
REPORT TO:	FINANCE AND MANAGEMENT COMMITTEE	AGENDA ITEM:	8
DATE OF MEETING:	4TH SEPTEMBER 2003	CATEGORY:	RECOMMENDED
REPORT FROM:	A. McCASKIE (LEGAL & DEMOCRATIC SERVICES MANAGER) AND J. WILLOUGHBY (PERSONNEL & DEVELOPMENT MANAGER)	OPEN	
SUBJECT:	MEMBER/EMPLOYEE PROTOCOL	DOC:	
		REF: AGM/KW	
		TERMS OF REFERENCE: FM05	

1.0 Recommendations

1.1 That the Member/Employee Protocol be recommended to the Council for approval.

2.0 Detail

2.1 There has not been a corporate review of 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.

2.2 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.

2.3 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.

2.4 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

2.5 This document has been considered by the Joint Negotiating Group on 30th July 2003, the Standards Committee on 13th August 2003 and finally the Joint Consultative Committee on 21st August 2003. All parties have welcomed the Member/Employee Protocol, however the Standards Committee suggested that it be made clearer what action would be followed if there was an alleged breach of the Protocol by either a Member or Employee. Paragraph 14 of the Protocol has been revised to reflect this matter.

3.0 Conclusions

- 3.1 There has not been a corporate review of Member/Employee Protocol for many years.
- 3.2 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.
- 3.3 The Protocol applies to all dealings between Members and Employees.