

# Protocol for Member and Officer Relations

## 1. Introduction

- 1.1 The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another in a way that promotes openness and propriety and secures impartiality in the provision of Officer advice and the management of services.
- 1.2 Given the variety and complexity of such relations, this Protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues that most commonly arise. It is hoped, however, that the approach that it adopts to these issues will serve as a guide to dealing with other circumstances.
- 1.3 The Protocol should be read in conjunction with the Members' and Officers' Codes of Conduct, the Council's Constitution, and any guidance issued by the General Purposes Employment Appeals & Ethics Sub-Committee and/or Monitoring Officer.

## 2. The Role of Officers and Members in general

- 2.1 Members and Officers are servants of the public and they are indispensable to one another, but their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. As employees of the Council, the Chief Executive, Directors, Heads of Service and other senior managers have overriding responsibility to the Council as a whole and not to any party political group. Their job is to give advice to Members and the Council, and to carry out the Council's work under the direction and control of the Council, its Cabinet, Committees and Sub-committees.
- 2.2 It is the duty of the Chief Executive, Directors and other senior Managers to arrange matters so that their employees properly understand the roles of Members and Officers and the relations between them.

## 3. The Role of Members

- 3.1 Members have a number of roles and need to be alert to the potential for conflicts of interest that may arise between the roles. Where such conflicts are likely, Members may wish to seek the advice of senior colleagues, the relevant senior Officer(s), and/or the Monitoring Officer.
- 3.2 Collectively, Members are the ultimate policy-makers determining the core values of the Council and approving the authority's policy framework, strategic plans and budget.
- 3.3 Members represent the community, act as community leaders, and promote the social, economic and environmental well-being of the community, often in partnership with other agencies.
- 3.4 Every elected Member represents the interests of, and is an advocate for, his/her ward and individual constituents. He/she represents the Council in the ward, responds to the concerns of constituents, meets with partner agencies, and often serves on local bodies.

- 3.5 Some Members have roles relating to their position as members of the Cabinet, Overview and Scrutiny committee, or other committees and sub-committees of the Council.
- 3.6 The Leader, Deputy Leader and Cabinet Portfolio Holders have individual delegated powers. They may determine matters within their Portfolios but implementation of their decisions is the responsibility of Officers.
- 3.7 As politicians, Members may express the values and aspirations of the party political groups to which they belong, recognising that in their role as Members they have a duty always to act in the public interest.
- 3.8 Members are not authorised to instruct Officers other than:
  - (a) through the formal decision-making process;
  - (b) to request the provision of consumable resources provided by the Council for Members' use;
  - (c) where staff have been specifically allocated to give support to a Member or group of Members.
- 3.9 Members are not authorised to initiate or certify financial transactions, or to enter into a contract on behalf of the Council.
- 3.10 Members must avoid taking actions that are unlawful, financially improper or likely to amount to maladministration. Members also have an obligation under their code of conduct to have regard, when reaching decisions, to any advice provided by the Monitoring Officer or the designated S151 Finance Officer.
- 3.11 Members must respect the impartiality of Officers and do nothing to compromise it, e.g. by insisting that an Officer change his/her professional advice.

#### **4. The Role of Officers**

- 4.1 Officers are responsible for giving advice to members to enable them to fulfil their roles. In doing so, Officers will take into account all available relevant factors.
- 4.2 Under the direction and control of the Council (including, as appropriate, the Cabinet, committees and sub-committees), Officers manage and provide the Council's services within the framework of responsibilities delegated to them. This includes the effective management of employees and operational issues.
- 4.3 Officers have a duty to implement decisions of the Council, the Cabinet, committees and sub-committees which are lawful, and which have been properly approved in accordance with the requirements of the law and the Council's Constitution.
- 4.4 Officers have a contractual and legal duty to be impartial. They must not allow their professional judgement and advice to be influenced by their own personal views.
- 4.5 Officers must assist and advise all parts of the Council. They must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions.

- 4.6 Officers must be alert to issues that are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.
- 4.7 Officers have the right not to support Members in any role other than that of Member, and not to engage in actions incompatible with this protocol. In particular, there is a statutory limitation on Officers' involvement in political activities.

