

Report to: **Standards Committee**

Date: **26 May 2010**

Title of report: **Use of resources by Councillors**

By: **Director of Governance and Community Services**

Purpose of report: **To clarify and agree resources available to Councillors.**

RECOMMENDATIONS

The Standards Committee is recommended to recommend to the Governance Committee the approval of a protocol on the use of resources by members.

1. Financial Implications

1.1 There are no financial implications to this report.

2. Background information

2.1 A number of Councillors have asked for clarity about the resources available to them, and for clarity about what is provided by the Council and what is covered by the basic allowances payable to Councillors.

2.2 The Corporate Governance Group have discussed this issue and recommended that a protocol be brought to this Committee for discussion. The Corporate Governance Group is made up of officers of the Council including Philip Baker, Assistant Director, Legal and Democratic Services; Jonathan Ruddock-West, Assistant Director, Law; Duncan Savage, Assistant Director, Audit and Performance, and Mary Clarke, Head of Democratic Services.

3 Code of Conduct

3.1 The use of resources by members links into the Council's Code of Conduct for Members, Paragraph 5 (b) of this states:

"A Councillor —
must, when using or authorising the use by others of the resources of the Council,—

- (i) act in accordance with the Council's requirements; and
- (ii) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or conducive to, the discharge of the functions of the Council or of the office to which the Councillor has been elected or appointed."

It is important therefore that there is clarity over what any Council requirements in respect of use of resources, so that Councillors do not inadvertently breach the Council's Code for Members.

3.2 Councillors are required to sign an agreement in respect of the use of ICT Equipment (includes use of laptop/desktop, router, printer, monitor, keyboard, and dedicated telephone line). This contains a prohibition on any use of ICT equipment for personal use. No guidance is currently issued to members on the Council's requirements in respect of use of other resources, such as mobile phones. It is proposed that a protocol is issued, to enable members and officers to understand the County Council's requirements in terms of use of Council resources. The draft protocol is as far as possible consistent with the requirements placed on employees for the use of resources. A draft is attached as an Appendix to this report.

4. Recommendations

4.1 The Committee is recommended to recommend to the Governance Committee the approval of a protocol on the use of resources by members, to enable members and officers to understand the County Council's requirements in terms of use of Council resources.

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Contact Officers – Jonathan Ruddock-West, Assistant Director, Law (01273 481684)
Andy Cottell - Acting Head of Democratic Services (01273 481587)

Local Members: All

Background Documents: None

Resources Protocol

1 Introduction

1.1 The purpose of this protocol is to provide a guide to the use of Council resources by Councillors, and co-opted members.

2 County Council's Code of Conduct for Members

2.1 If a Councillor or a voting co-opted member does not act in accordance with the Council's requirements, it could amount to a breach of paragraph 5 (b) of the Council's Code of Conduct for Members under), and may be referred to the Standards Committee of East Sussex County Council for local assessment of a complaint about member conduct. Paragraph 5 (b) of the Council's Code of Conduct for Members states:

"A Councillor —

must, when using or authorising the use by others of the resources of the Council—

- (i) act in accordance with the Council's requirements; and
- (ii) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or conducive to, the discharge of the functions of the Council or of the office to which the Councillor has been elected or appointed.

2.2 It is therefore important that Councillors and co-opted members are aware of the County Council's requirements as to the use of the council's resources.

3 Resources Provided to Councillors

3.1 The Council provides a range of resources to enable Councillors to carry out their duties. The resources made available, together with requirements as to their use are set out in the attached Appendix 1.

3.2 The Council requires that every Councillor who has the benefit of a Council computer, and other information communications technology equipment (ICT), must sign the Members ICT Agreement (attached as Appendix 2), and abide by its provisions.

APPENDIX 1

Resources available to Councillors

<u>Accommodation</u>	
Members' room	The Councillors' Room is located on F Floor, in centre block, County Hall. This room is equipped with ICT equipment, meeting space, a television and a range of refreshments. Councillors can log on to any of the computers in this room and can access the colour printer.
Cabinet Room	The Cabinet Room, for use by Cabinet members, is located on E Floor in the Chief Executive's corridor, and is equipped with computers, phones and refreshments.
Car Parking at County Hall	Councillors can use the car park adjoining Westfield House at any time. On Council meeting days and on request extra car parking spaces may be reserved for councillors in the East Car Park.
Meeting rooms in County Hall	Councillors can book meeting rooms in County Hall or Westfield 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 Westfield House and the secure areas (offices) at County Hall. It can double up as an identity badge and can be used both when visiting County Council establishments and attending outside meetings.
Surgeries	Councillors can organise surgeries within their electoral division to provide an opportunity to meet members of the public. It is up to the individual Councillor to organise the surgery and the Council will pay for any reasonable accommodation costs provided they are agreed in advance. 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.
<u>Stationery</u>	
Use of printed stationery	<p>Headed paper, compliments slips and business cards with the County 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 County Council logo solely for County Council business and must not be used for Party political purposes.
Office stationery	<p>The Council provides printer paper and pre-paid envelopes. Councillors are expected to get all other stationery themselves payable from their basic allowances</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>

