

**When telephoning, please ask for:**  
**Direct dial**  
**Email**

Tracey Coop  
0115 914 8511  
constitutionalservices@rushcliffe.gov.uk



**Our reference:**  
**Your reference:**

**Date:** Friday, 22 June 2018

To all Members of the Standards Committee

Dear Committee Member,

A Meeting of the Standards Committee will be held on Monday, 2 July 2018 at 7.00 pm in Council Chamber Area B, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely

Julian Crowle  
Monitoring Officer

## **AGENDA**

1. Apologies for Absence
2. Minutes of the Meeting held on 30 April 2018 (Pages 1 - 4)
3. Declarations of Interest
4. Cases and Work Update 2018 - 2019 (Pages 5 - 8)  
  
The report of the Monitoring Officer is attached.
5. Revisions to the Councillors' Code of Conduct (Pages 9 - 66)  
  
The report of the Monitoring Officer is attached.

### Membership

Chairman: Councillor J Wheeler  
Councillors: S Bailey, M Buckle, R Inglis, S Mallender, F Purdue-Horan,  
G Norbury, K White and A Wood

#### **Rushcliffe Community Contact Centre**

Rectory Road  
West Bridgford  
Nottingham  
NG2 6BU

#### **In person**

Monday to Friday  
8.30am - 5pm  
First Saturday of  
each month  
9am - 1pm

#### **By telephone**

Monday to Friday  
8.30am - 5pm

#### **Telephone:**

0115 981 9911

#### **Email:**

customerservices  
@rushcliffe.gov.uk

[www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk)

#### **Postal address**

Rushcliffe Borough  
Council  
Rushcliffe Arena  
Rugby Road  
West Bridgford  
Nottingham  
NG2 7YG



<b>Meeting Room Guidance</b>
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## **MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE MONDAY, 30 APRIL 2018**

Held at 6.00 pm in the Council Chamber Area B, Rushcliffe Arena, Rugby Road,  
West Bridgford

### **PRESENT:**

Councillors R Adair (Chairman), K Beardsall, M Buckle, S Mallender and  
F Purdue-Horan

### **ALSO IN ATTENDANCE:**

J Baggaley (Independent Person for Standards Matters)  
A Wood (Independent Member)

### **OFFICERS IN ATTENDANCE:**

T Coop	Constitutional Services Officer
J Crowle	Solicitor
G O'Connell	Monitoring Officer

### **APOLOGIES:**

G Norbury and K White  
Kerry White joined the meeting on a conference call

#### **14 Declarations of Interest**

Councillor Mallender declared a non-pecuniary interest in agenda item 4, cases  
update 2017-18 case references 2/18 and 3/18.

#### **15 Minutes of the Meeting held on 29 January 2018 and of the Standards Committee Sub-Committee of 22 February 2018**

It was **RESOLVED** that:

- a) the Minutes of the meeting of the Standards Committee held on 29  
January, 2018 be approved as true record.
- b) the Minutes of the meeting of the Standards Committee-Sub Committee  
(Standards Hearing Panel) held on 22 February, 2018 be approved as a  
true record.

#### **16 Cases Update 2017/18**

The Monitoring Officer provided a report to update the committee on the  
number of complaints regarding alleged breaches of the Councillor's Code of  
Conduct. The report highlighted that since the last meeting on 29 January 2018  
there had been a further three cases received, with each of these cases being  
dealt with by the Monitoring Officer, giving due regard to the Councillors  
Complaints Procedure and, where appropriate the Independent Person had

been consulted.

The Monitoring Officer reported that a further two cases had been received, being complaints from two Borough Councillors about actions of another Borough Councillor. The Monitoring Officer advised that he had requested further details from the complainant and would provide the formal decision at the next meeting. Councillor Mallender, who had declared a non-pecuniary interest in this item, was advised by the Monitoring Officer that as he had not yet received full details of the case, and that as a full investigation had not yet commenced, Councillor Mallender was not required to leave the room during the discussion of the item.

The Monitoring Officer reported that case number 1/8 had been rejected following an initial appraisal. The case had involved a social media post whereby a Councillor had made a personal comment on a social media platform, but had not made the comment in their capacity as a Councillor. The Monitoring Officer noted that the Performance, Reputation and Constitutional Services Manager had provided a presentation on e-Media at the last Town and Parish Forum advising that extreme care must be taken when using social media platforms.

It was **RESOLVED** that the report of the Monitoring Officer be noted.

