

<b>Report To:</b>	<b>STANDARDS AND PERSONNEL APPEALS COMMITTEE</b>	<b>Date:</b>	<b>2 OCTOBER 2019</b>
<b>Heading:</b>	<b>USE OF RESOURCES POLICY</b>		
<b>Portfolio Holder:</b>	<b>NOT APPLICABLE</b>		
<b>Ward/s:</b>	<b>NOT APPLICABLE</b>		
<b>Key Decision:</b>	<b>NO</b>		
<b>Subject to Call-In:</b>	<b>NO</b>		

### **Purpose of Report**

To ask the Committee to recommend the adoption of the draft Members' Use of Resources Policy by Council as an appendix to the Members' Code of Conduct.

### **Recommendation(s)**

**Committee is asked to recommend that Council adopt the Use of Resources Policy attached to this report as an appendix to the Members' Code of Conduct.**

### **Reasons for Recommendation(s)**

A Hearing Sub-Committee of the Standards and Personnel Appeals Committee recommended the adoption of a Members' Use of Resources Policy to provide clear guidance to Members regarding the appropriate use of Council resources.

### **Alternative Options Considered**

*(with reasons why not adopted)*

Committee could consider amendments to the draft policy.

Committee could consider not recommending the draft policy to Council but this would be contrary to the recommendation of the Hearing Sub-Committee.

## Detailed Information

A recent Hearing Sub-Committee considered a complaint relating to the alleged improper use of Council resources by a Councillor. The Hearing Sub-Committee decided to take “other action” in relation to the complaint, which included producing a Members’ use of resources policy.

The draft policy, attached to this report as Appendix 1, is designed to provide rules and guidance on the use of Council resources by Members.

Council resources should be used exclusively for the purposes of Council business or to enable Councillors to carry out their Councillor role. Use of Council resources for political purposes can be a breach of the Members’ Code of Conduct.

The Members’ Code of Conduct states that:

*“3. When using or authorising the use by others of the resources of the Authority:*

*...*

*3.2 Do make sure that such resources are not used improperly for political purposes (including party political purposes); and*

*3.3 Do have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.”*

The draft policy includes examples of Council resources, such as:

- IT;
- Telephones;
- Photocopiers;
- Stationery;
- Headed notepaper;
- Postage or use of the Council’s postal system;
- Use of the Council’s e-mail address;
- Transport;
- Staff time.

The Policy also explains what activities are included in the definition of “Council business”:

- Matters relating to the decision making process of the Council, e.g. Council, Cabinet and committee meetings
- Representing the Council on an outside body
- Holding ward surgeries
- Meeting, communicating with and dealing with correspondence from residents, other Councillors, officers, Government officials, MPs etc. in connection with Council business
- Matters for discussion by a political group of the Council, so long as it relates mainly to the work of the Council and not your political party or group

The Policy explains that party political activities or individual campaigning **do not** form part of Council business and the Council’s resources **must not** be used for these activities. This includes Council email addresses.

The draft Policy attached at Appendix 1 has been considered at two meetings of the Standards Committee Working Group before being formally presented to the Committee. The Working Group has suggested that the Policy forms an appendix to the Members' Code of Conduct, which is itself under review.

**Implications**

**Corporate Plan:**

The Council will strive to ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

**Legal:**

In accordance with Section 2 of the Local Government Act 1986 (the Act) and the Local Authority Publicity Code (the Code):

“A local authority shall not publish, or arrange to publish, any material which, in whole or in part, appears to be designed to affect public support for a political party.”

Section 6 of the Act states that:

Publicity refers to “any communication, in whatever form, addressed to the public at large or to a section of the public”

**Finance:**

There are no financial implications associated with approving the policy. Any financial issues relate to the provision of specific resources as set out in the policy which will be contained within existing budgets.

Budget Area	Implication
General Fund – Revenue Budget	Not Applicable
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

**Risk:**

Risk	Mitigation
There are no risks associated with the approval of the policy.	

**Human Resources:**

There are no HR implications associated with the approval of the policy.

**Equalities:**

There are no equalities issues relating to the adoption of the policy. Protected characteristics would be taken into account when considering any adjustments in the resources provided to Members on an individual basis.

**Other Implications:**

None.

**Report Author and Contact Officer**

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