## **5. The Relationship between Members and Officers: General**

- 5.1 The conduct of Members and Officers should be such as to instil mutual confidence and trust. The key elements are recognition of and a respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately.
- 5.2 Informal and collaborative two-way contact between Members and Officers is encouraged. But personal familiarity can damage the relationship, as might a family or business connection.
- 5.3 Members and Officers should inform the Monitoring Officer of any relationship which might be seen as unduly influencing their work in their respective roles.
- 5.4 It is not enough to avoid actual impropriety. Members and Officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, a Member should not sit on a body or participate in any decision that directly affects the Officer on a personal basis.
- 5.5 All Members of the Council have a right of access to the Chief Executive, Directors and other senior Managers for information, consultation, advice or service requests. Where a Member requires information, it will be provided if it is readily available, for example, in Committee reports, background papers or material published on behalf of the Council. The Chief Executive, Directors and Heads of Service are free to give advice on a confidential basis about procedural matters or any other issue concerning the workings of the Council to any Member.
- 5.6 Members and Officers need to respect each others' roles and duties. The Chief Executive and other Officers are responsible for day-to-day management and operational decisions in which it is not appropriate for Members to intervene.
- 5.7 Because the Chief Executive, Directors and Heads of Service are employees of the whole Council, they are unable to take instructions from individual Members. Naturally, however, all Officers will treat Member requests for information, consultation or service very seriously. Such requests will be accommodated wherever possible by the normal operation of Officer discretion and delegated authority but in some cases it may be impossible or inadvisable to comply. In such circumstances it may be necessary for the matter to be the subject of consultation with the Leader, Deputy Leader, Portfolio Holder or a Chairman of a Committee. The Member making the original request will be

informed and given an opportunity to amend or withdraw his/her proposal before such a consultation takes place.

- 5.8 Should a request by a Member for information, consultation or a particular service not be accepted by the Officer concerned, the Officer shall explain the reasons. If dissatisfied, the Member will have the right to request that the Officer seeks the instructions of the Leader, Deputy Leader, Portfolio Holder or a Chairman or a Committee on this matter.
- 5.9 Officers work to the instructions of their senior Officers, not individual Members. It follows that, whilst such Officers will always seek to assist a Member, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is purely to seek factual information, Members should normally direct their requests and concerns to a senior Officer, at least in the first instance.
- 5.10 Officers will do their best to give timely responses to Members' enquiries. However, Officers should not have unreasonable requests placed on them. Their work priorities are set and managed by senior managers. Members should avoid disrupting Officers' work by imposing their own priorities.
- 5.11 Members will endeavour to give timely responses to enquiries from Officers.
- 5.12 Members and Officers should respect each other's free (i.e. non-Council) time.

## **6. Cabinet Members, Chairmen and Officers.**

- 6.1 The Chief Executive, Directors and Heads of Service are nevertheless expected to work closely with the Leader, Deputy Leader, Portfolio Holders and Chairmen of Committees, which will involve the frequent provision of information, assistance, and advice to the majority political group. However this should never be allowed to bring into question the Officers' ability to deal impartially with other Members and other party groups, nor to undermine public trust and confidence in the Council.
- 6.2 Subject to maintaining their position as politically neutral, the Chief Executive, Directors and Heads of service will provide support to and may develop a close working relationship with the leadership of the majority group and will not without consent disclose to any minority group any matters disclosed by that leadership.
- 6.3 Similarly, the Chief Executive, Directors and other senior Managers will provide support to, and may develop a close working relationship with, the leadership of any minority group and will not without consent disclose to any other political group any matters disclosed by that leadership.
- 6.4 Whilst the Leader, Deputy Leader, Portfolio Holders and Chairmen will routinely be consulted as part of the process of drawing up proposals for consideration or the agenda for a forthcoming meeting, it must be recognised that in some situations an Officer will be under a professional duty to submit a report. Similarly, a Head of Service or other senior Officer will always be fully responsible for the contents of any report submitted in his/her name.

