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## **REPORT OF THE INTERIM HEAD OF DEMOCRATIC SERVICES**

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### **MEMBER PROTOCOL REVIEW**

#### **Reason for this Report**

1. To consider whether and how improvements could be made to Member's access to information, receipt of timely responses, input into decisions and being consulted on matters relevant to them.

#### **Background**

2. The May/June 2016/16 Members Survey raised concerns about the timeliness of responses to queries and uncertainty around the benefits and outcomes of the work of Committees. The Cabinet had also commissioned a review of support available to Councillors. In addition, the Wales Audit Office recently sought the views of Members about governance and their understanding of who had responsibility for different decisions.
3. As a result there is scope for the Committee to consider whether Members are fully aware of their rights regarding access to information, their role in the Council's decision making process and the appropriate forums for redress if these protocols were not met, and whether as part of the review of the Members Handbook there improvements should be made to the Protocol on Elected Member /Officer relations which is a summary of Part 5 of the City of Cardiff Council Constitution Member and Officer Protocol.

#### **Issues**

4. Potential areas for a Members protocol to consider include:
  - the Council's decision making framework;
  - Members access to information
  - timescales for receipt of information requested by Scrutiny Committees;
  - timescales for receipt of information by individual Members;
  - timeliness of notification of meetings in particular Ward related meetings/ consultations;
  - consultation by Cabinet on strategic and policy reports with ward related implications;

- criteria for Planning applications be decided by Committee and or Chair and consultation with Members;
  - appropriate methods of redress for Members for the variety of complaints and issues of concern.
5. Attached as Appendix A is the Protocol on Elected Member /Officer relations from the Member Handbook, and Appendix B Part 5 of the City of Cardiff Council Constitution Member and Officer Protocol as of the extract from the Member Handbook

### **Legal Implications**

6. There are no direct legal implications arising from the content of this report.

### **Financial Implications**

7. There are no direct financial implications arising from this report.

### **RECOMMENDATION**

The Committee consider whether further clarification and work is needed regarding their rights to access to information, timescales for receiving information, their role in the Council's decision making process and the appropriate forums for redress if these requirements are not met.

**G Shimell**  
**Interim Head of Democratic Services**  
19 September 2016

**Protocol on Elected Member/Officer Relations**

The following information is a summary of the Protocol on Elected Member/Officer Relations, which is contained within the Council's Constitution.

As a **MEMBER** you can expect:

- Respect, courtesy and unbiased treatment from Officers
- Creative and impartial advice in relation to Council matters
- A response to your queries within 10 working days
- Confidentiality within the law
- Access to all information and facilities necessary to enable you to fulfil your role
- Information and consultation on issues within your ward, and equality and fairness in how information is shared, in particular within wards and in respect of Officer briefings
- Officers to effectively carry out the decisions of the Council

As an **OFFICER** you can expect:

- Respect and courtesy from Elected Members
- Elected Members to have proper regard to professional advice and opinions, particularly on legal and financial probity
- Legitimate challenge and questioning from Elected Members
- Not to be personally criticised in a public forum
- To meet the Council's objectives through creative solutions
- Not to have your impartiality compromised
- To carry out your duties in accordance with policy and statute

A more detailed explanation of the principles governing Elected Member/Officer relations and their respective roles and responsibilities is set out in the full version of the Protocol on Elected Member/Officer Relations., which is contained in the Council's Constitution.