
REPORT TO:	STANDARDS COMMITTEE	AGENDA ITEM:	12
DATE OF MEETING:	13TH AUGUST 2003	CATEGORY:	RECOMMENDED
REPORT FROM:	A. MCCASKIE LEGAL AND DEMOCRATIC SERVICES MANAGER AND J. WILLOUGHBY PERSONNEL AND DEVELOPMENT MANAGER	OPEN	
MEMBERS' CONTACT POINT:	ANDREA MCCASKIE 01283 595831 (5831)	DOC:	
SUBJECT:	MEMBER / EMPLOYEE PROTOCOL	REF:	AGM/kw
WARD(S) AFFECTED:	ALL		

1.0 Recommendations

- 1.1 To recommend a Member/Employee Protocol for approval.
- 1.2 To take a report to the Joint Consultative Committee for approval, before finally reporting it to the Council.

2.0 Purpose of Report

- 2.1 To seek the views of the Standards Committee on the proposed Member/Employee Protocol and report them and the views of the Joint Negotiating Group and Joint Consultative Committee to Council.

3.0 Detail

- 3.1 There has not been a corporate review of the Member/Employee protocol for many years. The Council in fact does not have an independent written protocol, which is made available to all Members and Employees.
- 3.2 Following the introduction of the Modernisation Legislation and the CPA regime, there is an expectation placed upon Authorities to produce, communicate, implement and monitor such a Protocol.
- 3.3 The underlying principles of this Protocol are as follows:
 - There shall be mutual courtesy and respect between Members and Employees with regard to their respective roles.
 - Members and Employees shall each carry out their respective duties in the best interests of the Council.

- The Protocol applies to all dealings between Members and Employees and not just in formal meetings.

3.4 The document looks at:

- the differences in the roles of Members and Employees
- the relationship between Members and Employees
- the relationship between the Leader, Chair of the Council, Members and Employees
- the relationship between the Chairs of Scrutiny Committees, Members of Scrutiny Committees and Employees
- the relationship between the Chairs and Members of other Committees and Employees
- Officer Relationships with Party Groups
- Members in their Ward Role
- Member Access to Documents and Information
- Non-Council Members on Council Bodies
- Press Releases
- Correspondence
- Breach of the Protocol
- Further Advice

3.5 It was felt appropriate to first reach agreement on a way forward with the Unions on this, in relation to the impact on Employees. Therefore, on 30th July 2003 a report on this issue was taken to the Joint Negotiating Group. The comments made at that Group will be reported orally to this Committee. It was then proposed that a report would be taken to the Standards Committee for consideration on the impact on Members. It would then go to the Joint Consultative Committee, where both Unions and Members can then agree a finalised version and address any outstanding issues jointly, before going finally to the Council for approval.

4.0 Conclusions

- 4.1 There has not been a corporate review of Member/Employee Protocol for many years.
- 4.2 The Council does not have an independent written protocol, that is made available to all Members and Employees, despite there being an expectation placed upon Authorities following the introduction of the Modernisation Legislation and the CPA regime.
- 4.3 The Protocol applies to all dealings between Members and Employees.
- 4.4 This document needs to seek the agreement of the Unions on behalf of all employees, and by the Members before it can be implemented as it has a direct impact on both.

5.0 Background Papers

- 5.1 None.