## **17 Proposals to Revise the Councillors' Code of Conduct**

The Monitoring Officer provided a report for the Committee to consider and comment on potential amendments to the Borough Council's Councillors Code of Conduct. The Monitoring Officer added that originally revisions of the Code of Conduct would have formed part of the work of the Task and Finish Group when revising the Constitution, however the Group had been concerned that this could delay the adoption of the revised Constitution so had removed the Councillor's Code of Conduct from the scope of the Group.

The Monitoring Officer advised that revising the Code of Conduct would involve speaking to more stakeholders than reviewing the other parts of the Constitution had required, given the need to involve the Standards Committee, the Corporate Governance Group, full Council, Town and Parish Councils (most of which adopted the Borough Council's Code of Conduct) as well as individual Borough Councillors who would be affected by its provisions.

The Committee considered the Borough Council's current Code of Conduct and those of Gedling Borough Council and Nottingham City Council alongside information collected from the Town and Parish Forum.

The Monitoring Officer advised that from his experience of working with the Code, largely at Town and Parish level, advised that a reversion to the style of code used by the pre-Localism Act 2011 National Model Code for Town and Parish Councillors may provide greater clarity. The Monitoring Officer noted that by applying this approach of the Nolan Principles, and retaining information from the former National Code that this would address any specific and common forms of code breach. The Monitoring Officer noted that by applying similar provisions to the 'personal interest' and 'personal prejudicial interest' formulae from the former National Code to deal with interests, which

were capable of impacting on a Councillors proper judgement when taking decisions would improve the current arrangements. The Monitoring Officer added that currently the Borough Council's Code of Conduct did not refer to such interests and was a shortcoming within its local arrangements.

The Monitoring officer advised that feedback from a recent Town and Parish Forum had highlighted concerns raised by Clerks, and in particular the unacceptable conduct of some Councillors and the improper use of social media, which reflected a growing trend in code complaints about Councillors' misuse of social media.

The Committee considered what actions were needed for a revision of the Borough's Code of Conduct and welcomed the proposals of the Monitoring Officer. Members of the committee agreed that the use of e-media was a growing concern amongst Code complaints about Councillors, and welcomed a provision that specifically addressed this issue. The Chairman suggested that the Monitoring Officer looked at the Nottinghamshire County Code of Conduct which had recently been revised when preparing the Borough Councils draft revision of the Code.

It was **RESOLVED** that:

- a) the report be noted.
- b) revisions to the Code of conduct be drafted to cover the areas considered in the report, and others raised by the Committee, and that a revised draft Code be brought back to the Standards Committee for further consideration.

The meeting closed at 6.40pm.

CHAIRMAN

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Rushcliffe  
Borough Council

## Standards Committee

2 July 2018

## Cases and Work Update 2018 -2019

### Report of the Monitoring Officer

#### 1. Summary

- 1.1. This report provides information on the number of complaints received since the implementation of the new standards regime from July 2012. It also aims to help in identifying areas where training or education may assist Councillors' understanding of the regime's requirements.

#### 2. Recommendation

It is **RECOMMENDED** that the report be noted.

#### 3. Details

- 3.1. As previously reported to the Committee, in June 2012, Council agreed a Councillor Code of Conduct in line with provisions within the Localism Act 2011. It also agreed to retain a Standards Committee. Council requested that the Code and the Committee's role and terms of reference be reviewed after a year. At its meeting on 25 July 2013, the Standards Committee undertook this review and its report and recommendations were presented to Council in September 2013.
- 3.2. At its meeting in September 2013, Council upheld the Standards Committee's recommendations with no changes being made to the Committee's composition or terms of reference. In December 2013, Council agreed the appointment of John Baggaley as the Council's Independent Person for standards as required by the Localism Act. At the Standards Committee's request, Mr Baggaley is invited to attend its meetings in order that he is aware of its role and work.
- 3.3. In relation to complaints received since the implementation of the existing standards regime (from the 1 July 2012), there have been a total of 51 cases. Details of these cases have been periodically reported to the Committee, with the last report in January 2018.
- 3.4. Cases 01/13 to 1/17 were contained in the previous report to Committee considered in June 2017. Cases 2/17 to 14/17 were reported at the October 2017 meeting. Case 1/18 was reported at the April 2018 meeting. The new cases received since the last report are set out in the table attached as **Appendix A**. Each of these cases has been dealt with by the Monitoring Officer giving due regard to the published Councillor Complaints Procedure. Where appropriate the Independent Person has been consulted.

