

LOCAL PROTOCOL ON RELATIONS BETWEEN MEMBERS

1. INTRODUCTION

- 1.1 The Council will best serve the interests of local people if there are clear arrangements between the Members and Political Groups represented on the Council. The interests of local people will also be best served if the working relationship between Members of all Political Groups is characterized by mutual respect, informality and trust, whilst recognizing the need for healthy and constructive political debate within a vibrant democratic process. Such a relationship will mean that Members will speak to one another openly and honestly whilst political differences will be aired in an appropriate manner and not personalised.
- 1.2 This Protocol is intended to facilitate such a working relationship and to help Members to perform effectively. This Protocol gives guidance on Members' roles and on what to do on the occasions when things go wrong.
- 1.3 This Protocol must be read in the context of the Council's Constitution, the Members' Code of Conduct and the Officer-Member Protocol.
- 1.4 The Council will formally adopt this Protocol and a copy will be issued to all Members and Senior Officers.

2. INTERPRETATION

- 2.1 In this Protocol "Member" includes all elected Members of the Council and all non-elected Members of any Committee (including the Audit, Standards and Governance Committee and any Overview and Scrutiny Task Group) (or any Sub-Committee) irrespective of whether or not they have any voting rights.

3. GUIDING PRINCIPLES

- 3.1 In their dealings with one another, Members will:
 - (a) serve only the public interest;
 - (b) behave properly and not place themselves in situations where their honesty and integrity may be questioned;

- (c) make decisions on merit;
- (d) be open about (and be prepared to give reasons for) their actions;
- (e) promote equality by not discriminating against any person;
- (f) treat each other with dignity and respect, accepting a strong presumption that everyone is acting in good faith, and show courtesy in all meetings and contacts, both formal and informal;
- (g) uphold the law;
- (h) seek to ensure that the Council uses its resources prudently;
- (i) promote and support all these general principles by example, and act in a way that secures or preserves public confidence in local government; and
- (j) respect the decisions and authority of the Chair and Vice-Chair of the Council.

3.2 In their dealings with one another, Members will also uphold the Members' Code of Conduct. The following provisions of the Code are particularly relevant to relations between Members:

- (a) paragraph 3(1) of the Code:
"You must treat others with respect"
- (b) paragraph 5 of the Code:
"You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute."

4. POLITICAL DIFFERENCES AND PERSONAL CRITICISM

4.1 This Protocol is not intended to restrict or discourage legitimate, political debate. However, it is also in the interests of local people that there is a working relationship between Political Groups. That working relationship will be assisted if it is supported by a clear set of guidelines and it is these that this Protocol is intended to provide. The relationship between the Political Groups will also be supported if all Members adhere to high standards of courtesy and mutual respect in their dealings with one another.

- 4.2 As with their relations with officers in their dealings with fellow Members, it is important that robust debate of the issues at stake does not deteriorate into personal criticism of another person who holds a different point of view. Courtesy and civility must be maintained at all times.
- 4.3 Members' integrity should not be questioned in public in any media nor should they be subject to any name-calling or abuse. Questioning a fellow Member's integrity is a particularly serious matter and must never occur unless there is very clear documentary evidence to substantiate any allegation made, and even in these circumstances it will rarely be appropriate to question a Member's integrity publicly without first pursuing other established procedures which are available for the investigation of allegations of ethical misconduct. The principles contained in this paragraph must be adhered to in meetings of the Council, the Cabinet and any Committee meeting, or any other meeting at which members of the public or third parties are present. This principle must also be observed in all dealings with the press and other media which should not under any circumstances be used to undermine or personally criticize fellow Members whether or not those Members are named or identified in any press or other media article or briefing.

5. RELATIONSHIPS BETWEEN NEIGHBOURING WARD MEMBERS

- 5.1 Members contacted by a constituent of a Fellow Member's ward should refer the constituent to the appropriate Ward Member unless:
- (a) the Ward Member is absent or otherwise unable to deal with the query. In such cases the Members should ensure that the matter is referred to the Ward Member as soon as possible; or
 - (b) the Ward Member has expressly consented.
- 5.2 Members should not hold surgeries or open sessions within the ward of a Fellow Member unless that Member has given prior express consent to the proposal. This provision shall not apply in the six weeks before a District Council election.

6. MEETINGS BETWEEN GROUP LEADERS

- 6.1 The Leader of any Group may request a meeting with the other Group Leader(s) (or Deputy Group Leader(s) in cases where the issue relates to a complaint/concern about a Group Leader) at any reasonable time to discuss issues relating to current and/or forthcoming Council business.

The Group Leaders will use all reasonable endeavours to meet as soon as is reasonably practicable thereafter.

- 6.2 Group Leaders may invite a fellow Member to be present at these meetings. Actions agreed at these meetings will be minuted or otherwise recorded (unless the Group Leaders agree otherwise). The record of the meetings may be made by an officer appointed by the Monitoring Officer who, if not present for the whole meeting, will be invited in to record the agreed outcomes and actions.
- 6.3 These provisions may all be varied by agreement between the Group Leaders.

7. MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

- 7.1 This is covered in the Council's Constitution in the Access to Information Procedure Rules and in the Member- Officer Protocol.
- 7.2 Members may share with other Members of the Council (but not third parties) exempt information unless expressly prohibited from doing so by the person or body providing the information, but must ensure that any recipient Member is aware that the information may not be disclosed to any party outside the Council (see paragraph 8.3 below).

8. WHEN THINGS GO WRONG

- 8.1 From time to time the relationship between Members may break down or become strained. Whilst it will always be preferable to resolve matters informally through conciliation, if necessary by the Group Leaders, this is not always possible. Where this is the case, and a Member considers that another Member has acted in breach of this Protocol, the following procedure will be followed.
- 8.2 If attempts at resolving matters informally have not been successful where a Member considers that another Member has acted in breach of this Protocol, the following procedure will be followed:-
 - (a) the Member must make a written complaint to the other Member and copy that complaint to Group Leaders. This must specify all incidents that the complainant intends to raise and set out the alleged breach of this Protocol;

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- (b) the Member who has been complained about shall (within 10 working days) respond in writing to the complainant and copy that response to Group Leaders;
 - (c) Group Leaders shall (within 10 working days (or as soon thereafter as is reasonably practicable)) meet to discuss the complaint. If they both consider that the complaint is unreasonable, frivolous, or vexatious, that shall be the end of the matter. If they both consider that the complaint is of a purely technical or minor nature, they may invite the Member who has been complained against to make a written apology, in a form (and within a timescale) agreed between the Group Leaders. Once that apology has been made that shall be the end of the matter unless the Member subsequently acts in a manner at variance with that apology;
 - (d) if either Group Leader considers the complaint is of a more serious nature than mentioned in the previous paragraph, or if the Member complained against fails to give the requisite apology, the Group Leaders shall agree a suitable course of action;
 - (e) both the Complainant and the Member complained about shall be advised in writing by the Group Leaders of their decision;
 - (f) a Complainant may at any time withdraw a complaint by notice in writing to the other Member and copy that notice to Group Leaders.
- 8.3 Exceptions may be made to the procedures outlined in paragraphs 7.2 above if to do otherwise would conflict with the Council's policy on "Whistle blowing" or potentially prejudice a criminal investigation (whether in progress or reasonably contemplated in the future).