- 6.5 If a report is written in an Officer's name, it remains the Officer's report and, even if a Member is unhappy with its contents, it should not be amended other than with the express approval of the Chief Executive, relevant Corporate Director or Head of Service. Where a Portfolio Holder wishes to suggest an alternative course of action to that proposed by the Officer, then the Officer's report will reflect that position as an alternative option albeit not one recommended by the Officer. Members should not interfere with the day-to-day work of Heads of Service and their staff.
- 6.6 In relation to action between meetings, it is important to remember that the law only allows for decisions (relating to the discharge of any of the Council's functions) to be taken by the Leader, Deputy Leader, Portfolio Holder, the Cabinet, a Committee, a Sub-Committee or an Officer. The law does not allow for such decisions to be taken by a Chairman of a Committee or the Mayor or indeed by any other single Member.
- 6.7 Decisions taken by Portfolio Holders give rise to legal and financial obligations in the same way as decisions taken collectively. Therefore, Portfolio Holders should always be aware of legal and financial liabilities that will arise from their decisions.

## **7. Overview and Scrutiny Members and Officers**

- 7.1 The Chairman and other leading Overview and Scrutiny members shall maintain regular contact with the Officer(s) providing the principal support to the Overview and Scrutiny function. In consultation with the chairman, it shall be the responsibility of the latter to ensure that those who need to know of matters being considered or for possible future consideration are so informed.
- 7.2 An Overview and Scrutiny committee or its Chairman acting on its behalf may require Officers to attend overview and scrutiny meetings. Members should not normally expect junior Officers to give evidence. All requests should be made to senior Officers in the first instance.
- 7.3 When making requests for Officer attendance, Overview and Scrutiny members shall have regard to the workload of Officers.
- 7.4 It is recognised that Officers required to appear before an Overview and Scrutiny committee may often be those who have advised the Cabinet or another part of the Council on the matter under investigation. Where this is the case, there may be circumstances where it is considered appropriate for research and advice to be sought elsewhere – from other Council Officers or externally.
- 7.5 Subject to the above, Officers should be prepared to justify advice given to the Council, the Cabinet, or other committees and sub-committees even when the advice was not accepted.
- 7.6 Officers must also be prepared to justify decisions they have taken under delegated powers.
- 7.7 In giving evidence, Officers must not be asked to give political views.
- 7.8 Officers should respect Members in the way they respond to Members' questions.

- 7.9 Members should not question Officers in a way that could be interpreted as harassment. Neither should they ask about matters of a disciplinary nature.
- 7.10 Overview and Scrutiny proceedings must not be used to question the capability or competence of Officers. Chairmen and members need to make a distinction between reviewing the policies and performance of the Council and its services, and appraising the personal performance of staff. The latter is not an Overview and Scrutiny function.
- 7.11 Members and Officers need to respect each others' roles and duties. The Chief Executive and other Officers are responsible for day-to-day management and operational decisions in which it is not appropriate for Members to intervene.
- 7.12 In exercising the right to call-in a decision of the Cabinet, Overview and Scrutiny members are advised to seek Officer advice if they consider the decision is contrary to the Council's approved plans, policies or frameworks, or is unlawful.

## **8. Party groups and Officers**

- 8.1 Senior Officers may be asked to contribute to deliberations on matters concerning Council business.
- 8.2 Officers have the right to refuse such requests, and will normally not attend a meeting of a party group where some of those attending are not Members of the Council.
- 8.3 Officer support will not extend beyond providing factual information or professional advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business, and therefore should not be expected to be present at meetings or parts of meetings when such matters are to be discussed. It is however recognised that staff of the Democratic Services Manager provide clerical support to the party groups.
- 8.4 Party group meetings are not empowered to make decisions on behalf of the Council, and conclusions reached at such meetings do not rank as formal decisions. The presence of an Officer confers no formal status on such meetings in terms of Council business and must not be interpreted as doing so.
- 8.5 Where Officers provide factual information and advice to a party group in relation to a matter of Council business, this is not a substitute for providing all the necessary information and advice when the matter in question is formally considered by the relevant part of the Council.
- 8.6 It must not be assumed that an Officer is supportive of a particular policy or view considered at a party group meeting simply because he/she has attended or provided information to the meeting.
- 8.7 Officers will respect the confidentiality of any party group discussions at which they are present and, unless requested to do so by that party group, will not relay the content of such discussions to another party group or to any other members. This shall not prevent an Officer providing feedback to other senior Officers on a need-to-know basis.
- 8.8 In their dealings with party groups, Officers must treat each group in a fair and even-handed manner.