3.5. The table at **Appendix A** indicates the date of complaint, if it related to a Borough, Parish or Town Councillor, if the complaint was made by another Borough, Parish or Town Councillor and what action was taken to address the complaint. Historical information is in shaded boxes, and fresh information is in white background boxes.

3.6. Since the last report to the Committee a further three cases have been received, being complaints from two Borough Councillors about actions of another Borough Councillor and one case from a member of the public about actions of a Borough Councillor. All of these cases have been rejected following initial appraisal.

#### **4. Other Work**

4.1. During the year, the Monitoring Officer has been available to provide support to questions raised by individuals.

4.2. Since the last meeting invitations have been made for presentations to Parish Councils but at the time of writing this report have not been arranged.

4.3. The training and development work was reported to the last meeting and is programmed to deliver induction training following the May 2019 elections

4.4. Proposals in relation to the Code of Conduct are the subject of a separate report on this agenda.

#### **5. Implications**

##### **5.1. Finance**

There are no direct financial implications.

##### **5.2. Legal**

There are no specific legal implications

##### **5.3. Corporate Priorities**

Delivery of an effective Standards regime supports the Council's priority of *'Maintaining and enhancing our residents' quality of life – Our residents'*

##### **5.4. Other Implications**

None

<b>For more information contact:</b>	Julian Crowle Monitoring Officer <a href="mailto:jcrowle@rushcliffe.gov.uk">jcrowle@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	None
<b>List of appendices (if any):</b>	<b>Appendix A: Summary of new cases from January 2018</b>



## Appendix A

### Summary of new cases from January 2018

Case Ref	Date received	RBC/Parish Council	Complainant	Independent Person consulted	Decision and date
1/18	2/1/2018	Bingham Town Council	Member of the public	No	Further details of complaint received. Complaint rejected following initial appraisal
2/18	15/3/2018	Borough Council	Borough Councillor	Yes	Complaint rejected following initial assessment
3/18	15/3/2018	Borough Council	Borough Councillor	Yes	Complaint rejected following initial assessment
4/18	16/4/2018	Borough Council	Member of the public	Yes	Complaint rejected following initial appraisal

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## Standards Committee

2 July 2018

### Revisions to the Code of Conduct for Councillors and Co-opted Members

## Report of the Monitoring Officer

### 1. Summary

- 1.1 Following the Standards Committee's successful review of the Borough Council's Constitution over the last 18 months and the previous Monitoring Officer's report to the last Standards Committee, it was agreed that revisions to the current Code of Conduct should be considered.

The report of the Monitoring Officer supplied at the April 2018 meeting of the Standards Committee identified that, in common with many other authorities, the Borough's Code of Conduct is brief, and broadly limited to the requirements for the registration of Disclosable Pecuniary Interests and the adoption of the Nolan principles. The previous report noted in particular that there was scope for improvement in the way in which non-pecuniary interests are handled at Council meetings.

- 1.2 This report seeks to identify potential areas of addition and amendment to the Borough Council's Code of Conduct and seeks to progress the work of the Committee in considering revisions to the Borough Council's Code of Conduct.

### 2. Recommendation

It is **RECOMMENDED** that

- a) The Committee consider the issues raised in this report and comment upon them at the meeting;
- b) Appropriate areas for inclusion in the Borough Council's Code of Conduct be identified;
- c) Methodology for dealing with non-pecuniary interests be considered.

### 3. Reasons for Recommendation

- 3.1 The Borough Council has a duty to keep its Code of Conduct up to date (section 37 of the Local Government Act 2000) and it should include provisions which the Council considers appropriate in connection with the registration and

disclosure of interests (both pecuniary and otherwise) under the provisions of Chapter 7 of the Localism Act.

#### **4. Supporting Evidence**

4.1 At the April 2018 meeting of the Standards Committee, it was agreed that the Codes of Conduct for Nottingham City Council and Gedling Borough Council would be considered to ascertain whether there were any elements from these codes which could be usefully incorporated into the Borough Council's Code of Conduct, particularly with regard to non-pecuniary interests. The previous Committee Chairman suggested that the recently revised code of Nottinghamshire County Council should be considered as an appropriate starting point, noting that a number of Rushcliffe Borough Council councillors also served at other tiers of local government including at county level. Although the underlying principles between codes of different authorities and tiers of local government are hopefully largely consistent, it was felt that some level of uniformity between different codes may assist Councillors in dealing with matters relating to conduct. The Nottinghamshire County Council code of conduct is attached at **Appendix 1** to this report. It is noted that the Nottinghamshire County Council code is slightly broader in its scope and extent than the current Rushcliffe Borough Council code.