Office furniture at home	Councillors are required to provide their own office furniture payable from their basic allowances.
<u>ICT Equipment</u>	
ICT solutions	<p>The County Council offers a mix of ICT solutions to meet individual Councillor needs, which includes laptops, PDA's, printers and peripherals. We offer the installation of a BT line, at the County Council's expense, which may be used either for telephony or for telephony and broadband. We are also very happy for Councillors to use their own ICT equipment to access the county councils network, for which we will pay a standard contribution.</p> <p>The bill for the county council line, including calls, is met by the Council on the basis that the line is exclusively for County Council use. Where private calls are made on the line, Councillors are expected to pay the cost.</p> <p>If you have any problems with your ESCC ICT equipment please ring the ICT helpdesk on 01273 481234. We are unable to support personal ICT equipment, but can help with any connection issues.</p> <p>Councillors must use the ICT equipment provided in accordance with the Members Information Communication Technology Agreement. Such equipment must not be used for party political purposes.</p> <p>Computers and computer equipment are intended for Council business. A low level of personal use of computers (excluding personal digital assistants [PDAs] or palmtop computers) is, however, permitted provided that:-</p> <ul style="list-style-type: none"> • It does not relate to a private business or other commercial interest • It does not contravene any of the Council's codes, policies or procedures governing standards of conduct or computer use • Personal documents and data including photographic and music files are not to be stored on County Council equipment or networks at any time. <p>5.2 PDAs or palmtop computers should only be used for personal use in exceptional circumstances where there is no other alternative.</p> <p>The Council monitors all computer activity and if there is evidence that a councillor is not adhering to the relevant policies and guidelines, the Council reserves the right to take appropriate action.</p>
Answer phone/Fax Machines	<p>Councillors are asked to use the BT answerphone service (1571)</p> <p><u>Fax machines should only be used for personal use in exceptional circumstances.</u></p>
Council e-mail address	<p>All Councillors are provided with a unique e-mail address for use only on County 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</p>

	political purpose or appear on any election material or publicity whatsoever. Councillors may use their Council e-mail address on their divisional newsletters as a means of enabling their constituents to contact them. However, the Council e-mail address should not be used in divisional newsletters during an election nomination period or any that contain election material.
Access to e-mails remotely	Councillors can access emails remotely outside of County Hall or home on any computer by accessing the portal
Mobile Phones / PDA's	<p>Basic mobile phones are provided to all members on request. We are also able to provide a PDA, personal digital assistant, to certain "qualifying" members. We can provide one of these to non "qualifying" members in place of a broadband solution should you so wish.</p> <p>Qualifying members are Cabinet, Group Leaders, Committee Chairmen as well as the Chairman and Vice Chairman.</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 other alternative. Where personal use of a council mobile phone is unavoidable and urgent, a charge will be made for the call or text.</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 helpdesk	Councillors can access the normal helpdesk during office hours and a limited service is available at all other times.
<u>Publications and information</u>	
ESCC website and intranet	<p>The ESCC website and intranet provide up to date resources for councillors and staff, as well as useful archived information.</p> <ul style="list-style-type: none"> • Website: www.eastsussex.gov.uk • Intranet: http://esccintranet • Committee papers http://www.eastsussex.gov.uk/yourcouncil/about/committees/
Councillors' area of the intranet	Councillors have their own area of the intranet which provides all the essential information and quick links to help Councillors in their role. This includes information about meetings; the full Constitution; reference materials; useful forms; the current training and development programme; learning material you can download from past training sessions; feedback from councillors who have attended external conferences; useful links to external sites; webcasts of previous meetings and access to the rest of the intranet.
Library services	Through the request service, councillors may borrow Local Government related books and periodical articles free of charge.
Agendas	Printed agendas will be provided to Councillors if they sit on a

	particular Committee. All other papers will be sent by e-mail.
Postage	<p>Postage-paid envelopes are available on request for use on County Council business</p> <p>Items can be posted through the Council postal system if left at County Hall.</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>
Newsletters and leaflets	From time to time Councillors may like to issue newsletters in their electoral division. The Council will provide a black and white photocopying service providing the document is not political.
Photocopying	<p>A photocopier is available next to the Councillors' room which is suitable for low volume copying.</p> <p>It is permitted to use the photocopier for small amounts of personal photocopying. If large amounts of photocopying are required, however, for example duplicate copies or copies of large documents, councillors should contact the Head of Democratic Services or refer to the Print Services Support Team for information regarding their charges.</p>
Travel	
Mileage	Mileage or fares will be paid as set out in the Scheme of allowances
Rail Warrants	You can request travel warrants and exchange them at your local train station for a ticket. For warrants and more details contact Anne Slatter on (01273) 481576.
Training	
Members training programme	A full programme of training is provided for Councillors

Councillor's ICT Agreement 2009

This Agreement is between (Name) of (Election Division) ("the Member")

And East Sussex County Council Hall, St Anne's Crescent, Lewes, BN7 1SW ("the Council")

Date:

For the loan to and use of Information Communication Technology (ICT) Equipment by Members of East Sussex County Council.

