

ANNEXE 1

WAVERLEY BOROUGH COUNCIL OFFICER/MEMBER PROTOCOL

Developing the way that officers and Members work together for the good of the local community

The purpose of this document is to provide guidance and direction in the way that Members and officers interrelate in carrying out the Council's business.

It has been written largely as a statement of current practice, and reflects the requirements of the Council's Code of Conduct.

It seeks to emphasise the clear benefits of ensuring that, from their different roles, Members and officers develop effective and efficient internal working relationships that best serve the collective goal of improving the quality of life in the local community.

In giving guidance and direction, the document should not be seen as being prescriptive. Rather, it should be regarded as the tool that helps ensure that the codes and policies that prescribe activities and behaviours are not compromised or breached.

Those relevant codes and policies are:

- **the Member Code of Conduct**
- **the Waverley Borough Council Constitution**
- **the Waverley Borough Council Code of Corporate Governance**
- **the Officer Code of Conduct including the Addendum to the Code on the Use of IT Facilities;**
- **IT Acceptable use policy**
- **the Council's 'Dignity and Respect at Work' policy and procedures for dealing with Bullying and Harassment at work**
- **the Council's 'Disciplinary and Grievance Procedures' including the special arrangements that apply to the Chief Executive, the Section 151 Officer (Director of Finance) and the Monitoring Officer**
- **the Council's 'Public Interest Disclosure (Whistleblowing)' policy and procedures**
- **the Council's Equal Opportunities in Employment policy statement**

Note: This list is not exhaustive and some documents may be supplemented or replaced from time to time. In addition to this list, officers of the Council are employed to undertake duties that are broadly specified in their individual job descriptions and to achieve targets agreed in the annual staff appraisals.

A copy of the Member Code of Conduct and the Constitution is made available to all Members. Copies of all the other documents are issued to employees of the Council. Members who wish to see any documents may view them on the Council's website

The following guidance will not cover every eventuality but the broad principles included in the document set standards for acceptable behaviour that should fit every eventuality.

For the avoidance of doubt, where there is a conflict between the guidance in these Protocols and any of the codes/policies defined above, compliance with the latter is obligatory. In cases of doubt, the Monitoring Officer will refer to the statutory Waverley Code of Conduct for Members and advice given in accordance with the standards prescribed.

OFFICER/MEMBER PROTOCOLS

1. **Introduction**

This Protocol aims to provide a framework for the maintenance of the complex relationships between Members and officers of the Council. The rules for conduct of business are set out in the Council's Constitution. This protocol gives supplementary guidance.

2. **General Principles Underlying Member/Officer Relations**

Both members and officers should aspire to conduct their relations, at all times, on a professional basis.

Relations must be based on mutual trust, respect and courtesy and neither members nor officers should seek to take unfair advantage of their position.

Close personal relationships between Members and officers, which go beyond professional relationships, can damage professional relationships and can prove embarrassing to other Members and officers. They could also give rise to suspicions of and/or the appearance of improper conduct or behaviour. Such Close personal relationships should, therefore, be avoided.

Officers must, at all times, display political impartiality and Members must, at all times, accept the political impartiality of officers.

Members and officers must have mutual respect for confidentiality where that is important to the relationship and where that does not compromise the duty of officers to serve the public (see Section 3). Officers must make that clear before entering into any confidential discussions with Members.

For the sake of absolute clarity, it should be clearly understood that officers have a contract of employment with the Council as a corporate body and not, as such, with individual Members of the Council.

3. **Role of Members**

Members of the Council are responsible for representing the views of the electorate during the term of their office.

In accordance with the national Code of Conduct, the Officer/Member Protocol, the Monitoring Officer Protocol and the Councillors' Planning Code of Good Practice, and maintaining the highest standards of conduct and ethics, the role of members is to:-

- (i) Collectively be the ultimate policy-makers and oversee a number of strategic and corporate management functions;

- (ii) Represent their communities and bring their views into the Council's decision-making process;
- (iii) Deal with individual casework and act if appropriate as an advocate for constituents in resolving particular concerns or grievances;
- (iv) Balance different interests identified within the ward and represent the ward as a whole;
- (v) Contribute to various forums for decision-making;
- (vi) Be available to represent the Council on other bodies

(as set out in paragraph 2.03 (a) of the Constitution).

