

MEMBERS' FOCUS

AREA: EFFICIENCY AND PERFORMANCE

CORPORATE THEME HEADING: IMPROVING PERFORMANCE
AND DELIVERING BETTER VALUE

SUBJECT: WRITTEN QUESTIONS	CONTACT OFFICER: David Triggs
TEL/EMAIL No.:01376 552525 Ext 2610	BACKGROUND PAPERS: The Council's Constitution
<p>INFORMATION:</p> <p>This is a reminder to all Members on your rights to obtain information under the Rules and Protocol and how you may need to use one or the other or both in order to receive information.</p> <p>There are two ways in which you may seek information and this depends on the type of information you are seeking. If the information sought is of an operational nature, then paragraph 4.1 of the Member/Officer Protocol will apply. This states that:-</p> <p>"Members are free to approach any Council Service with a <i>request</i> to provide them (<i>within a reasonable period</i>) with such information, explanation and advice (about that Service's functions), as they may reasonably need in order to assist them in discharging their role as Members of the Council. This can range from a request for general information about some aspect of a Service's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the relevant Head of Service or another senior officer of the Service concerned. It must be remembered, however, that officers within a Service are accountable to their Head of Service and whilst officers should always seek to assist Members they must not, in doing so, go beyond the bounds of whatever authority they have been given by their Head of Service. Individual Members (except Cabinet Members acting under delegated authority) do not have the power or authority to <i>instruct</i> officers to provide information, explanations, advice or to carry out any specific task or tasks".</p> <p>For non-operational matters, questions can be submitted for inclusion on the rolling list of questions, responses to which will be provided within 9 working days. This is in accordance with Rule 22.3 of the Access to Information Procedure Rules which states:-</p> <p>"In addition to the rights set out in Council Procedure Rule 10 (Part 4 of the Constitution) any Member may, subject to Rule 22.4 at any time ask:</p> <ul style="list-style-type: none">• the Chairman of the Council;• a member of the Cabinet;• the Chairman of any committee, sub-committee, group or panel <p>a question on any non-operational matter in relation to which the Council has powers or duties or which affects the administrative area of Braintree District Council or part of it or the inhabitants of the area or some of them".</p> <p>For further information on this issue, please contact David Triggs on ext 2610.</p>	