4.2 Committee members will note in particular that the Nottinghamshire County Council code includes the requirement for councillors to comply with policies, protocols and procedures relating to the following areas/activities:

- i) Councillor Divisional Fund Policy and Guidance (**Appendix 2**)
- ii) Equality and Diversity policy (**Appendix 3**)
- iii) ICT policy and Councillor's ICT Acceptable Use Guidance
- iv) Information Management policies (**Appendix 4**)
- v) Travel and Accommodation policies (**Appendix 5**)
- vi) Councillor Interests Protocols (**Appendix 6**)
- vii) Councillor Gifts and Hospitality Protocol (**Appendix 7**)
- viii) Councillor Use of Resources Protocol (**Appendix 8**)
- ix) Councillors' Social Media Protocol (**Appendix 9**)
- x) Protocol for Councillor and Officer relationships (**Appendix 10**)
- xi) Protocol for investment in outside bodies (**Appendix 11**)
- xii) Councillors' allowances Scheme
- xiii) Disclosure and barring Scheme checks procedures
- xiv) Procedure rules for meetings of Full Council and Committees

Items i – xi (excluding item iii) are annexed to this report for the purposes of review. Clearly, the majority of these items are included already in the Borough Council's current Code of Conduct and constitution. Committee members are invited to consider whether those items which aren't currently included in the Borough Council's Code of Conduct should be included and whether there is scope for improvement on items which are currently included. Support for the introduction of a social media protocol has already been noted. A suggested list of the key points for inclusion in the Borough Council's social media guidance is attached at **Appendix 12** for consideration.

4.3 It has already been noted that there is scope for improving the guidance relating to non-pecuniary interests. The Borough Councillors' current Code of Conduct has the following references to non-pecuniary interests:

- 1) Councillor Code (paragraph F) – “[When acting in your capacity as Councillor or co-opted member]...you must declare any private interests, both pecuniary and non-pecuniary....that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below”
- 2) The “box” referred to above states, with regard to non-pecuniary interests – “In addition [to registration of pecuniary interests within 28 days of appointment] you must, within 28 days of taking office as a Councillor or co-opted member, notify the Council’s monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register”
- 3) The “box” also requires that councillors should “observe the restrictions which the Council places on your involvement in matters which you have a pecuniary or non-pecuniary interest as defined by the Council”
- 4) The planning code (paragraph 7.1) which requires the disclosure of all interests but that “it does not then necessarily follow that the holding of a non-pecuniary interest debars the Councillor from participation in the discussion and voting. If, however, a non-pecuniary interest is capable of affecting the Councillors judgement, then the Councillor must withdraw from the room and not participate in the discussion of the matter”

4.4 The Committee is therefore asked to consider whether the above is sufficient, or whether any of the approaches and/or guidance offered by other councils (such as Nottingham City Council, Gedling Borough Council (annexed to the agenda of the previous meeting of this Committee) or Nottinghamshire County Councils) are more appropriate and helpful to Councillors. Further, whether and to what extent, additional guidelines relating to the handling of nonpecuniary interests might assist Town and Parish councils who have already adopted the Borough Council’s Code of Conduct. The Committee is also invited to consider what effect the amendment of the Borough’s Code of Conduct in this respect would have on the adoption at Town and Parish level of the Borough’s Code. The responses given at the Town and Parish forum (appendix 4c to the agenda pack from the last meeting of this Committee refers) suggests that there may be a level of support.

## **5. Risk and Uncertainties**

5.1 The key risk is achieving a consensus of opinion between stakeholders as to what represents a reasonable way of delivering the improvements contemplated by this report. It is hoped that the Committee can provide robust and reasoned conclusions for recommending the outcomes that it eventually puts forward for determination by Council.

## **6. Implications**

### **6.1. Finance**

It is intended that existing staff resources be used to consider and deliver these proposals.

### **6.2. Legal**

The Legal background is considered above.

### **6.3. Corporate Priorities**

Up to date constitutional documents seek to provide a robust method of supporting delivery of Council objectives.