- 8.9 Members must not do anything which compromises or is likely to compromise Officers' impartiality. They should not be asked to play any role or undertake any task which is likely to prejudice that neutrality, or make it difficult for them to serve a different majority political party at some future time in the life of the authority.
- 8.10 The duration of an Officer's attendance at a party group meeting will be at the discretion of the group, but an Officer may leave at any time if he/she feels it is no longer appropriate to be there.
- 8.11 An Officer accepting an invitation to the meeting of one party group shall not decline an invitation to advise another group about the same matter. He/she must give substantially the same advice to each.
- 8.12 An Officer who is not a senior Officer shall not be invited to attend a party group meeting, but a senior Officer may nominate another Officer to attend on his/her behalf.
- 8.13 An Officer should be given the opportunity of verifying comments and advice attributed to him/her in any written record of a party group meeting.
- 8.14 No Member will refer in public or at meetings of the Council to advice or information given by Officers to a party group meeting.
- 8.15 At party group meetings where some of those present are not Members of the Council, care must be taken **not** to divulge **confidential** information relating to Council business. Persons who are not members are not bound by the Members' Code of Conduct. They do not have the same rights to Council information as Members.
- 8.16 Any particular cases of difficulty or uncertainty in relation to this part of the protocol should be raised with the Chief Executive and the relevant party group leader.

## **9. Support Services for Members**

- 9.1 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photo-copying, transport etc) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity or for private purposes.

## **10. Meetings**

- 10.1 When presenting reports to a Committee, Officers should assume that Members have had sufficient time to consider the written material and will therefore keep their presentation short and to the point, focusing on the determining issues only and the recommendation. Officers have a duty to answer questions at the Cabinet or Committee and to advise Members on the implications of any particular actions, including the consequences of not accepting the Officer recommendation.
- 10.2 At the Cabinet and in Committee, Members will naturally consider the advice of Officers both in the main report and on any matter arising out of debate but it is, ultimately, the responsibility of Members to formulate a decision, having regard to the advice provided and any other considerations material to the issue. Once a lawful

decision has been taken – irrespective of whether it supports the Officer recommendation or not – it is the duty of Officers to: assist Members in articulating that decision (planning grounds of refusal, for example); treat that decision as an instruction; give it their full support; and, implement it accordingly. It is also the duty of Officers to promote and defend such decisions as the policy and proper action of the Council through all forms of media.

- 10.3 Officers will make themselves available for a Member level briefing before the report goes to the Cabinet or relevant Committee.

## **11. Involvement of Ward Members**

- 11.1 Ward Members should be kept informed and consulted on relevant matters affecting their ward, i.e. on planning, licensing and other relevant matters. In the case of public meetings in a particular locality, the Ward Member will normally be invited to attend and could normally expect to be consulted on any form of consultative exercise on local issues.
- 11.2 Whenever a Member is invited to attend such a meeting, or any seminar, or conference or any ceremonial event, the Member will, at the same time, be informed as to whether they are entitled to claim any travelling or subsistence allowance.
- 11.3 So far as decision-making is concerned, a Member remains accountable to the whole electorate and must make a personal decision on matters. Members need to balance the interests of the electorate as a whole, including those members of the public who did not vote for them.
- 11.4 Members should also be mindful of the Planning Code of Practice.

## **12. Correspondence**

- 12.1 Official letters from the Council on day-to-day matters should normally be sent out in the name of the appropriate Officer rather than a Member. It may not be appropriate in certain circumstances (eg. representations to a Government Minister, or where the Leader and Portfolio holders are responding to letters specifically addressed to them); however this would be the exception rather than the norm. Letters that create obligations or give instructions should not be sent out in the name of a Member.

## **13. Members' Access to Documents and Information**

- 13.1 The rights of access to information by Members is a complex mix of legislation available to Members and the public alike, legislation specific to local government and "common law rights" given to Members by the Courts. The information set out below is a summary and further details can be obtained from the Head of Legal and Democratic Services.
- 13.2 For general rights of access available to the public, see Part 4 'Access to Information Procedure Rules' of the Constitution.

13.3 The law relevant to access to information by Members includes the following:

- (a) **The Freedom of Information Act 2000** (FOIA). This makes non-personal information freely available to all, with only limited exceptions. The Council's Publication Scheme sets out most of the Council's published material and can be located on the Council's website. If the information required is in the Scheme it can be accessed without any further reference to the Council. There are some exemptions and full details can be obtained from the Head of Legal and Democratic Services.

