

Item No. 5.	Classification: Open	Date: May 31 2006	Meeting Name: Council Assembly
Report title:		Review of Member Officer and Communications Protocols	
Ward(s) or groups affected:		None	
From:		Borough Solicitor	

RECOMMENDATIONS

1. That council assembly agree the amendments to the member officer and communication protocols at appendix A and B.

BACKGROUND INFORMATION

2. The standards committee met on 2 February 2006 to consider amendments to the member officer and communications protocols.
3. The committee agreed the majority of the amendments to the member officer protocol but requested that paragraph 11 which deals with emails and paragraph 20 which sets out the procedure for when things go wrong should be re written and submitted to the standards committee constitutional steering group for approval.
4. The committee also decided that the revised version of the communications protocol be submitted to the steering group showing where the changes have been made.
5. On May 10 2006 the constitutional steering group considered the amendments made to paragraphs 11 and 20 of the member officer protocol and the changes to the communication protocol and agreed the revised versions as set out in appendix A and B.

KEY ISSUES FOR CONSIDERATION

6. The constitution requires the standards committee and borough solicitor to jointly keep the member officer protocol under review and make recommendations for changes as appropriate.
7. The standards committee constitutional steering group was established by the standards committee on 2 February 2006 to consider the amendments to the member officer and communications protocols and other constitutional related issues.

Member Officer Protocol

8. Members will note that second bullet point of paragraph 11 which follows on after the sentence beginning with the words "As a general rule" has been revised and now reads as follows " The use of the email address in a party political leaflet to advertise a ward surgery or as a means of allowing residents to contact their ward

members on non-party political matters is allowed”

9. With regard to paragraph 20, the words “If the matter is not resolved at the preliminary stage “ have been inserted at the beginning of the last sentence of that paragraph to deal with situations where complaints referred to the chief executive are not resolved at the preliminary stage and further action is required.

Communications Protocol

10. The purpose of the proposed amendments to the communications protocol are to firm up the rules on election publicity and to create more certainty as to what is or is not allowed under the law and the code of recommended guidance on local authority on publicity. :
11. Members are informed that the new additions to this protocol are as follows:
 - Paragraph 1 – the scope of the protocol.
 - Paragraph 2 - the legal framework
 - Paragraph 3 – publicity during elections
 - Paragraph 4 – publicity of individual councillors
 - Paragraph 5.2 – the role of the head of communication.
 - Paragraph 7 - enquiries from the press
 - Paragraph 8 - press releases
 - Paragraphs 9.1 and 9.2 – obligation of the council and officers in relation to documents being prepared for public consumption.

Community Impact Statement

12. Good relationship between members and officers is very important in aiding the decision-making process and helping to boost public confidence in the council. A protocol that defines each party’s responsibilities creates certainty, which in turn leads to better decision-making and a more satisfied customer.

Legal Implications

13. The legal implications are included in the report.

Resource Implications

14. These are minimal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The constitution and minutes of the standards committee on the review of the member officer protocol.	Constitutional Unit, Town Hall, Peckham Road, SE5 8UB	Lesley John 020-7525-7228
Report dated 6 February 2006 on the review of the member officer and communications protocols		

APPENDICES

No.	Item
A.	Member officer protocol
B	Communication protocol

AUDIT TRAIL

Lead Officer	Deborah Holmes, Borough Solicitor	
Report Author	Amma Boateng, Senior Lawyer	
Version	Final	
Dated	16.5.06	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor	Yes	Yes
Chief Finance Officer	No	No
Executive Member	N/A	N/A
Date final report sent to Constitutional Support Services	15.5.06	