

Constitution Committee

Date of Meeting: 22 March 2018

Report Title: A Member-led Council: Developing Effective Member and Officer Relations

Senior Officer: Acting Director of Legal Services

1. Report Summary

- 1.1. In order for the Council to be effective and successful, it is crucial for the relationship between Members and officers to be well-founded and properly understood.
- 1.2. This report sets out the history of the development of the appended document-A Member-led Council: Developing Effective Member and Officer Relations, and asks the Committee to agree to support the approach it advocates. The Committee is also asked to endorse the recommended status of the document as a supplement to the Council's Member/Officer Relations Protocol.

2. Recommendation

- 2.1. That the Committee support the approach set out in the appended document: Cheshire East - A Member-led Council: Developing effective Member and officer relations; and endorse its importance as a supplement to the Council's Member/ Officer Relations Protocol.

3. Reasons for Recommendations

- 3.1. To bring clarity and certainty to the crucially important relationship between Members of the Council and officers.

4. Other Options Considered

- 4.1. Not applicable.

5. Background

- 5.1. In early 2017, the Council's Corporate Leadership Team and Cabinet worked jointly with the Local Government Association to explore how the Council might refine its approach to Member and officer relations.
- 5.2. For some years, the Council had been clear in stating that it was "Member-led", but it was felt important to bring clarity to this statement; to establish

an agreed approach to the way in which elected Members and officers relate to each other, and to the expectations each have of the other. This relationship is crucial for the Council to be effective and successful.

- 5.3. This work led to the preparation of the appended document: Cheshire East-A Member led Council: Developing effective Member and officer relations. In summary, the document;

5.3.1. Makes clear the democratic mandate which elected Members have; and their responsibility for setting the policy framework, upon which the officers provide professional advice and expertise in order to deliver it.

5.3.2. Clarifies the role of officers as employees who put policies into effect and who deliver the Council's services, utilising powers and performing responsibilities delegated to them by Members.

5.3.3. Underlines the importance of officers acting with political impartiality, serving the whole Council rather than particular groups or Members; providing unbiased professional advice to Members.

- 5.4. The document was shared with the Council's political group leaders, and endorsed by them, and was subsequently published.

- 5.5. This document does not replace our agreed Member/Officer Protocol, but provides helpful additional guidance which supplements it.

6. Implications of the Recommendations

6.1. Legal Implications

6.1.1. No direct legal implications arise from the recommendations of this report, although the content of the report could have beneficial legal implications for the Council.

6.2. Finance Implications

6.2.1. No direct finance implications arise from the recommendations of this report.

6.3. Equality Implications

6.3.1. No direct equality implications arise from the report, or from its recommendations but clarity around Member and officer relations will certainly have benefits in terms of equalities.

6.4. Human Resources Implications

6.4.1. The Council's refined approach to Member and officer relations brings much needed clarity to the way in which Members and officers work together, and the expectations of all colleagues. This clarity will bring benefits to Members, and to officers alike, minimising the risk of human resources issues arising.

6.5. Risk Management Implications

6.5.1. The Council's refined approach to Member and officer relations brings much needed clarity to the way in which Members and officers work together, and the expectations of all colleagues. This clarity will minimise risk.

6.6. Rural Communities Implications

6.6.1. There are no direct implications for rural communities.

6.7. Implications for Children & Young People

6.7.1. There are no direct implications for children and young people.

6.8. Public Health Implications

6.8.1. There are no direct implications for public health.

7. Ward Members Affected

7.1. All Cheshire East Borough Wards are affected.

8. Consultation & Engagement

8.1. Not applicable

9. Access to Information

9.1. There are no applicable background documents.

10. Contact Information

10.1. Any questions relating to this report should be directed to the following officer:

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