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**Meeting of the Cabinet - 27<sup>th</sup> June, 2019**

**Report of the Chief Executive**

**Member Officer Charter**

**Purpose**

1. To endorse the adoption of the Member Officer Charter, initially on a pilot basis, subject to annual review as part of the Constitution.

**Recommendations**

2. That the Council be recommended to adopt the Member Officer Charter on a pilot basis subject to consideration as part of the Annual Review of the Constitution in November, 2019.
3. That, subject to the above, the Member Officer Charter be incorporated in the Constitution to replace the former Protocol on Member/Officer Relations.

**Background**

4. Dudley Council engaged in a Corporate Peer Challenge in February 2017. This involved a team of elected Members and Officers from Councils from across the country visiting Dudley, reviewing documentation and meeting Members and Officers to assess Dudley Council against a number of key lines of enquiry. A report on the [Local Government Association \(LGA\) Peer Review](#) was considered by the Overview and Scrutiny Management Board on 28<sup>th</sup> November, 2018.
5. One of the recommendations made by the Peer Challenge Team was that the Council 'reset' Member Officer relationships. This involved a review of the existing Member Officer Protocol as set out in Part 6 of the Council's Constitution. This document was adopted by the full Council on 18<sup>th</sup> July, 2005. The document is largely unchanged since then.
6. Following the Peer Challenge, the LGA provided an elected Member and Senior Officer from other Councils to facilitate three workshops for elected Members and Officers to explore collaborative working and constructive challenge and to start a conversation about how to improve arrangements. These workshops highlighted a need for a broader understanding of the differing roles and perspectives of elected Members and Officers. The report from the LGA on the outcome of these workshops recommended the development of an updated Member Officer Charter which is simple, visible and meaningful, and provides a clear statement of expectations. The report suggested that the Member Development Steering Group was an important forum to drive forward this change.

7. In December 2017, Cabinet Members, Group Leaders and Corporate Board approved the recommendation that the Member Development Steering Group be tasked with revising the existing Member Officer Protocol and developing a Member Officer Charter. It was agreed that the membership of the Member Development Steering Group would be expanded to include a Chief Officer from each Directorate, to enable the Charter to be 'co-designed' by Members and Officers.
8. It was proposed that a Member Officer Charter "on a page" be developed making clear reference to links with the Council's Values and Behaviours Framework. Once agreed it was proposed that this document would demonstrate our shared commitment to the Council's values and behaviours.

**Progress in developing a Member Officer Charter**

9. During the period of the development of the Charter, the Councillor membership of the Member Development Steering Group has changed in line with amended political portfolios and roles. Officer membership has stayed the same.
10. The Member Development Steering Group has involved the following people since January 2018 when this work began

Members	Officers
Cllr R Harris	D Harkins
Cllr L Taylor	I Newman
Cllr A Millward	H Martin
Cllr N Barlow	S Griffiths
Cllr C Barnett	M Johal
Cllr M Hanif	R Jones

The Cabinet Member for Partnerships, Commercial and Best Practice has provided leadership of the Member Officer Charter.

11. The Member Development Steering Group agreed the principles and a process for the development of the draft Charter, agreeing that it would:
  - Be co-designed by Members and Officers
  - Be designed to be relevant and 'owned' by both Members and Officers
  - Be a high level one page summary
  - Be based on the Council's Values and Behaviours
  - Set out in a positive way the way the relationship between Members and Officers should be
  - Make clear the different roles of Members and Officers.

12. A workshop session was held to begin the process of developing a Charter using an appreciative enquiry approach. Members and Officers shared examples of when the relationship between Members and Officers was exemplary. Discussing what made the relationship good in these examples, statements were developed for each of the Council's Values. These were fed-back to the Group and captured. At a second session, the outcome of the workshop was discussed and refined by the Group, so that all Members and Officers present agreed with the wording of the draft Charter.
13. It was agreed that the effectiveness of the Charter would depend on the 'buy-in' and commitment of Members and Officers. Therefore it was agreed that wider engagement should take place with political groups and Officers. As part of this engagement, a meeting was held with the former Independent Councillor and an offer was made for a discussion at the two political groups.
14. The draft version of the Charter was discussed at Wider Corporate Board and was jointly presented by a Member and Officer at the Leadership Forum, comprising leaders and managers employed by the Council.
15. At its meeting on 3<sup>rd</sup> October, 2018, the Member Development Steering Group agreed to undertake further engagement with Members and Officers on the draft Charter.
16. On 22<sup>nd</sup> January, 2019, the Steering Group further refined the Charter based on feedback from Members and Officers. Two versions of the draft Charter were presented to political group meetings on 14<sup>th</sup> February, 2019 with feedback from both groups that the circular version of the Charter was preferable as shown in Appendix 1.
17. The Group agreed that the Charter would be designed to have a version online and be 'clickable'. When each statement is clicked on, there will be further detail as shown in Appendix 2. These statements have been developed through further engagement with elected Members and Officers and will negate the need for the Council to have a separate Member Officer Protocol in the Constitution.
18. The Member Development Steering Group agreed the following steps which were endorsed by political groups on 14<sup>th</sup> February, 2019:
  - Presentation and discussion of the draft Member Officer Charter at the Overview and Scrutiny Management Board.
  - Drop in sessions for Members and Officers on 4<sup>th</sup> April, 2019 to give Members and Officers the opportunity to comment on the draft Charter and contribute to the development of specific behaviours for the 'clickable' statements.
  - A final draft of the Charter and specific behaviours to be produced in June, 2019 for approval by Corporate Board and the Cabinet.

19. On 26<sup>th</sup> March, 2019, the Overview and Scrutiny Management Board considered a report on the Member Officer Charter. The minutes of that meeting are available on the [Committee Management Information System](#). The comments made by the Board have been considered as part of the development of the Member Officer Charter and the future electronic 'clickable' version of the Charter. In particular, the Charter will be introduced on a 'pilot' basis, with the subject of ongoing review as part of the Council's Constitution.

### **Finance**

20. The development of the Charter is being undertaken within existing resources.

### **Law**

21. The Member Officer Charter complements the Member Code of Conduct which is adopted under the provisions of the Localism Act 2011.

### **Equality Impact**

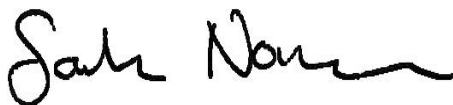
22. The Charter reflects commitments to equality and diversity as reinforced in values and behaviours and the Member/Employee Codes of Conduct.

### **Human Resources/Transformation**

23. There is evidence that good relationships at work contribute to overall job satisfaction and in turn attendance and productivity.

### **Commercial Implications**

24. Working arrangements between Councillors and Officers are set in the context of the overall Council Plan objectives, which includes maximising value from procurement, delivering social value and developing a commercial focus.



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**Sarah Norman**  
**Chief Executive**

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### **Background Documents**

[Local Government Association Peer Review Report](#)