Report for: Standards Committee - 17 November 2026

Title: Updates to the Constitution - Part 5 Section B - Member Officer Relations

Report Authorised by: Fiona Alderman, Director of Legal and Governance

Lead Officer: Ayshe Simsek Democratic Services and Scrutiny Manager

Ward(s) affected: N/A

Report for Key/ Non Key Decision: Non-Key Decision

1. Describe the issue under consideration

To consider required updates to the Constitution to ensure it the council's governance arrangements remain robust, transparent and fit for purpose and continue to maintain the integrity and core values of good governance

1.1. There is a need to consider the updates to the Member Officer Protocol which was last updated in 2018. A session with managers was held in February 2026 and CWG considered an earlier report in March 2026 and provided comments on:

- Making clearer, the role of councillors a data controller, a matter that is not currently addressed within the Constitution and adding in wording on the guidance and support the council will provide to assist councillors in fulfilling their data protection responsibilities.
- A note on officers undertaking political activities
- Setting out differences between junior and senior officer roles and adding in wording about junior officers responding to members.

At the 28th of October CWG meeting, the updated protocol was considered and there were comments about the new section on No Overall Control and the need to specifically refer to this terminology as the practice and guidance in the existing constitution already provided officers and members good working practices for working in a political environment. Further to review this section has been updated to reflect this with additional good working practices added to capture working with a higher number of opposition councillors.

The section on social media guidance that was added has been deleted in response to CWG comments and will be added to the existing member guidance policy on this.

There were comments made about added wording on the request for political briefings and this has been taken out and wording left unchanged.

The updates also respond to the questions on the different ways a complaint or issue can be escalated and this is set out in section 6.

The legislation relating to political activity of officers has been added to the section as requested by CWG.

2. Cabinet Member Introduction

Not applicable

3. Recommendations

3.1 To consider the proposed amendments to the Member/Officer Protocol set out at Appendix 1.

3.2 To endorse these changes and to recommend to full Council on the 23rd of November 2026 for adoption.

4. Reasons for decision

The proposed amendments are intended to ensure that the Council's Constitution and Member/Officer Protocol remain up to date, reflect guidance and best practice and provide clear expectations regarding the respective roles and responsibilities of Members and Officers, supporting effective governance, transparency and accountability.

5. Alternative options considered

Retain the existing Member/Officer Protocol without amendments. This option has been considered and is not recommended. The protocol was last revised in 2018 and needs to be updated in order to reflect good governance arrangements and provide greater clarity identified as necessary.

6. Background information

As set out above

7. Contribution to strategic outcomes

The Council's Constitution supports the governance of the Council and its Decision making thereby assisting the Council to meet its strategic outcomes.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Director of Legal & Governance, Equalities)

Finance

7.1 There are no resources implications from these changes.

Legal

7.2 Legal comments are contained within the report

Equality

7.3 There are no equalities matters for consideration with this report as the proposals relate to governance procedural changes.

9. Use of Appendices

Appendix 1 - Part 5 Section B - Member Officer Relations – track changes

Appendix 2 - updated version without track changes - Part 5 Section B - Member Officer Relations.

10. Local Government (Access to Information) Act 1985

Council Constitution

1972 Local Government Act

Local Government Act 2000