



Audit and Governance Committee		Agenda Item
08 September 2023		5
Title:	Update to the member officer protocol	
Report of:	Edwina Adefehinti	
Lead Member:	Edna Murphy (Lead Member for Governance)	
Public Report:	Yes	
Key Decision:	No	
Voting Arrangements:	Simple majority	

Recommendations:

A	Approve the amendments to the member officer protocol
---	---

Strategic Objective(s):

The proposals within this report fit under the following strategic objective(s):

5	Achieving Best Value and High Performance
---	---

1. Purpose

1.1	The Audit and Governance Committee has a role in overseeing standards in relation to how Members and officers interact with each other. The committee requested to review the Member officer relations protocol and to receive a report providing feedback on how the protocol was performing. A report went to the Audit & Governance committee on 9 th June 2023 addressing the operation of the protocol as well as seeking a review of the protocol. The Audit and Governance provided its views on the operation of the protocol and the review
1.2	This report is seeking the views of the Combined Authority Board on the attached amended protocol.

2. Proposal

2.1	To approve the amendments to the attached protocol following the CPCA Board consideration.
-----	--

3. Background

3.1	<p>The Member / Officer Relations Protocol (Annex 3) to the Combined Authority's Constitution sets out the parameters through which Members and Officers should engage with each other through their roles.</p> <p>It deals with many issues including general conduct, decision making, use of resources and day to day contact.</p> <p>The Protocol also includes a section setting out how Members should interact with each other, and the basic standards expected.</p> <p>The Audit and Governance Committee has a role in monitoring Member standards including how Members interact with each other and with officers.</p> <p>The attached Protocol was adopted on 27th July 2022 by the Combined Authority Board and was reviewed at its meeting in July 2023. The Board reviewed and commented on the protocol and authorised the Monitoring Officer in consultation with the Chair of the Audit & Committee to make any further changes to the protocol.</p>
3.2	<p>At the meeting of Audit & Governance on 9th June 2023, the committee requested.</p> <ul style="list-style-type: none">• For CIVIL to be included in the protocol.• Re-think paragraphs 2.15 and 4.7 of the protocol• Role of members should be amended to specifically recognise that members also make recommendations & decisions• Expand Paragraph 11.1 on member training to include all members of committees as it is currently limited to Board members. <p>Audit & Governance Committee RESOLVED:</p> <ol style="list-style-type: none">1. The updated protocol be presented to the CA Board for approval with a covering report which would highlight the strong feeling of the Committee in regards to breaches of the protocol.2. A further report be provided to the Audit & Governance Committee in September which would place the protocol into context and provide a background to the CPCA, the challenges and actions taken to address these.
3.3	<p>Members will note that the amendments requested have been made. Unfortunately, the report requested is not yet available, but the Monitoring Officer will endeavour to bring the report to the November meeting of this committee.</p>

4. Appendices

4.1	<p><i>Appendix 1- Member officer protocol-</i> CA Board Constitution March 2023</p> <p>Appendix 2- Amended Member Officer protocol with changes highlighted in red</p>
-----	---

5. Implications

Financial Implications

5.1	None
Legal Implications	
6.1	The Members/Officer protocol set out at Annex 3 of the Combined Authority's Constitution forms part of the Combined Authority's ethical framework and should be read in conjunction with the Combined Authority's Constitution, the Code of Conduct for Members, disciplinary codes which regulate the conduct of officers and other relevant codes and guidance.
6.2	The Protocol does not specify that the Audit and Governance Committee and/or the Monitoring Officer will jointly keep this Protocol under review. It is good practice to review on an annual basis and make recommendations for changes as appropriate.
6.3	The Combined Authority Board should pay regard to the Combined Authority's Public Sector Equality Duty (Equality Act 2010) and its obligations to equality and diversity in facilitating and/or discharging the functions of the Combined Authority's including the extent to which have informed the protocol and any proposed revisions to it as part of the Committee's review. The Combined Authority Board should consider the extent to which the Protocol supports equality of opportunity and engagement for all Members and officers including any impact on protected characteristics.
Public Health Implications	
7.1	None directly
Environmental & Climate Change Implications	
8.1	None Directly
Other Significant Implications	
9.1	None Directly
Background Papers	
10.1	None