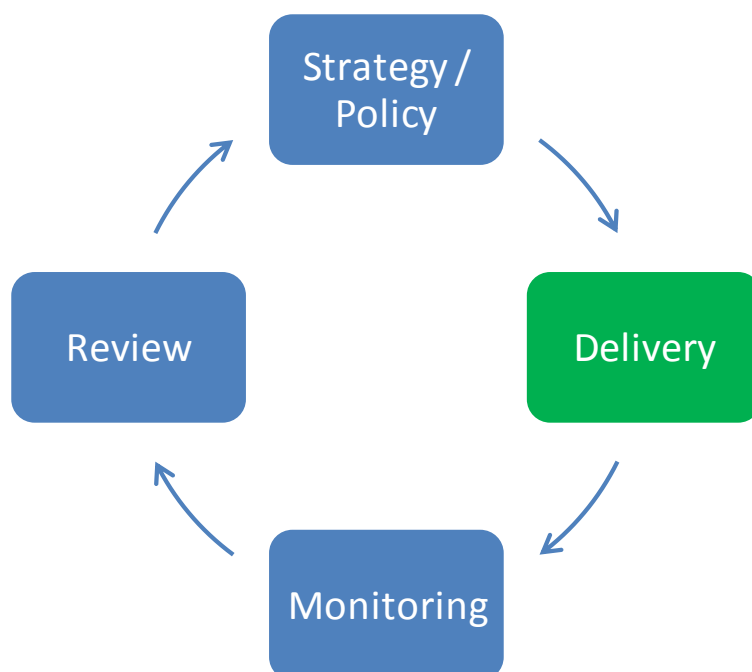
- i. Officers will work on the basis of “no surprises” when it comes to providing information to Members. The principles of timeliness, effective forward-planning and the planning of appropriate communications will be key.
- ii. Respecting each other, in terms of :
  - Political Leadership
  - The role of the local ward member
  - Officer political neutrality / professional role of officers
- iii. Officer responsiveness and even-handedness to members of all political groups, whilst acknowledging that officers must serve the ruling administration, irrespective of political colour.
- iv. Effective communication
- v. The role of officers is to support members’ leadership and activity in the development of strategy and policy, and by monitoring and reviewing the implementation of such policy. This is done through the provision of accurate information /data/advice. Officers will also provide material information and briefing on operational and service delivery matters as appropriate.
- vi. Officers will prepare information for all Members by way of periodic member-briefing to aid communication and share information appropriately.
- vii. Provision of consistent and timely officer advice:
  - This will be achieved by the establishment of a coordinated Member Enquiries Liaison service (currently under development)
  - a. Consistent and timely officer advice will represent the collective view of all departments of the Council

- Members must not "shop-around" for advice, seeking to obtain advice which they may prefer from certain officers, or by seeking a secondary opinion once formal advice has been provided.
- viii. Observance of the Nolan Principles:
- We will seek to ensure that both officers and members act within the following principles:
1. Selflessness
  2. Integrity
  3. Objectivity
  4. Accountability
  5. Openness
  6. Honesty
  7. Leadership
- ix. Members and officers will be committed to setting and enforcing positive behaviours:
- In the main, individual members and political groups will deal with the behaviour of politicians, with only the most serious matters being referred to the Monitoring Officer under the standards process.
  - Officer conduct will be dealt with via line management arrangements with more serious matters being addressed via IDC, HR and performance processes.
- x. Members and officers will share responsibility for identifying when a strategy or policy needs to be developed, monitored or reviewed and for instigating that work in partnership.
- xi. Co-production – Members make political decisions but officers will work with them and advise in order to provide professional advice to inform the process.
- Members ultimately make the decisions
  - Officers then implement the decisions
- xii. Staffing matters have joint responsibility amongst members and officers:
- HR Policy review and statutory officer appointments are the responsibility of the staffing committee, subject to the required processes.
  - Management of staff and implementation of HR procedures are the responsibility of officers.
  - Management of disciplinary and whistleblowing matters are the responsibility of officers.

