

Annual Review of Protocols

Date: 14th March 2022

Report of: City Solicitor

Report to: Standards and Conduct Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- This report presents to Members the conclusions of the annual review of the Monitoring Officer Protocol and the review of the Member Officer Protocol ("the Protocols").
- The Protocols, which are contained within Part 5 of the Council's Constitution have been reviewed to ensure they remain fit for purpose in supporting high standards of governance and practice.

Recommendations

The Standards and Conduct Committee is asked to:

- a) Consider and approve the proposed minor amendments to the Protocols as set out in Appendices 1 and 2 attached to this report;
- b) Advise whether any further changes are considered necessary.

Why is the proposal being put forward?

- 1 The Monitoring Officer Protocol is required to be reviewed regularly to ensure it remains fit for purpose. The last review was completed and approved in October 2020.
- 2 The Member Officer Protocol has not been formally reviewed since October 2014. To ensure it continues to adequately support Member and Officer relationships in light of the newly adopted Members Code of Conduct a high level review has been undertaken.
- 3 It is the role of the Standards and Conduct Committee to formally approve any amendments to the Protocols.
- 4 The review of each Protocol has concluded that only minor (updating) amendments to each are required to reflect current circumstances, such as the change to the remit and title of the Local Government Ombudsman to the Local Government and Social Care Ombudsman.

- 5 For ease of reference, the recommended amendments have been inserted into the current Protocols as tracked changes and are attached as Appendix 1 and 2 to this report.

What impact will this proposal have?

Wards affected:

Have ward members been consulted? Yes No

- 6 Officers have considered the impact these amendments will have on the Protocols and are of the view they will positively enhance their clarity.

What consultation and engagement has taken place?

- 7 Due to the minor nature of the proposed amendments no consultation with Members has been undertaken prior to this report being prepared.

What are the resource implications?

- 8 There are no specific implications arising from this report.

What are the legal implications?

- 9 If the proposed amendments to the Protocols are approved, they will be incorporated into Part 5 of the Council's constitution.

What are the key risks and how are they being managed?

- 10 There are no specific risk implications arising from this report. If the amendments are not adopted, the Protocols would remain fit for purpose, however, the recommended amendments will provide greater clarity.

Does this proposal support the council's three Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 11 The proposal indirectly supports the council's three Key Pillars by maintaining good governance.

Options, timescales and measuring success

What other options were considered?

- 12 Not adopting the further amendments to the Protocols is an option, however, for the reasons described above, this option is not recommended.

How will success be measured?

- 13 Success will be measured by the approval of the Protocols.

What is the timetable for implementation?

- 14 If approved, the Protocols will be amended from the date of the decision.

Appendices

15 Appendix 1 – Monitoring Officer Protocol including recommended amendments

16 Appendix 2 – Member Officer Protocol including recommended amendments

Background papers

17 None