



## Governance Committee

Item  
**9**

19 January 2016

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Amendment to the Member / Officer Protocol		
Wards affected	Not applicable		

**This report requests the Committee to approve an amendment  
to the Member / Officer Protocol**

### 1. Decision Required

- 1.1 To approve the revised wording to paragraph 10 (4) of the Member / Officer Protocol contained at paragraph 3.1 of this report and that it be included in the Council's Constitution.

### 2. Background

- 2.1 The Member / Officer Protocol is contained in Part 5 of the Constitution. This Protocol provides a guide to good working relationships between Members and Officers, to define the respective roles of Members and Officers and provide some principles governing conduct.
- 2.2 The Committee at its meeting on 13 October 2015 agreed an amendment to paragraph 10 (4) of the Member / Officer Protocol which relates to Members when acting in their official capacity not criticising or undermining respect for Officers, (and Officers not criticising or undermining respect for Members) via social media as follows:
- “Members when acting in their official capacity must comply with the Council’s Social Media Policy and should not use social media to criticise or undermine respect for Officers. Officers should not use social media to criticise or undermine respect for Members and must comply with the Council’s Social Media Policy at all times.”
- 2.3 Subsequently the Chairman of the Committee received a letter from Will Quince MP, which expressed concerns that whilst he agreed wholeheartedly that it was inappropriate for Members to use social media to abuse or harass officers, the amended paragraph purported to suggest that if a Member acting in their official capacity made a post on social media which was critical of, or caused readers to have a lower opinion of the Council or its departments, then the Member could be in breach of the Members’ Code of Conduct. In addition he was also concerned that this could restrict backbench Members publically disagreeing (and for them to be potentially sanctioned) for raising their constituents concerns and criticisms.
- 2.4 The consequences mentioned at paragraph 2.3 above were not intended by the amended wording and would not have been interpreted as such in reality but it is accepted that it could give this impression. Following receipt of the letter the Monitoring Officer, in consultation with the Chairman and Group Spokespersons, agreed to bring a further report back to the Committee to clarify the wording of paragraph 10 (4).

### **3. Proposals**

- 3.1 It is proposed that the following revised wording be agreed to paragraph 10 (4) of the Member / Officer Protocol to make it clear that Members, when acting in their official capacity, should not use social media to abuse, harass or undermine respect for individual Officers online but will still enable Members represent their constituents and to ensure that the Council remains accountable:

“Members when acting in their official capacity must comply with the Council’s Social Media Policy and should not use social media to abuse, harass or undermine respect for individual Officers. Officers should not use social media to criticise or undermine respect for Members and must comply with the Council’s Social Media Policy at all times.”

- 3.2 Any breach of the Member / Officer Protocol by Members would be dealt with via the Council’s Localism Act “Arrangements” and if by an Officer via the Council’s disciplinary procedures.

### **4. Strategic Plan References**

- 4.1 The manner in which the Council governs its business is an underpinning mechanism in the Council’s Strategic Plan aims to set out the direction and future potential for our Borough.

### **5. Publicity Considerations**

- 5.1 The Member / Officer Protocol forms part of the Council’s Constitution which is published on the Council’s website

### **6. Financial, Equality, Diversity and Human Rights, Consultation, Community Safety, Health and Safety and Risk Management Implications**

- 6.1 None.