It is agreed as follows:

1 HARDWARE SUPPLIED

1.1 The ICT equipment loaned to the Member is as follows:

(a) Laptop / Desktop	Dell Latitude	
(c) Router	CISCO	
(d) Printer		
(e) Monitor	Dell	(optional)
(f) Keyboard	Dell	(optional)
(g) Mouse	Dell	(optional)
(h) Port Replicator	Dell	(optional)
(i) Monitor Stand	Dell	(optional)

Together referred to in this agreement as "the Equipment"

2 PREMISES

- (a) The Member agrees that the Equipment supplied will be mainly kept as the address given above as the Member's home address. Whilst in transit the Member agrees to take all reasonable precautions necessary to ensure that the Equipment is not damaged or stolen. In the event that you have to leave the Equipment in your vehicle please ensure the Equipment is left in the boot, but be aware that the Equipment will not be covered by the insurance, see 4(d).
- (b) The Member agrees to allow Council staff access to the Member's home address on reasonable notice to install, maintain, disconnect, reconnect, update, upgrade or remove the Equipment described above.

3 DELIVERY AND INSTALLATION

- (a) In consideration of the commitments by the Member in this agreement, the Council shall deliver and install at a time convenient to the Member, the Equipment described in section 1 above. Further delivery and installation may be necessary on dates to be arranged between the parties.

4 INSURANCE

- (a) The Council shall be responsible for insuring the Equipment loaned to Members.
- (b) The Member shall indemnify the Council for the loss or damage caused to the Equipment due to the Member's own carelessness or negligence save where such loss or damage is covered by the Council's insurance policy.

(c) The Member agrees that if the Equipment is (damaged or) stolen due to the Member's own carelessness or negligence the Member will pay the £250 excess which will then fall due.

(d) Laptops are not insured whilst in a motor vehicle. While the Council will not ask Councillor's to reimburse the cost of a laptop stolen from a motor vehicle, members are asked to try to avoid leaving their laptop in a motor vehicle, and in any event where this is necessary to make every effort to ensure its security by keeping the laptop in the boot.

5 MAINTENANCE TRAINING AND SUPPORT

(a) The Council shall supply such maintenance as considered reasonable.

(b) The Council shall supply such training as is necessary for the member to be able to use the equipment for County Council business, including remote access to the Intranet.

(c) The Council shall supply support to the Member in the form of a Help Desk Facility available during office hours. The Help Desk telephone number is 01273 481234.

(d) The Council shall supply support to the Member in the form of a Help Desk facility available outside office hours. The Help Desk telephone number is 01273 481234 followed by option 1 for Councillor Support.

(e) The Council may supply such further training and support as it considers necessary at any time, such training and support to be notified to the Member accordingly.

6 USE OF THE EQUIPMENT

(a) The Member agrees that the Equipment, including the dedicated telephone line, shall only be used by the Member in person to facilitate the discharge of the business of the County Council or the role of an elected County Councillor, and that no other person (including members of the family) will be allowed use of the Equipment.

(b) The Member agrees to use the Equipment in accordance with County Council guidelines on:-
(i) Internet Access and Usage Policy
(ii) Data in Transit Policy

(c) The Member agrees to report promptly any loss or damage to all or any of the Equipment to the Council.

(d) The Member agrees to indemnify the Council against any loss or damage to the Equipment howsoever caused.

(e) The Member will be responsible for supplying furniture for use with the Equipment.

(f) The Members shall be mindful of health and safety issues relating to the use of the Equipment, and their attention is drawn to the County Council's [Display Screen Equipment Policy](#), and the self assessment which they can complete if the Member wishes.

7 CONFIDENTIALITY

- (a) The Member agrees to use the Equipment in accordance with County Council guidelines on Data Protection.
- (b) The Member agrees to take all reasonable precautions to ensure that all confidential information whether on the hard drive or on CD will be protected and shall remain confidential and that use of the Equipment will not prejudice this confidentiality.

8 OTHER REGULATIONS

- (a) The Member agrees to be bound by all current legislation and County Council policies relating to the installation and use of the Equipment and by such further legislation and policies as may be published from time to time.

9 TERMINATION OF THE AGREEMENT

- (a) Termination will occur:-
 - (i) at any time by the Deputy Chief Executive & Director of Corporate Resources requesting the return of the equipment on reasonable notice.
 - (ii) when a Member ceases to be in Office due to elections resignation or for any other reason.
- (b) On termination the Member will ensure that all the Equipment is at the Member's address within 48 hours of termination for disconnection and collection by Council staff under clause 2(b).

SIGNED BY (name)

Member

**SIGNED for and on behalf of
EAST SUSSEX COUNTY COUNCIL**

Authorised Officer

