

Review of the Protocol on the use of facilities, services and equipment by councillors

Purpose

- 1.1 The Council maintains a 'Protocol on the use of facilities, services and equipment by councillors' that seeks to ensure the support facilities provided to councillors are used appropriately, cost-effectively and solely in accordance with councillors' public duties.
- 1.4 This report provides opportunity for the Standards Committee to review the content of the Protocol and to make recommendations as appropriate in relation to its ongoing development. The current Protocol is attached at Appendix 1 to the report.

Recommendation

- 2.1 To consider the content of the Protocol on the use of facilities, services and equipment by councillors and to make recommendations on its continued development.

Reasons

- 3.1 To promote and maintain high standards of conduct within Derby City Council.
- 3.2 To ensure that access to Council resources are appropriate to councillors' requirements and that any limitations on their use are fully understood.
- 3.3 To fulfil the Standards Committee's delegation to advise the Council on the adoption or revision of codes and protocols related to the Councillor's Code of Conduct.

Supporting information

- 4.1 The Protocol on the use of facilities services and equipment by councillors (hereafter the Protocol) is intended to ensure that the Council's resources are used solely for the discharge of functions associated with the office to which a councillor has been appointed. It closely relates to obligations placed upon elected members within the Councillors' Code of Conduct and any alleged breach of the Protocol could be dealt with via the Councillor Complaints Procedure as a potential breach of the Code.
- 4.2 The Protocol seeks to define the meaning of 'political purposes' and draws a distinction between the rights and entitlements of political groups and political parties to access the Council's resources and facilities.

- 4.3 The Protocol details the entitlement of councillors to be provided with IT equipment, office facilities and access to corporate support services (for example, those provided by the Councillor and Civic Support Team, Locality Team or Business Support service). In doing so, councillors are expected to abide by relevant policies adopted by the Council that relate to those services (for example, the IT Acceptable Use Policy and the Data Protection Policy).
- 4.4 The Protocol also places practical limitations on the extent to which councillors may use certain support services. For example, an annual limit is placed on the printing of mail merges and surgery notices by councillors, based on the costs associated with printing and postage incurred by the Council's Document Management Centre. It may be appropriate to for this figure to be reviewed, based on the latest available costings.
- 4.5 The Protocol refers to additional limitations that are in place during the pre-election period. The Code of Recommended Local Authority Publicity places obligations on the Council to avoid publishing material which promotes any candidate or political party or offer assistance to any person for the purposes of publishing such material. In practice, this results in restrictions on access to support services for all councillors (including staff time) during the period immediately preceding elections, but particularly applies to prospective candidates.
- 4.6 The Standards Committee are invited to consider any trends or patterns emerging from the recent work of the committee, to inform the ongoing development of the Protocol.

Public/stakeholder engagement

- 5.1 This report is the first stage of consultation with elected members. If changes to the Protocol are considered necessary, it is recommended that a working group is formed to engage more widely with stakeholders and develop recommendations for reconsideration by the Standards Committee at a future meeting.

Other options

- 6.1 To retain the Facilities Protocol in its current form. The Protocol was last updated in September 2019.

Financial and value for money issues

- 7.1 Non directly arising. The Council currently maintains budgets across several cost centres for the provision of back-office support to councillors. Any significant proposed alterations to the Protocol may have a cost implication and would likely be subject to a further report.

Legal implications

- 8.1 There is no legal requirement to maintain a Protocol of this type. However, the Council has an obligation under the Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members.

Climate implications

9.1 None directly arising.

Socio-Economic implications

10.1 None directly arising.

Other significant implications

11.1 Failure to adhere to the obligations of the Code of Conduct in any setting lowers the public's expectations and confidence in councillors. The Standards Committee plays a valuable role in ensuring guidance and best practice can be shared and implemented within the Council's policies and procedures.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)		
Report sponsor	Emily Feenan, Director of Corporate Governance, Property and Procurement.	11/03/2024
Other(s)		

Background papers:	None
List of appendices:	Appendix 1 – Protocol on the use of facilities, services and equipment by councillors, September 2019