



Name of meeting: Standards Committee

Date: 23rd March 2023

Title of report: Interim update on Member-Officer workshop sessions

Purpose of report

To brief the standards committee following the recent Member-Officer workshop sessions.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	no
The Decision - Is it eligible for call in by Scrutiny?	no
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall
Is it also signed off by the Service Director for Finance IT and Transactional Services?	Eamonn Croston
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Julie Muscroft
Cabinet member portfolio	Cllr Paul Davies

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- 1.1 Members will recall that at the last meeting of this committee one of the reports mentioned a piece of work being planned to look at the member Officer protocol following the feedback from the Standards Questionnaire from February 2021, and the workshop sessions in late 2021 and early 2022.
- 1.2 This report is intended to provide a brief interim update to members following the recent workshop sessions and prior to a more detailed feedback and completion of the work and review of the protocol.
- 1.3 It will look at the sessions and how they went, plus a view of the key themes that emerged.
- 1.4 It will also provide an update on the remaining stages in the overall review of the Member-Officer Protocol.

2. Information required to take a decision

2.1 Review of the sessions

- 2.1.1 Three sessions took place as part of the review project in January and February. These were split across North and South Kirklees.
- 2.1.2 The sessions were run by an independent consultant, Bethan Evans, whose background includes extensive experience as a Monitoring Officer and in local authority law, both in the public and private sectors.
- 2.1.3 The sessions were based on encouraging member and officer participation and 'break out' sessions were designed into the sessions to encourage this.
- 2.1.4 Each group was actively facilitated, to encourage all members to participate and express their views, and notes were kept. The groups gave their feedback to the meeting as a whole, so their views were shared with all present.
- 2.1.5 The aim was to encourage as many members as possible to attend, to ensure a good representation from all of the Kirklees political groups, with members with varying levels of length of service. Across the 3 sessions, 38 Councillors attended.
- 2.1.6 Officers were invited via Service Directors and heads of service and, again, the aim was to provide a good cross section of officers at various levels within Kirklees.
- 2.1.7 Young Employee Network members took part, with a number of attendees coming to the sessions. Many of these attendees had little

direct member contact in their roles and their feedback was generally that it had been a positive experience.

2.1.8 The Monitoring Officer has invited feedback and a brief questionnaire has been sent to all participants.

2.2 Key themes that came out of the sessions

2.2.1 Across the three sessions, there were a number of comments that were echoed.

2.2.2 The first group exercise was to 'take the temperature' of the current relationship between members and officers. By and large, most of the participants felt that the relationship was a good one, with some longer serving members and officers feeling that it had improved. There was also some recognition that in some work areas the relationship was better than in others, so not consistent across the Council.

2.2.3 There were some common themes that came up, including:

- some participants felt that people were too polite to be open and honest and that this affected the views expressed.
- the view shared by both officers and members that the current protocol was simply not visible enough.
- members needed a greater understanding of the roles of officers, as well as realistic expectations of what can be achieved by officers, given the issues around resourcing.
- both members and officers valued the opportunity to meet.

2.2.7 The second group exercise was around a set of scenarios, with different groups looking at different ones. The scenarios were designed to provoke a discussion around how members and officers interacted.

2.2.8 Across the sessions, a number of common themes emerged from the scenario discussions.

2.2.9 These included:

- a good working relationship was vital
- there needs to be trust
- members should be wary of taking what residents tell them at face value

- it was sometimes difficult for members to navigate between residents and officers – sometimes they felt “stuck in the middle”

2.2.10 The final group session asked participants to consider the existing protocol and what changes it was felt needed to be made.

2.2.11 Some of the comments made include:

- a need to raise the profile of the protocol – some participants had been unaware of it prior to the sessions
- the need for some guidance to sit alongside the protocol
- a need for members and officers to have some appropriate training
- make it more ‘user friendly’ and easy to understand – more punchy and accessible – bullet points
- revamp the A5 folded flyer
- some attendees wanted to have more detailed involvement in looking at the protocol

2.3 Next steps

2.3.1 Bethan Evans will be providing further analysis of the feedback from participants. This will take place on the 3rd of April when leading members and GBMs, plus members of this committee, will be addressed by Bethan.

