

Report to: Cabinet



Date of Meeting 14 July 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Developing Member and staff relationships

Report summary:

This report follows on from the comments of the Portfolio Holder for Council & Corporate Co-ordination at the Cabinet meeting of 9 June in which it was stated that a report would be brought forward to identify proposals to address Member and staff relationships. This report provides more background information together with steps it is considered appropriate to take to deal with the identified issue.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet;

1. Invite all group leaders *'to reflect upon how they and their Members interact with staff' and respond positively to the Chief Executive to reassure him that 'their Members have reiterated that they will treat all staff with respect and apologise for any instances where any of their Members have acted inappropriately towards staff'.*
2. Note that the Standards Working Group is reviewing the Council's Members' Code of Conduct and request that the Group give specific consideration to the content of this report when conducting their review.
3. Ask the Chief Executive / Monitoring Officer to draft a process to enable *'a group leader (or alternative representative) to be advised of any alleged inappropriate behaviour of any of their group's Members'* to be incorporated into the Protocol for relationships between Members and Officers.
4. Request that the Standards Working Group also considers reviewing the Protocol for relationships between Members and Officers as part of its work with the intention of reporting revised arrangements to the Standards Committee to recommend to Council to adopt.
5. Agree that the Leader of the Council and / or Monitoring Officer should invite all group leaders to a meeting, together with the Monitoring Officer, *'to discuss and seek agreement on how all members can engage in more respectful conduct at Council and Council Committee meetings, as well as within their use of the Council's email and social media'.*
6. Request that the Monitoring Officer provide and / or procure further training on the Council's Members' Code of Conduct and Protocol for relationships between Members and Officers and specifically on how members *'should engage with staff on matters*

related to their Ward and/or residents, as well as on how to engage with all staff, taking account of the need to recognise that they are part of the employing authority and working to, and within, the Council Constitution’.

7. **Ask the Chair of the Personnel Committee ‘to keep staff morale and related staff surveys within that Committee’s ongoing work plan’.**

Reason for recommendation:

To seek to address concerns over the relationships between Members and staff.

Officer: Mark Williams, Chief Executive

Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; Poor relationships between Members and staff has the risk of impacting the proper governance of the Council.

Links to background information:

[Members’ Code of Conduct](#)

[Protocol for relationships between Members and Officers](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
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Report in full

1. At the Cabinet meeting on 9 June 2021 the Portfolio Holder for Council & Corporate Co-ordination made the following statement;

Two sets of internal relationships should be in the forefront of the minds and actions of Members – those between Members, and those between Members and staff. Both sets of

relationships have been matters that have highlighted the need for individual and collective introspection over the past 24 months.

The relationships between Members have not always shown themselves to be conducted respectfully, even taking account of the political differences between groups, as well as the challenging political environment that this council finds itself in when there is no majority overall control by one group. Sometimes Member behaviours has fallen below what should pass as respectfully acceptable. This has led to an increase in Code of Conduct complaints and subjected staff to observing these poor behaviours playing themselves out either in meetings and/or through emails and social media. These poor behaviours reflect upon us all negatively.

The relationships between Members and staff have very much been a concern, particularly in light of the staff survey conducted earlier in the year. We all, as Members, have a responsibility to show respect to all staff at all times. As we are aware not all Members have acted in a responsible and reasonable way in their engagements with some staff.

As the largest group within this council the Democratic Alliance has reflected upon both of these issues and has asked me, as the respective Portfolio Holder, to bring forward some proposals to address these matters. I have drafted a set of broad proposals which I have discussed with the Chief Executive and Monitoring Officer and which have also to be discussed with the new Chair of the Standards Committee.

I therefore am working on the assumption that in conjunction with these colleagues a report, containing proposals for developing Member and staff relationships will be presented to the next Cabinet meeting.

As regards the matters raised through the staff survey, the Democratic Alliance has discussed and reflected upon these and I wish to say directly to the Chief Executive and all staff that any inappropriate actions or behaviours directed at him or his staff by any group Members are deeply regretted and I apologise on the group's behalf.

That in itself is not sufficient and the Democratic Alliance has created group internal standards process which would allow it to in future hold its Members to account should their behaviour fall below the required standards. This is a separate set of processes to the Council's Code of Conduct and is not a substitute for it.

The Democratic Alliance would invite all groups within this council to create their own group internal standards processes to assist in each group being able to regulate their Members' behaviours. I hope too that each group has reflected upon the implications of the staff survey results as it is important that we all look to our own actions and those of our group colleagues.

