

<b>Standards Committee</b>	
<b>Meeting Date</b>	23 September 2025
<b>Report Title</b>	<b>Member-officer protocol</b>
<b>EMT Lead</b>	Robin Harris - Monitoring Officer
<b>Head of Service</b>	
<b>Lead Officer</b>	
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<p>The standards committee is recommended to:</p> <ol style="list-style-type: none"> <li>1. <b>Consider</b> whether the protocol at Appendix I remains fit for purpose and if not, propose amendments to the form, substance and structure.</li> <li>2. <b>Delegate</b> authority to the Monitoring Officer to make any amendments to the text in consultation with the Chairman of the Standards Committee and for a further review of the protocol.in 12 months time.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report asks the Standards Committee to review the operation of the Member Officer Protocol in accordance with the direction of Full Council when the protocol was adopted on 3<sup>rd</sup> April 2024.

## 2 Background

- 2.1 Most councils' constitutions include a member/officer protocol setting out the respective roles of members and officers and providing some elementary regulation of the relations between members and officers. Until last year, Swale Council did not have such a protocol, notwithstanding that the Council's code of conduct made reference to one.
- 2.2 Work commenced on a member/officer protocol for Swale Council in 2022 and a final draft went to Standards Committee in December 2023, who recommended the document to Full Council for adoption.
- 2.3 Full Council agreed the adoption of the protocol on 3<sup>rd</sup> April 2024, however, following its adoption, there was immediately a request for some minor amendments to improve the clarity and consistency of the document. These amendments were agreed in December 2024 and the document was published at the beginning of 2025. As such, while the protocol was adopted some 17 months ago, in practice, the protocol has been in operation for less than 9 months.

- 2.4 There have been limited opportunities to test the protocol in the operative period, it being relevant only for code complaints between Swale Members and Officers and not to complaints regarding Parishes, or between Members, or made by members of the public.

### 3 Proposals

- 3.1 The intention of Council was for the protocol to be reviewed in relation to its operation in real world circumstances. This is not practical at the present time, due to there being insufficient data to draw meaningful conclusions from.
- 3.2 Therefore the Standards Committee is presently asked to: **Consider** whether the protocol at Appendix I remains fit for purpose and if not, propose amendments to the form, substance and structure.
- 3.3 **Delegate** authority to the Monitoring Officer to make any amendments to the text in consultation with the Chairman of the Standards Committee and for a further review of the protocol in 12 months' time.

### 4 Alternative Options Considered and Rejected

- 4.1 There is no legally mandated format for these protocols, so the specific content is for Swale's members and officers to agree.

### 5 Consultation Undertaken or Proposed

- 5.1 Prior to its adoption, the protocol has been before the standards committee, all staff and the trade union.

### 6 Implications

Issue	Implications
Corporate Plan	The idea of a member/officer protocol supports the council's fourth priority of 'Renewing local democracy and making the council fit for the future'.
Financial, Resource and Property	No implications identified at this stage.
Legal, Statutory and Procurement	There is no legal obligation to adopt a member/officer protocol, but equally there are no specific legal constraints on what a protocol can cover.

Crime and Disorder	No implications identified at this stage.
Environment and Climate/Ecological Emergency	No implications identified at this stage.
Health and Wellbeing	No implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified at this stage.
Risk Management and Health and Safety	No implications identified at this stage.
Equality and Diversity	No implications identified at this stage.
Privacy and Data Protection	No implications identified at this stage.

## **7 Appendices**

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Published Member/Officer Protocol

## **8 Background Papers**

- 8.1 Report to Full Council of 3<sup>rd</sup> April 2024  
8.2 Report to Standards Committee of 18<sup>th</sup> December 2023