2.3.2 Following this, consideration will be given to what further work may need to be done in respect of the Member-Officer Protocol. Any proposed changes will need to be approved by this Committee and then considered by CGA, before a final decision can be made by Council.

3. Implications for the Council

3.1 Working with People

N/A

3.2 Working with Partners

N/A

3.3 Place Based Working

N/A

3.4 Climate Change and Air Quality

In order to minimise any impact, printing is kept to a minimum.

3.5 Improving outcomes for children

N/A

3.6 Financial Implications for the people living or working in Kirklees

N/A

3.7 Other (eg Legal/Financial or Human Resources)

The promotion and maintenance of high standards of conduct by councillors is an important part of maintaining public confidence in both the council and its members. Failure to do so could have significant reputational implications.

4. Next steps and timelines

- 4.1 The work relating to this project is ongoing and further reports will be made to this Committee in due course.

5. Officer recommendations and reasons

- 5.1 Members are asked to consider the report, note its contents and share their own feedback from attending one of the workshops.

6. Cabinet portfolio holder's recommendations

N/A

7. Contact officer

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Senior Legal Officer

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8. **Background Papers and History of Decisions**

8.1 Copy of the scenarios used at the sessions.

9. **Service Director responsible**

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Mini scenarios for discussion

Scenario One

A senior officer is drafting a report for the Cabinet. It contains some options for dealing with a difficult, long-standing and contentious issue. The Cabinet Member with responsibility for the issue calls the officer and asks her to take two of the options in the report “off the table” because they are not politically acceptable to his group.

What is the appropriate approach here for (1) the councillor and (2) the officer?

Scenario Two

One of the council’s teams is developing a proposal for changes to an area of open space in a local community which are going to be pretty controversial. The Portfolio Holder hears about it and asks to discuss it with the senior officer. She invites one of the local ward members into the meeting and tells the officer that he needs to work closely with the local member, running ideas and options past him and getting clearance before any action is taken.

Is this the correct approach? What are the appropriate roles in this scenario for (1) the Portfolio Holder (2) the officer and (3) the local ward member?

Scenario Three

A councillor needs information for a meeting in her ward. She has been waiting for this for some time and is getting impatient. She calls the relevant team and speaks to an officer whom she doesn’t know.

She explains the position. The officer says he will need to have a look at her request and may need to take advice as it is a sensitive and confidential matter. The councillor is concerned at this response. She doesn’t feel that the officer is being respectful and recognising her role and tells him so in robust terms.

What are your views on this?

Scenario Four

A councillor wants a constituent to be re-housed. He disagrees with the Homelessness Officer's assessment that the family is intentionally homeless.

The councillor comes into the council offices reception and asks to see the officer. He is told she is in a meeting and too busy to deal with this. He demands that the receptionist interrupt the meeting and says he will complain to the Head of Service if the officer doesn't come down to see him now.

Is this appropriate behaviour by the councillor? What can he legitimately do for his constituents here and how should the officers be assisting the councillor?

Scenario Five

An officer posts something on social media (in his personal capacity) about a controversial local issue which could be read as criticising council policy. The councillor for the locality sees this and posts something in response saying that officers should not express opinions on these sort of things and the officer should focus on doing his job.

The officer makes a complaint about the councillor and the councillor complains about the officer.

Do you think there is a problem with what has happened and how should the complaints be handled?

Scenario Six

A councillor is concerned that the approach taken by officers to a particular issue in his ward is not recognising the particular nature of the locality and is not demonstrating effective place-based working.

He thinks that officers are imposing a "one size fits all" solution and are using budget constraints as an excuse. He feels that he is not being heard by the officers and resorts to emailing all members, copying in the senior management team, naming specific officers he is concerned about.

Is this appropriate? How should the issues be addressed?