<b>For more information contact:</b>	Julian Crowle Monitoring Officer 0115 914 8554 <a href="mailto:jcrowle@rushcliffe.gov.uk">jcrowle@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	None
<b>List of appendices:</b>	<ol style="list-style-type: none"> <li>1. The Code of Conduct for Councillors and Coopted Members</li> <li>2. Councillor Divisional Fund Policy and Guidance</li> <li>3. Equality and Diversity policy</li> <li>4. Information Management policies</li> <li>5. Travel and Accommodation policies</li> <li>6. Councillor Interests Protocols</li> <li>7. Councillor Gifts and Hospitality Protocol</li> <li>8. Councillor Use of Resources Protocol</li> <li>9. Councillors' Social Media Protocol</li> <li>10. Protocol for Councillor and Officer relationships</li> <li>11. Protocol for investment in outside bodies</li> <li>12. Social Media Key Points</li> </ol>

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## PART B – CODES OF CONDUCT AND GUIDANCE FOR COUNCILLORS AND OFFICERS

### CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS

#### INTRODUCTION

1. The public is entitled to expect the highest standards of conduct from all Councillors and co-opted members of the County Council.
2. The Code sets out the standards of service that are expected from Councillors and co-opted members of the Council. In particular, Councillors and co-opted members should act in an open and transparent manner and should not do anything which would prejudice the reputation of the Council.
3. It is important Councillors and co-opted members understand their position as regards standards of conduct, and if in any doubt should seek guidance. This is because in some circumstances a breach of the Code could be a criminal offence and because any person could make a complaint to the Council if they believe a Councillor or co-opted member has breached the Code.
4. This Code is adopted in accordance with Section 27(2) of the Localism Act 2011. This Code is accompanied by a Councillors' Interests Protocol and a Procedure for Dealing with Conduct Allegations.

#### UNDERLYING PRINCIPLES

5. As a Councillor or co-opted member of the Council you must have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership – the seven 'Nolan Principles' of public life.
6. This Code applies when you are acting in your capacity as a Councillor or co-opted member. This includes attendance at formal committee meetings, acting as a formal representative of the Council, discharging your electoral division functions, meetings with County Council officers and site visits. Also all telephone calls, emails, letters and social media posts where it could be perceived that you are acting in your capacity as a Councillor or co-opted member.
- 5-7. It may sometimes be difficult to distinguish between whether you are acting in a public or private capacity, for example on social media and when attending public events. You are an ambassador for the County Council whenever you are in public, whether on social media or in person. You should bear in mind at all times and in all situations the obligations you have under this Code.

## GENERAL CONDUCT

6-8. Accordingly, when acting in your capacity as a Councillor or co-opted member:

- a. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate;
- b. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties;
- c. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit;
- d. You are accountable for your decisions to the public and you must cooperate fully with whatever scrutiny is appropriate to your office;
- e. You must be as open as possible about your decisions and actions and the decisions and actions of the Council and should be prepared to give reasons for those decisions and actions;
- f. You must declare any private interests, both pecuniary and nonpecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below;
- g. You must, when using or authorising the use by others of the resources of the Council, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986;
- h. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example, by respecting others and not bullying, intimidating or harassing any person, or behaving in an improper or offensive manner (including by using offensive language or making personal remarks about individuals), by respecting the confidentiality of information you receive, and by not conducting yourself in a manner which is likely to bring the authority into disrepute.

## POLICIES, PROTOCOLS AND PROCEDURES

9. You must comply with the Council's adopted policies, protocols and procedures including: -

a. Policies

- i. Councillor Divisional Fund Policy and Guidance
- ii. Equality and Diversity Policy
- iii. ICT policies and Councillor's ICT Acceptable Use Guidance
- iv. Information Management policies
- v. Travel and Accommodation Policy

b. Protocols

- i. Councillor Interests Protocol
- ii. Councillor Gifts and Hospitality Protocol
- iii. Councillor Use of Resources Protocol
- iv. Councillors' Social Media Protocol
- v. Protocol for Councillor and Officer relationships
- vi. Protocol for involvement in outside bodies

c. Procedures/Schemes

- i. Councillors' Allowances Scheme
- ii. Disclosure and Barring Scheme checks procedure
- iii. Procedure rules for meetings of Full Council and Committees

**REGISTERING AND DECLARING PECUNIARY AND NON-PECUNIARY INTERESTS**

7.10. You must, within 28 days of taking office as a Councillor or co-opted member, notify the Council's Monitoring Officer of any Disclosable Pecuniary Interest (we have set out the definition of a Disclosable Pecuniary Interest in the ~~Appendix to~~ Councillors' Interests Protocol which accompanies this Code), where the pecuniary interest is yours, or that of your spouse, civil partner, or a person you are cohabiting with. **Failure to do so is a criminal offence. On reelection you must check, within 28 days, whether any amendment is needed to the information you provided previously. Again, failure to do so is a criminal offence.**

11. You must declare any Disclosable Pecuniary Interests ~~and private interests, both pecuniary and non-pecuniary,~~ to any meeting of the Council at which you are present and have an interest in any matter being considered. **Failure to do so is a criminal offence.**

8.

