

Officer & Member protocol

1) Purpose and Legal Framework

This Protocol sets clear expectations for how elected Members and Officers work together in the public interest. It promotes mutual respect, impartiality and effective decision making, and provides practical rules for day-to-day interactions, including hybrid and digital working, media handling, safeguarding, equality, and the pre-election ("purdah") period.

This Protocol reflects:

- LGA Model Councillor Code of Conduct and related guidance on conduct, civility and complaint handling.
- Publicity and pre-election period rules for local authorities (LGA guidance; House of Commons Library briefing).
- Safeguarding: Working Together to Safeguard Children (2023); Care Act 2014 safeguarding duties for adults.
- Equality Act 2010 and the Public Sector Equality Duty (PSED), including EHRC guidance and specific duties regulations.
- Member–Officer Relations Good Practice Guidance (LGA).

This Protocol should be read alongside the Constitution, Codes of Conduct (Members and Officers), Information Governance policies, Whistleblowing, Social Media and Communications policies, and Safeguarding and Equality policies.

2) Principles and Standards of Conduct

The following standards apply to all Member–Officer interactions:

1. Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership (Nolan Principles) and Civility/Respect as reflected in the LGA Model Code.
2. Mutual respect and trust, with clarity of roles and visible leadership—core features of effective relations per LGA good practice guidance.
3. Impartial, evidence-based advice by Officers; constructive challenge by Members; and transparency in decision making.
4. Equality, diversity and inclusion embedded in conduct and decisions, in line with the Equality Act 2010/PSED.
5. Safeguarding first: a shared responsibility to act on concerns about children and adults at risk.

3) Roles and Responsibilities

3.1 Members

- Set policy and budget; represent residents; scrutinise; and champion equality, safeguarding and good governance. Conduct is governed by the locally adopted Code consistent with the LGA Model Code.
- Work through formal decision-making structures and with Officers for advice and implementation (see Section 6).

3.2 Officers

- Provide impartial, professional advice and implement lawful decisions of Council/Cabinet/Committees, maintaining political neutrality.
- Ensure timely, accurate information and escalate risks (legal, financial, safeguarding, equality).

3.3 Statutory Officers

- Head of Paid Service (Chief Executive): overall corporate management.
- Monitoring Officer: lawfulness, ethics, code of conduct and constitutional advice; manages standards complaints processes consistent with LGA guidance.
- Chief Finance Officer (s151): financial propriety and prudence.

4) Behavioural Expectations

1. Respect and Civility: No bullying, harassment, intimidation, discriminatory language or behaviour. Persistent or vexatious conduct, including online, is prohibited under the LGA Model Code.
2. Equality and Inclusion: Members and Officers must have due regard to the PSED when shaping or delivering services, publishing information and setting equality objectives as required by law.
3. Impartiality: Members must not seek to compromise Officers' impartial advice; Officers must not be drawn into political activities.
4. Boundaries: Avoid personal familiarity that could create actual or perceived conflicts; disclose any close relationships that could affect impartiality.

5) Communication and Collaboration Protocols (including Digital/Hybrid)

5.1 General Standards

- Communicate courteously and clearly; respond within agreed service standards.
- Use official @bury.gov.uk channels and council approved platforms (e.g., Teams) for council business to meet security, records and FOI duties.
- Do not share confidential or personal data via personal email, or unapproved channels.

The LGA's good practice stresses clarity of roles, professional boundaries, and the importance of agreed expectations for effective relations—principles that extend to digital collaboration.

5.2 Instant Messaging & WhatsApp style Tools

Do:

- Use approved platforms (Teams/SharePoint) and council email for business; keep records.
- Be courteous, concise, and inclusive; avoid jargon.
- Ensure that where necessary discussions are recorded and action points noted where follow up actions are needed.

Don't:

- Use private emails/direct messaging for confidential council business.
- Circulate personal data casually or outside the "need to know."
- Allow WhatsApp or similar to become a decision forum.

5.3 Remote/Hybrid Meetings

- Apply the same decorum and standards as in person meetings; ensure confidentiality and avoid distractions.
- Respect chairing arrangements and officer advice; ensure accessibility and inclusion.

5.4 Information Governance

- Share only the minimum necessary information; apply classification and encryption where required.
- Report any data incidents immediately, by contacting the Council Data Protection Officer.

6) Decision Making and Governance Relationships

6.1 Cabinet and Officers

- Cabinet Members decide within the Constitution; they must take documented, professional advice (including MO and s151) before decisions are made.

6.2 Overview & Scrutiny and Officers

- Scrutiny may require Officer attendance and information. Questioning must be respectful; scrutiny focuses on policy and performance, not personal capability.