In addition Members must have regard to all advice received from officers when making decisions, and they shall not knowingly cause the Council to make unlawful decisions. They shall allow officers to prepare reports and to undertake their work free from political or personal influence.

If a member is ever in any doubt in terms of law, the Code of Conduct and declarations of interest, then the Monitoring Officer should be consulted. The Head of Democratic Services should also be consulted regarding the impact of such matters on the conduct of business as appropriate.

4. 3Role of Officers

Officers of the Council are responsible to the Council as a whole, rather than to any one individual or group of Members, through the management structures approved by the Council. They will provide their services to all members regardless of Members' political affiliations. The officers' roles include:

- Advising the Council on policy matters, implementing Council decisions and ensuring that all relevant factors are brought to members' attention
- Taking day-to-day managerial and operational decisions in accordance with Council policies and priorities and within approved budgets
- Providing professional, technical, legal and general support and advice to members on matters of Council business
- Acting within their sphere of responsibility and accountability (see the Scheme of Delegation)
- Ensuring that members receive advice and information necessary to enable them to make decisions that ensure the Council remains within the legislative framework
- Attend meetings of the Council's Executive and committees as necessary to give reports and advice

- Above all else, to serve the public in good faith and without fear or favour of anyone.

5. Relationship between the Leader of the Council and Officers

When functioning as the Leader of the Council, the Leader will work in close cooperation with the members of the Council's Corporate Management Team in matters related to the corporate direction and functioning of the Council.

In this role, the Leader would not normally deal direct with other officers except when dealing with any other specific portfolio responsibilities that the Leader of the Council may hold.

This also applies to the Deputy Leader of the Council when acting on behalf of the Leader.

6. Relationships between the Leader and Members of the Executive and officers

The Leader works through Portfolio Holders, who work with the Chief Executive and Strategic Directors and their designated Heads of Service, in respect of matters within the Portfolio Holder's brief.

7. Relationship between Chief Executive and Members

Any member may make an appointment to see the Chief Executive. The Chief Executive will consider a member's concerns and will decide the course of action to be followed. This may involve re-directing the member to another officer or referring the matter to another officer to resolve.

8. Relationship between Executive, Special Interest Groups (SIG's) and officers

Officers as necessary and as determined by members of the Corporate Management Team advise SIGs who in turn advise the Executive, through the relevant Portfolio Holder, on matters of policy that have required the establishment of a SIG.

9. Relationship between Portfolio Holders and Officers

Portfolio Holders work closely with and discuss and consult, as they see necessary, with the members of the Corporate Management Team and Heads of Services.

10. Relationships between Chairmen and Vice-Chairmen of Overview and Scrutiny Committees and officers

Overview and Scrutiny Chairmen and Vice-Chairmen work with designated support officers.

The support officers work with members of the Corporate Management Team and Heads of Service in providing advice to Overview and Scrutiny Committees.

All reports to Overview and Scrutiny Committees will be submitted to the Corporate Management Team prior to the Committee.

Overview and Scrutiny Committees may exercise overall responsibility for the work programme of the officers allocated to support their work.

Chairmen and Vice-Chairmen of Overview and Scrutiny Committees may seek advice from the Chief Executive, Strategic Directors, Heads of Service and designated support officers.

11. Relationship between Chairmen and Members of other Committees and Officers

Chairmen of Regulatory Committees may seek advice from the Chief Executive, Strategic Directors or Heads of Service.

12. Officer relationships with Members (Note: Local Government and Housing Act 1989 which introduced politically restricted appointments)

Officers will do work on behalf of all Members fairly and consistently.

It is essential that officers respect confidentiality between Members.

13. Officer relationships with other individuals who are members of Council bodies

This Protocol will apply also to lay or co-opted Members of Committees, SIG's, Working Parties and other groups.