9.12. ~~If the interest being declared is a "sensitive interest" you only have to disclose the fact you have an interest but do not need to disclose the nature of the interest.~~

~~10-13.~~ Following any disclosure at a meeting of a Disclosable Pecuniary Interest not already on the Council's register, you must notify the Monitoring Officer of the interest within 28 days of the date of disclosure. **Failure to do so is a criminal offence.**

14. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function ~~related to any matter in relation to any business~~ in which you have a Disclosable Pecuniary Interest. **Failure to do so is a criminal offence.** Additionally, you are required to leave the room in which the meeting is being held whilst the matter is under consideration in accordance with the Council and Committee procedure rules, ~~paragraphs 17 and 12 respectively.~~

15. **In addition** you must declare any Private Interests, both pecuniary and nonpecuniary, to any meeting of the Council at which you are present and have an interest in any matter being considered. You may still participate in the item under discussion and vote, although depending on the circumstances you may decide it would be more appropriate not to.

16. A Private Interest is where a decision in relation to that interest might reasonably be regarded as affecting the wellbeing or financial standing of you or a member of your family or a person you have a close association with, more than it would other people in your electoral division or the County Council's area. It may also include other positions held where relevant, for example membership of a board or association or being a school governor. In short, anything you think the public would expect to know about if, as a Councillor or co-opted member, you were involved in a matter relating to it.

~~11-17.~~

## **SENSITIVE INTEREST**

12-18. Where you are concerned that the disclosure of an interest would lead to you or a person connected with you being subject to violence or intimidation, you may request the Monitoring Officer to agree that the interest is a **"sensitive interest"**.

19. If the Monitoring Officer agrees, then at a meeting you merely have to disclose the existence of the sensitive interest rather than the detail of it, ~~at a meeting, and. Where it is a Disclosable Pecuniary the Interest the~~ Monitoring Officer ~~can~~ will also exclude the detail of the sensitive interest from the Council's publicly available version of the register. If circumstances change you should notify the Monitoring Officer so that the public register can be amended accordingly.

13-20. The Council has adopted a **Councillor Interests Protocol** to accompany this Code of Conduct; Councillors and co-opted members should refer to it for further information and guidance.

14. ~~You must, within 28 days of becoming aware of any change of circumstances which means that information excluded is no longer a “sensitive interest”, notify the Council’s Monitoring Officer in writing.~~

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## **Revised Policy and Guidance on Councillor's Divisional Fund**

This Policy was last revised in September 2012.

### **1. Background**

- a) The Councillor's Divisional Fund (CDF) is a specific budget to enable each Member to, subject to compliance with the requirements of the scheme put forward proposals for expenditure in their electoral divisions which accord with the strategic objectives of the Council.
- b) Each Member will receive an annual allowance of £5,000 to spend within each financial year. Any funds remaining and unspent within this budget at the end of the financial year will be returned to County Fund balances.
- c) Applications will be processed through Democratic Services, who will also give advice on the operation of the fund and whether proposals meet the requirements of the scheme. A record of all expenditure under the scheme will be maintained and will be publicly available on the Council's website.

### **2. The Scheme**

- a) The fund is designed to allow members to offer financial support to those individuals, organisations and groups within their division who actively support the community.
- b) Proposals should be for one-off items of expenditure and not for anything which could create an on-going financial commitment, e.g. administrative support.
- c) Funding is not available for the direct employment of staff, or for rent or general running costs of the organisation.
- d) Funding is not available for general charitable donations where there are no specific and identifiable benefits to the particular division.
- e) Funding cannot be given to any request which supports any matter which is contrary to County Council Policy - additionally funding cannot be provided to oppose or support any proposal including planning proposals which the County Council has a legal obligation to determine. A decision to refuse any requests will be made by the Monitoring Officer in consultation with the Chairman of the Finance and Property Committee.
- f) Two or more members may agree a joint proposal for the whole or part of their divisional budgets provided the proposals meet the requirements of the scheme.

- g) Any awards made should be in excess of £35.00 in order to ensure that the administration costs of awarding the payment do not exceed the payment itself.