6.3 Committees, Sub Committees and Delegations

- Where committees delegate action “in consultation with the Chair,” the Officer remains the decision maker and is accountable for the action. (Chair cannot direct officers outside formal powers.)

6.4 Ward Work and Local Issues

- Officers should keep relevant ward Members informed on significant matters, consultation and sensitive operations, subject to confidentiality and legal constraints.

7) Safeguarding Responsibilities (Children and Adults)

7.1 Our Shared Duty

- All Members and Officers must recognise and act on concerns about children or adults at risk, following “Working Together” (children) and Care Act (adults) statutory frameworks.

7.2 Principles

- Child centred, whole family approach; strong multi agency working; timely referrals; accurate recording; and escalation when necessary.
- Adults: Section 42 enquiries where an adult has needs for care and support, is experiencing (or at risk of) abuse/neglect, and cannot protect themselves; proportionate, person centred and timely responses.

7.3 Reporting and Escalation

Immediate risk: dial 999.

- Children's concerns: [Bury Multi Agency Safeguarding Hub –].
- Adults' concerns: [Bury Adult Social Care Safeguarding –].
- Duty to share information lawfully when necessary to protect a child or adult at risk; record decisions and rationale.
- Children: Follow Working Together—report to [Bury MASH] if you suspect abuse/neglect; record concerns; escalate if necessary.
- Adults: Consider Care Act s.42 criteria; report to [Adult Safeguarding Team]; keep the person's wishes central; record and escalate.
- Emergency: Call 999. Non-emergency police: 101.
- Training & Contacts:

8) Pre Election (Purdah) and Publicity

8.1 Restrictions

During the pre-election period, specific restrictions apply to publicity, use of council resources, new policy announcements, events and communications. Local authorities must avoid activity that could be reasonably regarded as influencing voters.

8.2 What This Means in Practice

- No political publicity or material referencing candidates/parties in council communications; use neutral officer spokespeople for factual statements.
- Apply the Code of Recommended Practice on Local Authority Publicity (2011) and Section 2 of the Local Government Act 1986—take special care during “heightened sensitivity.”
- If in doubt, consult the Monitoring Officer for guidance.

Key Restrictions and Examples

- No launch of new, contentious initiatives; no political comment in council channels.
- No photos/videos of candidates in council issued content, no supply of council images to campaigns.
- Consider pausing campaigns that touch politically controversial topics; continue only neutral, necessary business (e.g., statutory notices).
- All staff and Members: apply the “reasonable person” test—could this be seen as influencing voters? If yes, stop and seek advice

9) Equality, Diversity and Inclusion (EDI)

9.1 Legal Duties

- Under Equality Act 2010 s.149 (PSED), Bury Council must have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations. Specific duties require publishing equality information and setting measurable objectives.

9.2 Practical Expectations

- Build EDI into reports, appraisals, consultations, commissioning and service design; use proportionate equality analysis and track impacts.
- Model inclusive behaviour in all interactions (meetings, correspondence, online).
- Align with Bury's equalities and diversity training

10) Boundary Management and Conflicts

- Members do not direct individual Officers (outside formal decisions) or attempt to influence recruitment, procurement or casework outcomes.
- Officers do not provide party political advice or participate in political activity restricted by role.
- Declare and manage conflicts of interest; seek Monitoring Officer advice where necessary.

11) Use of Council Resources

- Resources (staff time, equipment, facilities, email, social media) must be used only for council business and not for party political purposes, with particular care in the pre-election period under the Publicity Code.
- Do not request or pressure Officers to undertake tasks outside policy or law (e.g., campaign support, partisan events).

12) Media and Public Communications

- Officers issue factual, neutral communications on council policies/services; Members may speak as portfolio holders or ward Members, being clear in what capacity they are speaking.
- For sensitive topics or live incidents, route through Communications Team; maintain a single, authoritative voice.
- During the pre-election period, apply Section 8 (above) rigorously.

13) Concerns, Complaints and Breaches

13.1 Informal Resolution

- Raise concerns directly and constructively with the individual where appropriate; seek manager and Monitoring Officer support if needed.

13.2 Formal Processes

- Members: Alleged breaches of the Member Code are handled under the standards arrangements led by the Monitoring Officer and dealt with in accordance with the code of conduct complaints handling procedures.
- Officers: Alleged breaches are handled under HR/disciplinary procedures.
- Whistleblowing: Protected disclosures via Council policy.

Review: Every 2 years (next review date due: May 2028)

Supersedes: Section 3 – Protocol on Member and Officer Relations (review date May 2023)