

16 - Use of resources by Councillors protocol

Introduction

1. The purpose of this protocol is to provide a guide to the use of Council resources by Councillors. The key principle underlying this protocol is that public office and public resources should not be used to further purely private or party political purposes.

Resources provided to Councillors

2. The Council provides a range of facilities to support Councillors, including stationery, postage, photocopying, and an e-mail address and officer support to enable Councillors to carry out their duties as a Councillor. These goods and services are paid for from the public purse. They should not be used for private purposes or in connection with party political or campaigning activities.
3. Councillors, or anyone authorised by them, may only use these resources for Council business, such as correspondence relating to Council business or services or replying to letters from local residents.
4. The use of any Council resources for political purposes or election purposes would be a breach of the Council's Members' Code of Conduct unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the authority or of the office to which the member has been elected or appointed. If members are in any doubt they should seek advice from the Head of Legal and Democratic Services or Monitoring Officer.
5. Provided that they are not in connection with political purposes, Councillors may make private telephone calls and use copiers for private copying in accordance with charges set by the Council from time to time. If members are in any doubt they should seek advice from the Head of Legal and Democratic Services or Monitoring Officer.
6. Councillors are provided with an official Council e-mail address for use as part of their duties as a Councillor. This e-mail address may not be used for any political purpose unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the authority or of the office to which the member has been elected or appointed.
7. The e-mail address should not be used in any ward newsletters which contain election material or which are distributed during any election period (which runs from the publication of the notice of election to the close of the polls). **The use of Council email for direct marketing is not permitted.**
8. **Personal email accounts must not be used for council business as the Council cannot guarantee that appropriate safeguards are in place to assess and control the level of security applied or the location of any**

information shared or stored; both of which must be evidenced to comply with the Council's duties under data protection law and Government security requirements. Any information held in private email accounts that relates to council business may still be subject to the Freedom of Information Act.

9. The Council has a duty to comply with the requirements for information and cyber security under data protection law. Appropriate security and data protection measures must be in place at all times and it is everyone's responsibility to understand and comply with the law. Cyber security and the unlawful exploitation of system vulnerabilities by hackers has never been more on the information security agenda than now. Because of this it is important that Councillors make every effort to protect the devices they use (by using a strong password and changing it when prompted; running updates on devices when requested and by using encryption and other device management tools installed by the Council e.g. InTune. It is also important to be aware of where information is being stored. Personal or otherwise confidential/sensitive information should not be stored locally on a device hard drive or in the cloud without prior authorisation. This information should be held and accessed on the Council network where it is kept secure and backed up appropriately.
10. Councillors supplied with a council computer and internet connection facilities must sign the Council's standard agreement for the use of such IT equipment and services.
11. All Councillors must ensure they complete their information governance mandatory training every year (between 1st of April and 31st March). This is an annual requirement to ensure awareness and understanding of Information Governance requirements. All data protection breaches such as loss, disclosure or unauthorised access to information must be reported immediately following the council's procedure for Reporting and Managing Data Breaches.
12. It should also be pointed out that timing will be material. During the time prior to any election – local, parliamentary, European or indeed a referendum – it is likely that a firmer line will be taken in terms of what can and cannot be said, as the perception of “politicking” and the use of public resources for political purposes is more likely to be carefully scrutinised. The Council's Code of Conduct on Publicity is clear that in the period of time leading up to an election, all forms of publicity – and that would include letters produced by members and sent to constituents – must conform with additional safe-guards and requirements. Members, therefore, need to refer to that in considering the content (as well as the circulation) of any correspondence during this time.

As always, this is an issue that is predominantly one of subjective judgements and, as a result, members may wish to seek advice on a case-by-case basis.

13. The attached schedule contains details of resources available to Councillors.

Breach of this protocol

14. Failure to comply with the requirements for the use of Council resources as set out in this protocol will constitute a potential breach of the Council's Members' Code of Conduct.
15. Members should ensure that they understand and comply with the council's own rules about the use of such resources particularly:
 - Where facilities are provided in members' homes at the Council's expense;
 - In relation to locally-agreed arrangements, e.g. payment for private photocopying; and
 - Regarding ICT security.
 - Regarding compliance with the General Data Protection Regulations (GDPR), Code of Confidentiality and the Caldicott Principles.