### 3. Declarations of Interest

- a) The Council's Code of Conduct and the Nolan Principles and usual rules on declarations of interest apply to the CDF. Members must not place themselves in a position where their honesty and integrity may be questioned and should exercise their responsibility for the stewardship of the council's resources properly.
- b) If a Member has a private interest in a proposal they must declare it on the application form. Members should not put forward a proposal in which they could be considered to have a disclosable pecuniary interest.

### 4. Administrative Procedures

- a) Proposals for expenditure must be made on the agreed proforma application form and submitted to Democratic Services.
- b) Payments will be made by cheque, BACS transfer or internal transfer.
- c) If other County Council funding for the same project has been applied for, agreed or previously provided, such details should be included on the application form.
- d) Where a proposal is for a project that requires funding from more than one source, the grant will be not paid until all the funding is in place but an indication of support can be given.
- e) The Council's Grant Aid strategy directs applicants for grant aid requests below £500 to make applications for the Divisional Fund. Applications under the grant aid scheme must demonstrate how the project for which funding is requested meets the strategic objectives of the Council. Funding proposals/requests under the Divisional Fund Scheme must also demonstrate how the project meets the Council's Strategic Objectives.
- f) Between 5-10 applications annually will be the subject of an audit which will including ensuring that the monies provided have been spent in accordance with the application made. The applications to be audited will be agreed with the Chairman of Finance and Property Committee and the results of the audit reported to Finance and Property Committee.
- g) Reports on the use of the Divisional Fund will be brought to Finance and Property committee on a quarterly basis.

### 5. Publicity



- a) CDF funding is intended to have a direct benefit for the community. It is important that this is transparent and that the contribution made by the Council is recognised appropriately.
- b) In order to ensure funding is recognised –
  - i) awards made will be reported on the individual web pages of Members
  - ii) a list of awards made will be maintained on the Council's website
  - iii) press releases will be issued on particular schemes.
  - iv) reports on the use of the Divisional Fund will be brought on a quarterly basis to Finance and Property Committee.
- c) In addition to this, the organisations in receipt of the award will be expected to acknowledge the County Council's funding. This may include a notice stating the project was funded via the Divisional Fund, or acknowledged in the organisations publications, annual reports or meeting minutes. Individual Councillors should not be named in any permanent notices or plaques. Advice on suitable publicity is available to Members from the Service Director for Communications.

## 6. Review

The Scheme will be kept under review in accordance with all council policies.

## 7. Pre-Election Periods

In the year of a County Council election, no requests for funding, payments or publicity relating to this scheme will be proposed or permitted from the date of publication of the Notice of election until after polling day.

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## Equality Policy

### **The vision for Nottinghamshire**

Nottinghamshire County Council is committed to fostering high aspirations, independence and personal responsibility. It will ensure that its services are good quality and affordable and will involve citizens in all aspects of services through consultation, listening and then acting on what they say about services.

The County Council has a duty to act positively to create and promote access to services to all citizens, irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, ethnicity, religion or belief, gender, sexual orientation, cultural, social or economic background. The council is committed to providing services that are customer driven, prudent and efficient. It will be realistic, enthusiastic and ambitious and will treat the public and colleagues with fairness, respect and honesty.

The County Council will ensure that all of its councillors and staff, the organisations that it supports and its partners in service delivery are aware of this policy and that appropriate steps are taken to implement it.

### **The policy has two parts:**

- Equality in the way we deliver our services
- Equality in our employment practices.

### **Equality in the way we deliver our services**

The Council will:

- establish good quality, usable information about its diverse citizens and their needs, to plan appropriate services
- consult and involve citizens as widely as possible, especially with eligible people not using services, to encourage greater involvement from them in the decision making process
- assess its services and any changes to them for any equality impact
- work with partners to help them eradicate inequality and discrimination in their particular fields
- ensure that all suppliers working on behalf of the county council follow the council equality policy and practice.
- actively promote services and when necessary, target particular individuals and groups
- take action when discriminatory practices are taking place

## **Equality in our employment practices**

The council is committed to ensuring that it has a workforce that is fit for purpose and empowered to make decisions and actively contribute to improvement to services. It recognises that supporting diversity in the workplace and taking account of diversity issues in working practices helps to improve services to our local community.

### **The Council will:**

- strive to ensure that its workforce reflects the diversity of the communities it serves.
- ensure that its employment, policies, procedures and practices are applied fairly and consistently
- ensure that all of its workforce are treated fairly and respectfully at all times
- ensure that its employees treat all service users fairly and respectfully at all times
- take appropriate and immediate action to challenge and address any inappropriate behaviour or discrimination
- ensure that all of its managers include discussion about treating people fairly and considering individual needs, in each employee's Employee Performance and Development Review process.

