



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Agenda Item No: 7.1

Member Officer Protocol

To:	Cambridgeshire & Peterborough Combined Authority
Meeting Date:	27 July 2022
Public report:	Yes
Lead Member:	Not applicable
From:	Audit & Governance Committee
Key decision:	No
Recommendations:	<p>The Combined Authority Board is recommended to:</p> <ul style="list-style-type: none">a) Agree the Member Officer Protocol attached at Appendix A for adoption into the Constitutionb) Note the intention to review the Protocol within 6 monthsc) Note the intention to develop a Social Media Protocol to support the Member Officer Protocol
Voting arrangements:	A simple majority of all Members present and voting

1. Purpose

- 1.1 The Audit and Governance Committee met on 30 June 2022 to consider a request from the Combined Authority Board for the Committee to consider and make recommendations back to Board regarding the content of a Member Officer protocol.
- 1.2 This report proposes to Bord the adoption of a Member Officer Protocol into the Combined Authority Constitution.
- 1.3 If adopted this document will form part of the Authority's constitution and provides a high-level position with regards to Member - Officer interactions from which the Members Code of Conduct and Officers Code of Conduct flow.

2. Background

- 2.1 The Combined Authority Board received a report at its reconvened 20 May 2022 extraordinary meeting, which took place on 8 June 2022, that set out a draft Member Officer Protocol.
- 2.2 The draft protocol was introduced as an urgent item in response to concerns raised by the External Auditors regarding the effective governance of the Combined Authority. The External Auditors wrote to the Chair of the Audit and Governance Committee on 1 June 2022 to identify a significant weakness in the Combined Authority's governance arrangements.
- 2.3 The Combined Authority Board agreed to follow the principles set out in the draft Member Officer Protocol pending formal adoption following review by the Audit & Governance Committee. They further agreed to request that the Audit & Governance Committee review the draft Member Officer Protocol and make recommendations on its content to the Board for consideration at the earliest opportunity.
- 2.4 The Audit & Governance Committee considered a Member Officer Protocol at their 30 June 2022 meeting and agreed to recommend such a protocol to Board for adoption to the Combined Authority Constitution.

3. A Member Officer Protocol

- 3.1 A member Officer protocol will seek to provide general guidance for both Members and Officers in their relations with one another, the provisions of a protocol would apply to all members which includes the Mayor, Board and Committee Members.
- 3.2 A protocol should reflect the basic principles that sit beneath the respective rules of conduct that apply to Members and Officers to offer guidance on some of the issues that may commonly arise. A protocol can also provide clarity on roles and direction on accepted practice.
- 3.3 A protocol will provide clarity on process and parameters in support of the codes of conduct, it can provide additional support for both Members and Officers so that both can effectively deliver their roles in a safe environment of respect and courtesy.
- 3.4 The conduct of the Mayor and elected Members is governed by the provisions of the Member Code of Conduct whilst the conduct of officers is governed by the provisions of the

Employee Code of Conduct and a disciplinary regime forms part of that Code for officers.

- 3.5 A protocol does not replace or affect those Codes; it contains a framework relating only to the areas of interaction between Members and Officers. However, a breach of the provisions of this Protocol is likely to constitute a breach of the relevant formal Code which in turn could lead to appropriate formal action being taken.
- 3.6 There is no statutory requirement for the Combined Authority to have such a protocol, however, it is considered good practice to do so. Such a protocol is beneficial as it sets out the respective expectations of Members and Officers in support of the relevant Codes of Conduct.
- 3.7 The Audit & Governance Committee agreed to review the protocol within 6 months in order to ensure that it remains fit for purpose in support of the Authority's current improvement journey and to address a perceived need for guidance on the use of social media. As a result, the Committee has requested officers seek to develop a draft Social Media Protocol for consideration.
- 3.9 The Audit & Governance Committee also agreed that further guidance was required regarding the use of social media
- 3.10 The proposed Member Officer Protocol is set out in Appendix A.

4. Financial Implications

- 4.1 There are no financial implications to this report

5. Legal Implications

- 5.1 There is no statutory requirement for Councils to adopt a Protocol on Member Officer Relations but it is good practice to do so.
- 5.2 The link created between a newly adopted Protocol, and other Codes and Protocols, will help to ensure that the Constitution remains legally up to date.
- 5.3 Breaches of the Member/Officer Protocol could be used as evidence in a disciplinary hearing for Officers or an investigation under the Code of Conduct for members

6. Public Health Implications

- 6.1 There are no public health implications to this report.

7. Environmental and Climate Change Implications

- 7.1 There are no environmental and climate change implications to this report.

8. Other Significant Implications

- 8.1 There are no other significant implications to this report.

9. Appendices

9.1 Appendix 1 – Proposed Member Officer Protocol

10. Background Papers

10.1 No background papers are identified for this report.