Amended 28.2.18

Schedule – Resources available to Councillors

Member support	
Personal Assistants to group leaders	Provision of this support will only be provided where the political group concerned equates to a minimum of 10% (6 elected members) of the total membership of the Council.
Accommodation	
Members' rooms	Political groups will be provided with an individual group room where that group comprises of at least three elected members.
Meeting rooms in Council House	Councillors can book meeting rooms in the Council House for group meetings or meetings relating to Council business for no charge. A fee is chargeable for all other political meetings.
Access to accommodation	Councillors are issued with security passes to provide access to the Council House and Civic Centre. It can double up as an identity badge and can be used both when visiting Council establishments and attending outside meetings.
Surgeries	Councillors can organise surgeries within their electoral ward to provide an opportunity to meet members of the public. It is up to the individual Councillor to organise the surgery. Councillors are encouraged to use Council accommodation providing the venues are open and staffed at the time required. Libraries have proven to be good resources for surgeries.
Stationery	
Use of printed stationery	<p>Headed paper, compliment slips and business cards with the Council's logo and the Councillors home address are provided to Councillors on request.</p> <p>Council stationery and postage may only be used by Councillors as part of their duties as an elected member. They may not be used for any party political or election purposes whatsoever.</p>
Use of the Council logo	Councillors may use the Council logo solely for Council business and must not be used for party political purposes.

Amended 12.1.15

Approved by Council 18 June 2014

Office stationery	<p>The Council provides printer paper, pre-paid envelopes and other reasonably necessary stationery. Councillors are expected to get all other stationery themselves from their basic allowance.</p> <p>Council stationery and postage may only be used by Councillors as part of their duties as an elected member. They may not be used for any party political or election purpose whatsoever.</p>
ICT equipment	
ICT solutions	<p>The Council offers a range of ICT solutions to meet individual needs including tablet devices. Councillors should contact the Head of ICT if they have any queries.</p>
Council e-mail address	<p>All Councillors are provided with a unique e-mail address and password for use only on Council business.</p> <p>Councillors are provided with an e-mail address. This is an official address and may only be used by Councillors as part of their duties as an elected member. It may not be used for any party political purpose or appear on any election material or election publicity whatsoever. Councillors may use their Council e-mail address on their ward newsletters as a means of enabling their constituents to contact them.</p>
Mobile phones	<p>Smartphones are provided to all members on request. These devices in addition to being a phone provide access to Council emails for Councillors.</p> <p>Council mobile phones are provided for business purposes and should only be used for personal use in exceptional circumstances where there is no alternative.</p>
Printer cartridges	<p>The Council provides replacement cartridges for printers provided by the Council.</p> <p>Council stationery may only be used by Councillors as part of their duties as an elected member. Any personal printing should be kept to a minimum. Printers should not be used for private business purposes.</p>
ICT Customer Services	<p>Councillors can contact ICT via the ICT Service Desk – 07:45-17:30 Mon-Thur and 07:45-17:00 on Fridays.</p> <p> 01922 652862</p> <p> ictservicedesk@walsall.gov.uk</p>

Publications and information	
Agendas	Printed agendas will be provided to Councillors if they sit on a particular Committee. All other papers will be sent by e-mail.
Photocopying	A photocopier is available in group rooms which is suitable for low volume copying. If large amounts of photocopying are required, however, for example copies of large documents, Councillors should contact the Head of Legal and Democratic Services regarding their charges.
Travel	
Mileage	Mileage or fares will be paid as set out in the Members' allowances scheme.
Training	
<u>A learning and Members Development training programme for Members will be available.</u>	A full <u>learning and development</u> programme of training is provided for Councillors. For information on this contact the Head of Legal and Democratic Services.