14. Members in their ward role and officers

Members may seek advice from relevant officers on ward matters and, if they wish to do so, may first inform the relevant member of the Corporate Management Team or Head of Service.

Those relevant officers will advise the Chief Executive, departmental Strategic Director or Head of Service as appropriate.

Officers should keep ward Councillors informed of relevant matters affecting their ward.

15. Publicity, Press Releases and other contact with the Media

NOTE: Specific rules governing such activities of members are set out in Section 2 of the Local Government Act 1986 and the Government's Code of Recommended Practice on Local Authority Publicity (published April 2000).

Contact with the media on issues related to Council business is handled through the Head of Communications, who provides support and guidance and training as necessary to members and officers.

Press releases and publicity from officers will not relate to the political views of any group of officers or members.

Officers, in communicating with the media, must restrict their comments to matters of fact and avoid expressing personal opinions on Council policy or political decisions and views expressed by Members.

No Member or officer may be quoted in media and press releases without their specific consent.

Service-specific media issues will be discussed with the relevant portfolio holder.

Wider 'corporate' media issues will be discussed with the Leader (or Deputy Leader in absence of the Leader) unless this cannot be achieved by the press deadline. Where it is not possible, the Head of Communications will advise.

Members may issue their own media releases. However, they must not: -

- Use Council resources for that purpose where the media issue is to publicise an individual Councillor or the views of a political party; and
- Impute or ascribe particular views to officers or otherwise refer to officers without that being agreed with the Chief Executive or relevant departmental Director in advance.

Overview and Scrutiny Committees may authorise Council media releases on their work, the content of which is to be jointly agreed by the appropriate Overview and Scrutiny Committee Chairman and Vice-Chairman.

16. Councillor access to documents and information

Members are entitled to have access to such information as they reasonably need to carry out their role as Members of the Council.

Members do not have a right to inspect any and every document of the Council. It needs to be established that access to a document is necessary for the member to perform his or her responsibilities (the 'need to know' principle).

The legal right of members to have access to information is covered partly by common law but also by different pieces of legislation. Members requiring advice on such rights should contact the Monitoring Officer.

17. Officer attendance and participation at formal meetings of the Council

Executive

Meetings of the Executive will be attended by the Chief Executive, Strategic Directors and, as necessary, Heads of Services and specialist staff.

Portfolio Holders will normally present reports to the Executive.

The Leader of the Council and Portfolio Holders may call on officers in attendance to speak. Officers may ask to speak if factual information is being reported incorrectly, for a point of clarification or if relevant data could be overlooked.

Regulatory Committees

The Chairman of the Committee will require officers, as designated by the relevant member of the Corporate Management Team, to present a report and, where appropriate, recommendations on each matter.

Overview and Scrutiny Committees

Meetings of Overview and Scrutiny Committees will be attended by the Chief Executive, relevant Strategic Directors or Heads of Service as necessary. At least one of the Overview and Scrutiny support officer will also attend.

The Chairman of the Committee will ask the Chief Executive or the relevant Strategic Director or Head of Service to present the report (or such officer as they consider appropriate).

Special Interest Groups

These will be attended by the Chief Executive or Strategic Directors as appropriate. Relevant Heads of Service and other specialist officers as considered necessary by the relevant chief officer will also attend as and when required.

Members and officers in attendance may both contribute to the discussion as they see necessary.

18. Access to Officers by Members

On any new specific service issue and to ensure consistency, it should only be necessary for members to contact either the Chief Executive, Strategic Directors or Heads of Service, or in the case of media issues the Head of

Communications. If members are unsure of whom to contact, they may use the Council's website.

These officers should recognise that Members will have needs for information that may be unforeseen and try to respond quickly (see Section 18 below).

However, to help manage workloads and to help the smooth working of the Council's departments, the following guidelines should, so far as is practicable, be observed.

An uninvolved/uncomplicated enquiry may be made by telephone. *Otherwise, Members should send their enquiry by e-mail.*

- If a personal visit is considered more appropriate, an appointment should be made with the relevant officer ideally giving a minimum of 24 hours' notice.
- Where there is a need for immediacy, ideally the Member should telephone the officer to ensure that a meeting on the same day is practicable.
- Portfolio Holders should arrange fixed times for their regular meetings with their Strategic Directors or Heads of Service (as appropriate).
- Both Members and officers should aim to keep meetings short and focused.

