

Local Protocol on Shadow Cabinet

1. Composition

- 1.1 Normally, the Leader of the largest Political Group that does not form part of the Executive may choose to form a Shadow Cabinet by their nomination from amongst the Members of the Opposition. If so, they shall notify the Head of Governance Support the names of the Members nominated to form a Shadow Cabinet and of any changes in the membership of the Shadow Cabinet which may occur from time to time.

2. Number of Members and Shadow Cabinet Leader and Shadow Cabinet Deputy Leader

- 2.1 The Shadow Cabinet shall comprise of Members of the Opposition and mirror the Leader of the Council's Cabinet in terms of number and portfolios.
- 2.2 The Shadow Cabinet shall include a Shadow Cabinet Leader and Shadow Cabinet Deputy Leader.

3. Role and Operation

- 3.1 The Shadow Cabinet will have collective responsibility for providing an effective challenge to the controlling Administration and constructive political opposition of the achievement of the Council's corporate and service objectives and priorities.
- 3.2 Shadow Cabinet Members shall be recognised as Opposition spokespersons at Cabinet and Council meetings (where the Shadow Cabinet is not seconding the Cabinet's proposals at Council meetings).
- 3.3 Regular meetings shall be held between the Leaders and Deputy Leaders of both the Cabinet and Shadow Cabinet, along with Members of the Cabinet and Shadow Cabinet. The purpose of these meetings is to ensure briefing and communication from the Cabinet to the Shadow Cabinet, which in turn shall be effectively cascaded from the Shadow Cabinet through to their respective Opposition group(s) and ward Councillors (where appropriate), to ensure effective communication throughout the Council. Confidentiality shall be maintained on all confidential matters shared with the Shadow Cabinet

4. Officer Support

- 4.1 In addition to the support provided to the Cabinet and Shadow Cabinet Member meetings (as outlined in paragraph 3.3 above), the Chief Executive, or senior officers shall attend private meetings of the Shadow Cabinet in order to brief the Shadow Cabinet on:
 - (a) proposals that are to be considered by the Cabinet and that have been published; and
 - (b) other matters identified by the Shadow Cabinet.

- 4.2 Officer briefings at private Shadow Cabinet meetings shall be factual and professional and non-political in nature and shall not extend to the evaluation of policy options, justifying or defending proposals of the Cabinet, or revealing information and advice that is properly confidential in nature.
- 4.3 Officers shall not speak or answer questions at Shadow Cabinet meetings that are open to the general public or anyone who is not an elected Member of Torbay Council, save for any properly appointed External Advisors and any officer present at the request of the Chief Executive.
- 4.4 Shadow Cabinet Members may hold one to one meetings with a relevant Director as required.
- 4.5 Individual shadow Portfolio Holders are not holders of office within the Council. However, shadow Portfolio Holders may receive advice and support from the Chief Executive or senior officers. All such advice and support will need to comply with the Local Protocol on Member and Officer Relations and confidentiality shall be maintained on all confidential matters shared.

5. Powers

- 5.1 For the avoidance of doubt the Shadow Cabinet does not have any Executive powers and in this respect officers cannot be instructed to act on behalf of the Shadow Cabinet or individual Members of the Shadow Cabinet in any way.