In the event the information required cannot be accessed via the Publication Scheme the following provisions need to be considered.

- (b) **The Data Protection Act 1998** (DPA). This relates to personal information, and generally makes this non-disclosable except in certain circumstances. Therefore if the information required relates to an identified living individual the DPA applies.

Members have the same rights as Council employees to access personal information.

The Council has a duty to ensure that personal information disclosed to Members using the above procedures is used strictly for the purposes for which it is disclosed and that Members will keep the information secure and confidential (and then dispose of in a similarly careful manner). Officers will automatically assume that Members will treat personal information in this way.

- (c) **Access to Information provisions of the Local Government Act 1972**, as amended. This gives the public access to Committee Minutes and Agendas, and to background material relevant to those documents.

The recent amendments to these provisions now require a public interest test to be applied before reaching a decision as to whether information remains confidential. This is as a result of the FOIA.

Full details of these provisions are set out in Part 4 'Access to Information Procedure Rules' of the Council's constitution.

- (d) **"Common Law Rights"** (derived from Court judgements) give Members the right to inspect Council documents insofar as this is reasonably necessary to enable a Member to perform his/her duties as a Member – this is known as the "need to know" basis.

13.4 Some general points regarding access to information:

- (a) Members do not have any right to "a roving commission" through Council documents – mere curiosity is not sufficient.
- (b) Material from Legal Services (where Legal Services is providing legal advice to one of its in-house clients at the Council) may be non-disclosable due to legal professional privilege.
- (c) Information supplied under the DPA must not be used or disclosed for political purposes.

- (d) Requests for information under the control of Officers should normally be made to the relevant Head of Service.
- (e) Requests for information under the control of the Leader and Cabinet should normally be made to the Leader and/or the relevant Portfolio Holder.
- (f) Members must not put undue pressure on Officers to release information to which the Member is not entitled to have access.
- (g) Should a Head of Service need advice as to whether information can be released to a Member he/she should contact the Head of Legal & Democratic Services and/or the Data Protection Administrator.
- (h) Once a matter has reached the stage where it is before the Cabinet or a Committee, then members of the Cabinet or that Committee will have a “need to know” all relevant information; and other Members are be able to use the usual Access to Information provisions.
- (i) The additional access to information rights given to Members are to allow them to do their jobs as Members. Confidential or exempt information should only be used in appropriate circumstances, in accordance with the proper performance of their duties as Members. Information should only be passed between Members if both Members can demonstrate a “need to know”.
- (j) Any complaints by a Member about the non-disclosure of information should be made in writing to the Chief Executive (or, in his absence, a Corporate Director) whose decision (after advice has been taken from both the Head of Legal & Democratic Services and also from the Head of Service concerned) shall be final as far as the Council is concerned.
- (k) . However, if the Member remains dissatisfied, the Member can refer the matter to the Information Commissioner.

## **14. Complaints**

14.1 If a Member is dissatisfied with the conduct of an Officer, the procedure below should be followed:

- (a) The matter should be raised in the first instance, in confidence, by the Member with the Officer’s Head of Service/Corporate Director who will carry out an investigation. If it is found that there is no case to answer then the Member and Officer will be informed accordingly.
- (b) If it is found that there is a case to answer, depending on the nature of the allegation, the Head of Service/Corporate Director may decide that the matter can be dealt with by an informal reprimand or counselling when the required standard will be emphasised. This will be undertaken on a one to one basis within ten working days of receiving the complaint and will not form part of the disciplinary procedure;
- (c) The Head of Service/Corporate Director will confirm to the Member concerned that appropriate action has been taken;