19. Officers Dealing with Member Enquiries: Response Times

The Chief Executive and Strategic Directors will support their staff in achieving the following broad performance targets in responding to Member's enquiries: -

- | | | |
|------------------------|---|--------------------------------------|
| within 2 working days | - | straightforward uninvolved enquiries |
| within 5 working days | - | more complicated enquiries |
| within 15 working days | - | enquiries involving research |

Should a Member receive written communication from a member of the public, it must be dealt with in accordance with the Council's policy on letter answering. Members will therefore take whatever steps are practical to bring the letter to officers' attention without undue delay to enable target response times to be met.

20. Officers Dealing with Member Correspondence

Letters from the Council that create obligations or give instructions on behalf of the Council must always be sent out in the name of an officer.

Officers who are requested to prepare correspondence on behalf of Members will work to the guidelines in Section 19.

21. Effective Working Relationships Between Members and Officers

This is best achieved by working together in partnership.

Members should:

- Avoid putting officers under undue pressure to the extent that it could be regarded as harassment or bullying. Members should be particularly sensitive when dealing with less senior officers in the absence of the relevant senior officer.
- Not require officers to do things that are not consistent with Council policy, not within normal budgetary controls and not part of the officer's normal duties;
- Avoid criticising officers at public meetings or in the media;
- Avoid actions or words that may appear to others to be attaching blame to one or more named or identifiable officer particularly when those officers are not present
- Avoid words or actions that may serve to undermine the professionalism and integrity of officers.

Officers should:-

- Treat Members with courtesy and respect at all times;
- Not use undue influence over a Member or put Members under undue pressure
- Avoid words or actions that may undermine respect for Members.

22. Scheme of Delegation

Members should not challenge, publicly, a decision made in good faith by an officer under the Scheme of Delegation, whether or not that decision requires consultation with nominated Members.

Members who require information on why a particular decision has been made, may ask the relevant officer to explain the basis on which the decision has been made including the use of any pre-prepared guidelines to aid decision-making.

23. Dealing with Breaches of this Protocol

By Members

An officer who feels that they have been treated by a Member in a way that is contrary to the principles and ideals set out in this Protocol should follow the steps in the Council's Dignity and Respect at Work policy and procedures. The employee, under those procedures, may follow whatever initial approach they prefer. However, the matter must also be raised with the Chief Executive and the relevant Strategic Director.

Members who are in breach of this Protocol will be dealt with using, as appropriate, one or more of the the following:-

- Leader of the relevant political group
- Monitoring Officer
- Standards Committee

In respect of the latter, if an officer considers that a Member may have breached the members' Code of Conduct, they may also make a complaint to the Monitoring Officer under the Council's procedures.

By Officers

A Member who has a complaint that an officer has acted contrary to the principles and ideals set out in this Protocol should raise the matter with the Chief Executive or relevant Strategic Director.

Officers who are in breach of this Protocol will be dealt with under one or both of the following procedures:-

- Dignity and Respect at Work policy and procedures
- Disciplinary Procedures.

24. Conclusions

Members and Officers, in following the guidelines in this Protocol, will ensure continuity of the sound officer-to-Member relations that have existed within Waverley for years.

Having a written Protocol enables Members and officers to build on and improve the past by identifying practices and approaches that work best to ensure effective working relationships. This Protocol is kept under review and amended to reflect identified best practice.