## 9. The Model

The following establishes the model which underpins our approach as a member-led authority. In the development of policy/strategy within Cheshire East Council there is a process or cycle that is undertaken:

- a) The development of the policy/strategy
- b) Delivery of the policy/strategy
- c) Monitoring of the policy/strategy
- d) Review of the policy/strategy linking to the revision of it (and back to the beginning of the cycle)



Within this model, 3 of the 4 activities are led by **elected members**: -

- Development;
- Monitoring
- Review

One of the four domains is identified as activity led by **officers**

- Delivery

It is of course accepted that officers will support members in the provision of information, data and advice in relation to the 3 processes of **development; monitoring and review**, and that officers would keep members briefed on any key issues in relation to the **delivery** of strategy and policy.

Whilst it is the case under an executive and leader model of local governance that the Cabinet will lead on many areas of strategy/policy development, monitoring and review, other members across all parties have a significant role to play.

Committee members and chairs and, in particular overview and scrutiny committee members and chairs, can play a key role in policy development and review. Equally, there is a clear role for ward members in liaison with communities to raise awareness of strategy and policy, and to feed back from a grass-roots level on proposals for development or review.

#### **10. Officers responsibilities to elected members**

Whilst it is understood that officers of the Council have a responsibility to deliver the policies, and action the formal decisions of the Cabinet, it is of key importance that they understand their responsibilities to the Council as a whole and to members of all political groups.

Whilst officers will treat all members in an even-handed, appropriate manner, members must appreciate that officer resource must be provided to assist the Administration to administer, not to assist the opposition to oppose.

All members have responsibilities to their residents, who often raise queries and enquiries with them. Members also have general responsibilities in respect of their local areas.

In order to assist members in dealing with local enquiries and queries, a Member Enquiries Service is being explored which will bring greater equity and clarity to arrangements and will establish a clear process for the handling of member enquiries. This should lead to greater and more effective responsiveness to matters raised by local members.

The Council's Constitution contains a Ward Member Protocol, which captures the role of the ward member and which sets out the responsibilities of officers in respect of local issues. Local issues are of key importance to all members who are accountable to the electors in their wards. The new Protocol simplifies and strengthens the requirements of what support ward members need to perform their role.

There is also a more detailed officer/member protocol providing further guidance on common issues and roles.

Members also have responsibilities to their political groups, and officers must provide impartial advice on procedures and the proposed handling of important issues, such as the budget and the administration of Council meetings.

Officers also have responsibilities towards those elected to senior Council office e.g. Chairmanship and Vice Chairmanship of Council or committees. Irrespective of political allegiance. Such members can expect to receive support and assistance in order to ensure that they can effectively perform their roles.

Officers must also support those members of Council who do not have “special responsibilities”. They are nevertheless equal members of Council and have a right to be appropriately supported.

**11. Communicating with public, business, and stakeholder audiences**

Officers, (including the corporate communications team) will:

- Deliver information about Council’s services and how to access them, prioritising those services where evidence shows that these are the most important to residents, and which are council priorities.
- Communicate, publicise and promote decisions, service changes, priorities etc that are the result of decisions taken through the democratic processes of the authority, for example:
  - Decisions taken at full council
  - Decisions taken at cabinet
  - Portfolio holder decisions
  - Decisions otherwise delegated through any of the above meetings or otherwise described through the constitution
- Defend the reputation of the organisation (but not that of individual Members personally), rebutting and correcting factual inaccuracies where they enter the public conversation about the organisation

The Corporate Communications Team will, at all times, observe the requirements of:

- Cheshire East Council’s media-relations protocol and other Cheshire East Council policies and protocols
- Code of recommended practice for local government publicity
- And relevant legislation

The Corporate Communications Team will work on matters that relate to the activity, decisions and priorities of the Council as an organisation, and will not operate in any way that is party-political in nature.

In public relations, as in all council business, it is the role of Members to be party-political and the role of officers to create content that is neutral, or occasionally to speak neutrally, on behalf of the whole Council (albeit including the delivery of a majority party’s programme). Any clearly party-political communications must be through Members’ own channels (e.g. their own party newsletters and their own social media channels) rather than those owned and supported by officers (and funded by taxpayer resources).