- (d) Where such informal action has been ineffective or is considered inappropriate, formal action will be taken by management in accordance with the Council's Disciplinary Procedure.
- (e) The Member making the allegation will be interviewed as part of the investigation and will be required to put their allegation in writing to the investigating Officer. The Member may also be required to attend a disciplinary hearing as a witness.
- (f) Following the disciplinary hearing, the Member will be informed, in general terms and on a confidential basis, of the action taken against the Officer. The decision of the manager hearing the case is final and the Member will have no recourse to further action unless the misconduct continues. In such cases the matter should be referred again to the appropriate Head of Service/Corporate Director.
- (g) The Officer concerned has the right of appeal against the disciplinary action. If an appeal hearing is to be held, the Member may be required to attend as a witness.
- (h) During the process Members should:
  - (i) avoid personal attacks on or abuse of the Officer at all times;
  - (ii) ensure that their allegations are well founded and constructive;
  - (iii) never criticise the Officer in public; and
  - (iv) treat the process of resolving the matter as confidential.
- (i) The Head of Service/Corporate Director will brief the Chief Executive of action taken pursuant to paragraph (b) or (d) and the Chief Executive will in turn brief the Leader of the Council or the Leader of the Minority Group as appropriate.

14.2 A complaint by an Officer against a Member should be made as follows:

- (a) Informal Discussion.
  - (i) The matter should be raised in the first instance with the appropriate Head of Service/Corporate Director.
  - (ii) The Head of Service/Corporate Director and the Officer will discuss the issue with the Chief Executive. An employee may be accompanied by a work colleague or a Trade Union representative.
  - (iii) The Chief Executive will discuss the matter with the appropriate Group Leader. Every attempt will be made to resolve the matter satisfactorily on an informal basis within ten working days.
  - (iv) The Chief Executive will inform the Head of Service/Corporate Director and Officer of the outcome.
  - (v) If the matter is not dealt with to the satisfaction of the Officer then the formal procedure should be entered into.

- (b) Formal – Stage 1.
  - (i) If the matter has not been resolved through informal discussion, the Officer should raise the matter with their Head of Service/Corporate Director in writing on the form provided.
  - (ii) The form will then be passed to the Chief Executive who will discuss it with the Leader of the Council and the appropriate Group Leader and arrangements will be made to hold a hearing with the Chief Executive, Group Leader, the Member concerned and their representative (who must be a member of the Council, no other representative will be permitted) and the Officer concerned who may be accompanied by a work colleague or a Trade Union representative.
  - (iii) The Chief Executive will give a confidential briefing on the matter to the Leader of the Minority Group in the event that he or she is not involved in the process.
  - (iv) The hearing will be conducted in accordance with the Council’s Grievance Procedure.
  - (v) Advisers to the Chief Executive/Group Leader will attend as appropriate.
- (c) Formal – Stage 2.
  - (i) If the matter has not been resolved at Stage 1 it will be open to the Officer to make a formal complaint to the General Purposes Employment Appeals and Ethics Sub-Committee. Advice on how to do this will be provided by the Council’s Monitoring Officer. **NB:** Implementation of Stage 1 above will be dependent on the Member concerned being willing to co-operate under the procedure.

14.3 Officers should avoid making personal attacks on Members, and vice versa. Both Officers and Members should ensure that they demonstrate respect for each other.

## **15. Council Press Releases**

15.1 Officers and Members are reminded of the need to comply with the requirements of the Local Government Act 1986 and the Code of Recommended Practice on Local Authority Publicity (which prohibit authorities from publishing any material which appears to be designed to effect public support for a political party). Publicity should not be used as a means to publicise individual Members, except where they are acting to represent the Council as a whole.

## **16. Ceremonial events**

16.1 The Mayor, or in his/her absence the Deputy Mayor, will be the appropriate person to lead Council ceremonial events, which are of particular significance or are not specifically associated with a particular Portfolio or Committee. Similarly, the Mayor, or in his/her absence the Deputy Mayor, will be the appropriate person to represent the Council at ceremonial events of other organisations, which are not specifically associated with a Portfolio or a particular Committee.

- 16.2 Subject to the above, the Leader, Deputy Leader and Portfolio Holders are the appropriate representatives for ceremonial events within the scope of their Portfolios. Where the Leader, Deputy Leader or a Portfolio Holder, will not be available, the Leader, Deputy Leader or Portfolio Holder may nominate another Member.
- 16.3 Any Member taking part in a ceremonial event must not seek disproportionate personal publicity, or use the occasions for party political advantage, bearing in mind that the Member is representing the Council as a whole.

## **17. Non-Adherence to the Protocol**

- 17.1 Serious breaches of this protocol by Officers should be dealt with under the Council's disciplinary procedures. Breaches by Members may be referred to the relevant Group Leader for consideration and should also be reported to the Chief Executive and the Monitoring Officer.