WAVERLEY BOROUGH COUNCIL MONITORING OFFICER PROTOCOL

1. Introduction

- 1.1 Section 5 of the Local Government and Housing Act 1989 (“the 1989 Act”) requires local authorities to appoint a Monitoring Officer. This Protocol provides some general information on the statutory role the Monitoring Officer undertakes and how the functions will be discharged within Waverley Borough Council (“the Council”).
- 1.2 The Monitoring Officer role is currently undertaken by the Head of Internal Audit who undertakes to discharge the post’s statutory responsibilities with a positive determination and in a manner that enhances the overall reputation of the Council. In doing so, the Monitoring Officer will also safeguard, so far as is possible, Members and Officers, whilst acting in their official capacities, from legal difficulties and/or criminal sanctions.
- 1.3 A summary list of the Monitoring Officer’s functions appear in Appendix 1 to this Protocol. The Monitoring Officer’s ability to discharge these responsibilities will depend, to a large extent, on Members and Officers:
 - a) Complying with the law (including any relevant Codes of Conduct),
 - b) Complying with any statutory guidance and other guidance and advice issued from time to time by the Standards Committee and the Monitoring Officer,
 - c) Not doing anything that would bring the Council, their offices or professions into disrepute, and
 - d) Making lawful, proportionate and reasonable decisions.
- 1.4 In general terms the Monitoring Officer’s ability to discharge duties also depends on good working relations with Members and Officer colleagues, particularly the Council’s Corporate Management Team and Heads of Service, and also access to information and debate during the decision-making process.
- 1.5 The Monitoring Officer has appointed, the Democratic Services Manager, as the Deputy Monitoring Officer who will perform the functions of the Monitoring Officer when the Monitoring Officer is unable to act. The Monitoring Officer is assisted from time-to-time by staff in Democratic Services and Legal Services and any other appropriate officers, but the responsibility of discharging the functions of Monitoring Officer is a personal one.

2. Working Arrangements/Understandings

- 2.1 Good working relations with Members and Officers will assist in the discharge of the statutory responsibilities of the Monitoring Officer and ensure the Council’s interests are safeguarded. Equally, a speedy flow of relevant

information and access to debate (particularly at the early stages of any decision-making by the Council) will assist in fulfilling those responsibilities. Members and Officers must, therefore, work with the Monitoring Officer (and staff) to discharge the Council's statutory and discretionary responsibilities.

2.2 The following arrangements and understandings between the Monitoring Officer, Members and Corporate Management Team are designed to help ensure the effective discharge of the Council's statutory powers and duties.

- a) **Lawfulness etc** – Members and Chief Officers must alert the Monitoring Officer to all emerging issues that may become a concern to the Council including, in particular, issues around legal powers to do something or not (i.e. lawfulness), ethical standards, probity, procedural or other constitutional matters and give advance notice to the Monitoring Officer of meetings (whether formal or informal) where these issues are likely to arise.
- b) **Attendance at and access to papers for meetings** – The Monitoring Officer will have the right to attend and be heard at any meeting of the Council, the Executive and the Corporate Management Team before any binding decision is taken (including a decision not to take action) and have access in advance to the agendas, minutes, reports and related papers for such meetings.
- c) **Liaison with the Statutory Officers** – The Monitoring Officer will meet with the Head of Paid Service (the Chief Executive) and the S.151 Officer (the Deputy Chief Executive and Strategic Director of Resources) to consider and recommend action in connection with corporate governance issues and other matters of concern regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise.
- d) **The Council's Constitution** – The Monitoring Officer will monitor and review the operation of the Constitution in consultation with the Head of Paid Service (the Chief Executive) and the S.151 Officer (the Deputy Chief Executive and Strategic Director of Resources) and the Head of Democratic Services as appropriate to ensure that the aims and principles of the Constitution are given full effect.
- e) **General Advice** – The Monitoring Officer will give general advice on the interpretation and application of the Constitution to Members and Officers alike (e.g. responsibility for functions, procedural rules, codes and protocols, standing orders, contract procedure rules etc.).
- f) **Registers** – The Monitoring Officer will compile and maintain the Council's Registers of Members' Interests and Gifts and Hospitality.
- g) **Training** – The Monitoring Officer will be responsible for preparing and implementing a training programme for Members on the Council's ethical framework subject to the approval of the Standards Committee.