I hope that as we move into the third year of this council term, we can all create a more mature and respectful environment within which we can do politics and deliver, through our resourceful and dedicated staff, the quality services that our residents deserve.

2. As the statement indicates, the Portfolio Holder has prepared a draft set of proposals which have been the subject of discussion. The initial wording for those proposals is set out below;

The issue of how Members conduct themselves has never more been at the forefront of this Council's collective mind. Therefore, this is an appropriate point at which to reflect upon this and to consider how to improve both Member conduct and how Members are regarded both by each other and by staff.

This has all come to the fore as a result of two matters. Firstly, the recent staff survey and secondly, by the often-acrimonious exchanges that occur between Members, particularly through email and social media.

The staff survey was reported to and considered by Scrutiny Committee on 4 March, having been conducted amongst staff in January/February 2021. This survey provided a useful snapshot of staff concerns which the SMT is drilling down into. Having now had the opportunity to discuss the staff survey on a number of occasions with the Chief Executive, other senior Officers and the Leader, as the appropriate Portfolio Holder I am of the opinion that the following should now be considered by Members –

- 1. Each group should be invited to reflect upon how they and their Members interact with staff and through their introspection each should reassure the Chief Executive that their Members have reiterated that they will treat all staff with respect and apologise for any instances where any of their Members have acted inappropriately towards staff.*
 - 2. A straightforward process should be developed that the Chief Executive (or another nominated Senior Officer) would follow when needing to advise a group leader of any alleged inappropriate behaviour of any of their group's Members.*
 - 3. A set of guiding principles will be drafted on how Members will engage with other groups' Members and staff. All groups and Members will be invited to adopt these guiding principles which would build upon and reinforce the existing related parts of the Council Constitution as set in Part 5, Codes and Protocols – 5.1 Members' Code of Conduct and 5.4 Protocol for relationships between Members and Officers.*
 - 4. The incoming Chair of the Personnel Committee will be asked to keep staff morale and related staff surveys within that Committee's ongoing work plan.*
 - 5. The incoming Chair of the Personnel Committee will be asked to liaise with the Chair of the Standards Committee on the intended revision of the Member/Officer Protocol.*
 - 6. To offer refresher training to all Members on how they should engage with staff on matters related to their Ward and/or residents, as well as on how to engage with all staff, taking account of the need to recognise that they are part of the employing authority and working to, and within, the Council Constitution as set in Part 5, Codes and Protocols – 5.1 Members' Code of Conduct and 5.4 Protocol for relationships between Members and Officers.*
 - 7. Group leaders should be invited to a meeting to discuss and seek agreement on how all members can engage in more respectful conduct at Council and Council Committee meetings, as well as within their use of the Council's email and social media. This would not seek to undermine Members' democratic rights to disagree with others politically or strategically but to recognise that this can be pursued whilst still acting in a respectful manner.*
3. For ease, links to the Members' Code of Conduct and Protocol for relationships between Members and Officers can be found in the background information.
 4. Further discussion, between the Chair of Council, Portfolio Holder for Council & Corporate Co-ordination, the Chief Executive and Monitoring Officer has taken place during which the following points were raised;
 - a. Needing an alternative contact within the group to raise concerns with in case of absence / conflict in being able to raise it with the group leader.
 - b. Whether it was necessary to add an extra layer of guidance to the existing framework when it is not the framework that is at issue but how it is / is not followed or respected.
 - c. Whether it was therefore better to have a review of the Code of Conduct and Protocol to ensure that they are meaningful, can be easily understood and applied and therefore fit for purpose.
 - d. It was agreed that training would be a prudent step and that this perhaps ought to include practical / real life scenarios to help understanding.

- e. That the Chair of the Personnel Committee is going to change hands to being the Chair of Council, subject to Council approval in July.
 5. It is worth noting that the Standards Committee, at its meeting of 19th January 2021, agreed to establish a Working Group to review the Council's Members' Code of Conduct against the model Code of Conduct produced by the LGA in response to the Committee for Standards in Public Life report (January 2019). This Working Group has now been established and will be meeting on 6 July and will therefore have had its first meeting by the time Cabinet meet. It is suggested that it would be prudent for the Working Group to also take on the review of the Protocol as this is a matter that falls within the remit of the Standards Committee.
 6. The report recommendations pick up the proposals from the Portfolio Holder but have been revised to reflect the above discussions and circumstances.
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Financial implications:

There are no direct financial implications arising from the recommendations of this report.

Legal implications:

As the Members' Code of Conduct and Protocol for relationships for Members and Officers form part of the Constitution, only Council can approve changes / adopt revised documents. Otherwise there are no specific legal implications requiring comment.