- h) **External Relations** – The Monitoring Officer will develop good and effective working relations with the Standards Board for England and the Council's auditors and the Local Government Ombudsman as necessary (including the giving and receiving of relevant information, whether confidential or otherwise).
- i) **Internal Relations** – The Monitoring Officer will be afforded a special relationship of mutual trust and respect with the Leader, Deputy Leader, Mayor, Deputy Mayor, and the chairmen of the Standards, Planning, Audit, Licensing and Overview and Scrutiny Committees with a view to ensuring the effective and efficient discharge of the Council's functions.
- j) **Complaints/Investigations** – The Monitoring Officer will
- Receive and act on complaints made in respect of member conduct, including members of the town and parish councils within Waverley's area.
 - Conduct investigations into matters as required by the Standards Committee and make reports or recommendations in respect of them to the Standards Committee.
 - Be expected to make enquiries into allegations of misconduct in the absence of a written complaint being received and if appropriate will make a written report to the Standards Committee unless he and the Chairman of the Standards Committee agree a report is not warranted.
 - Have unqualified access to any information held by the Council and to any Officer who can assist in the discharge of his functions when carrying out any investigation.
- k) **Appointment of Deputy** – The Monitoring Officer will appoint a Deputy and keep them briefed on any relevant issues that he may be required to deal with where he is unable to act.
- l) **Resources** – The Monitoring Officer will report to the Council from time to time on the staff, accommodation and resources required to discharge his functions. Where the Monitoring Officer requires specialist advice on any matter concerning his statutory responsibilities he will be able to seek Counsel's Opinion and will have a budget to enable him to do so. The Council will also provide such support from its own resources, including but not limited to legal and procedural advice.
- m) **Deferral of Report** – In consultation with the Mayor and the Standards Board for England the Monitoring Officer may defer the making of a formal report under Section 5 of the 1989 Act where another investigative body is involved.

2.3 To ensure the effective and efficient discharge of the above working arrangements and understandings, Members, the Chief Executive, Strategic Directors and Heads of Service will report any breach of statutory duty or

material breach of Council policy or procedures and other vices or constitutional concerns to the Monitoring Officer as soon as practicable.

- 2.4 The Chief Executive, Strategic Directors and Heads of Service agree to inform and explain the terms of this Protocol to their Service Managers so that they understand the issues highlighted in paragraph 2.1 and 2.2 above and report concerns accordingly.
- 2.5 The S.151 Officer will ensure that adequate insurance and indemnity arrangements are in place to protect and safeguard the interests of the Council and the proper discharge of the Monitoring Officer's role.

3. Breach of the Local Code of Conduct for Members and this Protocol

- 3.1 Complaints against any breach of the Council's Local Code of Conduct for Members must be referred to the Monitoring Officer. He will refer complaints to the Standards Committee of the Council, which could lead, in serious cases, to the disqualification of a Member. Complaints against any breach of this Protocol by a Member will be referred to the Standards Committee and to the Leader of the relevant political party group.
- 3.2 Complaints against any breach of this protocol by an Officer may be referred to the relevant strategic director and/or the Chief Executive.

4. Approval of this Protocol

- 4.1 This Monitoring Officer Protocol was approved by the Standards Committee at its meeting on 3rd November and Staff Side on 6th November 2008.
- 4.2 The Council adopted the Protocol at its meeting on 16th December.

SUMMARY OF MONITORING OFFICER FUNCTIONS

Description		<u>Key Source</u>
1.	Appointment of Deputy	Section 5 (7) Local Government and Housing Act 1989
2.	Report on resources allocated to the Monitoring Officer	Section 5 Local Government and Housing Act 1989
3.	Establish and maintain Registers of Members' Interests and Gifts and Hospitality	Section 81 Local Government Act 2000 and Local Code of Conduct
4.	Advice to Members and Officers on the interpretation and application of the Constitution	Article 12 of the Council's Constitution
5.	Receive copies of whistleblowing allegations of misconduct	Anti Fraud and Corruption Strategy, Council Constitution
6.	Key role in promoting and maintaining high standards of conduct through support to the Standards Committee	Statutory Guidance on Council Constitutions paragraph 8.21 and Article 12 of the Council's Constitution
7.	Advice on vires issues, maladministration, financial impropriety, probity and policy framework and budget issues to all Members.	Article 12 of the Council's Constitution and Statutory Guidance on Council Constitutions
8.	Report on contraventions or likely contraventions of any enactment or rule of law	Section 5 Local Government and Housing Act 1989
9.	Report on any maladministration or injustice where Ombudsman has carried out an investigation	Section 5 Local Government and Housing Act 1989
10.	Liaison with Standards Board for England and Ethical Standards Officers	Section 66 Local Government Act 2000
11.	Investigate misconduct in compliance with Regulations	Local Government Act 2000 and the Standards Committee (England) Regulations 2008

Appendix to Monitoring Officer Protocol

Waverley Borough Council

What is a Monitoring Officer?

Under the provisions of the Local Government and Housing Act 1989, all councils have a duty to appoint a Monitoring Officer to ensure the lawfulness and fairness of local authority decision-making. He is responsible for advising the Council on the legality of its decisions and providing guidance to the members and officers on the powers and duties of the Council.

Who is the Monitoring Officer?

The current Monitoring Officer is Mark Hill, Head of Internal Audit. Mark is an accountant and the Council's Head of Internal Audit. He has more than 19 years of experience as a chief internal auditor, and previously served as Deputy Monitoring Officer between 2002 and 2005. His phone number is 01483 523240 and email is mark.hill@waverley.gov.uk. If Mark is unavailable, please contact the Deputy Monitoring Officer, Emma McQuillan, on 01483 523351 or email to emma.mcquillan@waverley.gov.uk.

What is the role of the Monitoring Officer in complaints?

As part of Waverley's complaints process, the Monitoring Officer will receive all complaints that are made about member (councillor) conduct. This includes complaints regarding councillors who are members of the various town and parish councils within Waverley Borough. He will refer these complaints to the Council's Standards Committee for consideration, and conduct any investigations that the Committee requires.

What if I want to complain about a Councillor?

As stated above, under the Council's complaints procedure the Monitoring Officer will investigate any complaints about Members as required by the Standards Committee. There is a Code of Conduct for Members and this is part of the Council's Constitution (which can be seen on the Council's website). If you think that a Member has broken the Code of Conduct then you have to make a formal complaint to the Monitoring Officer. The Council has a special complaints leaflet which is available at its offices, and the offices of Town and Parish Councils, or one can be sent to you. If you want to take any advice about how to complain about a Member then please speak to the Monitoring Officer who will be able to guide you through the process. The Standards Board for England, a body that oversees standards issues nationally, also has details available about the complaints process on its website at <http://www.standardsboard.gov.uk/>.

What else can the Monitoring Officer do?

1. Report on contraventions or likely contraventions of any enactment or rule of law.

- Section 5 Local Government and Housing Act 1989.
2. Report on any maladministration or injustice where Ombudsman has carried out an investigation.
Section 5 Local Government and Housing Act 1989.
 3. Appointment of Deputy.
Section 5 Local Government and Housing Act 1989.
 4. Report on resources.
Section 5 Local Government and Housing Act 1989.
 5. Receive copies of whistleblowing and allegations of misconduct
Code of Conduct for Members and Co-opted members of Waverley BC
 8. Establish and maintain registers of member's interests and gifts and hospitality.
Section 81 Local Government Act 2000 and Code of Conduct for Members and Co-opted Members of SBC.
 9. Advice to members on interpretation of Code of Conduct for Members and regulations when made
 10. Key role in promoting and maintaining high standards of conduct through support to the Standards Committee.
DETR Guidance.
 11. Liaison with Standards Board.
New ethical framework, practical implications.
 12. New ethical framework functions in relation to Parish Councils.
Section 83(12) Local Government Act 2000.
 13. Compensation for maladministration.
Section 92 Local Government Act 2000.
 14. Advice on vires issues, maladministration, financial impropriety, probity and policy framework and budget issues to all Members.
DETR guidance

The Council's Monitoring Officer is
 Mark Hill
 Head of Internal Audit & Monitoring Officer
 Council Offices
 The Burys
 Godalming
 Surrey
 GU7 1HR

Deputy Monitoring Officer is
 Emma McQuillan
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