### **The policy is implemented through the Council's:**

- Strategic Plan
- Sustainable Community Strategy
- Workforce Strategy
- Equality Plan

All documents are published on the County Council website at **[www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)**

**September 2010**

**Policy Library Pro Forma**

This information will be used to add a policy, procedure, guidance or strategy to the Policy Library.

**Title:** Information Management and Data Quality Policy

**Aim / Summary:** To maximise the effectiveness of Nottinghamshire County Council by managing data, information and records as strategic corporate assets in support of our values, priorities and plans and ensure compliance with relevant legislation. .

**Document type** (please choose one)

Policy	X	Guidance	
Strategy		Procedure	

**Approved by:** Policy committee

**Version number:** 2.0

**Date approved:** 20<sup>th</sup> April 2016

**Proposed review date:** April 2017

**Subject Areas** (choose all relevant)

About the Council	X	Older people	
Births, Deaths, Marriages		Parking	
Business		Recycling and Waste	
Children and Families		Roads	
Countryside & Environment		Schools	
History and Heritage		Social Care	
Jobs		Staff	
Leisure		Travel and Transport	
libraries			

**Author:** Information Manager

**Responsible team:** Information

**Contact number:** 0115 9774173

**Contact** **email:**  
william.smith@nottscc.gov.uk

**Please include any supporting documents**

1. [Data Protection Act 1998](#)

2. [Data Protection policy](#)

Review date	Amendments
18 <sup>th</sup> September 2013	1 <sup>st</sup> version approved by Policy committee
20 <sup>th</sup> April 2016	Policy updated to reflect new reporting requirements and includes new sections on information sharing, privacy notices and training.

## Information Management and Data Quality Policy

### Context

1. The overall purpose of this policy is to maximise the effectiveness of Nottinghamshire County Council by managing data, information and records as strategic corporate assets in support of our values, priorities and plans and ensure compliance with relevant legislation.
2. Effective data and information management (IM) makes service delivery more efficient, and supports transparency, collaboration across departments, and informed decision making in County Council operations. It also preserves historically valuable information and records.
3. The introduction of standardised Information Management systems and data quality will enable the County Council to deliver reductions in bureaucracy and raise the performance of all key business processes. It will also help to keep the information that we hold safe and secure.

### Scope of this policy

4. Data, information and records are corporate resources owned by the County Council. All data, information, documents and records must be managed in accordance with this policy and associated documents.
5. This policy applies to all data, information and records held by the County Council, regardless of format. This includes documents and records in electronic or digital form as well as physical form (hardcopy).
6. This policy applies to all elected members, officers and through commissioning and agreements, partners, volunteers, contractors and consultants.

### Principles and Commitments

7. Information must be managed using sound processes. The County Council therefore commits to the following :
  - To be compliant with all relevant legislation and statutory requirements
  - To maintain accurate business information, data and records
  - To review and appropriately dispose of information, data and records that are no longer required
  - To ensure information security through robust technical and organisational controls.
  - To ensure that all staff have been made aware of their duty of care and appropriately trained in order to deliver the commitments of this policy.
  - To only collect information that is necessary for the delivery of services.
  - To collect information once wherever possible and develop a single business intelligence architecture to manage it appropriately to deliver a range of services, inform management decisions at service/operational, strategic levels and in partnership

### Responsibilities in relation to the Principles and Commitments

8. This policy establishes responsibilities which include;
  - **Corporate leadership team**; the corporate leadership team will be responsible for ensuring that this policy is implemented at all levels within the County Council.
  - **SIRO**; the Senior Information Risk Owner is responsible for leading and fostering the organisational culture that values, protects and uses information for the public good.

The SIRO is responsible for the overall information risk policy and risk assessment process.

- **Information Asset Owners;** are responsible for promoting and supporting the organisational culture as determined by the SIRO. They are also responsible for managing the information assets within their remit from the perspective of access, risk and lifecycle
- **Departmental management teams;** Responsibilities of departmental management teams include promoting a culture that values information and its effective management; and allocating appropriate resources to support information management, and support the work of the Information asset owners
- **Team managers;** Responsibilities of team managers accountable for implementing this policy include ensuring that the effectiveness of IM policy implementations are periodically assessed; and ensuring implementation of this policy and associated guidance.
- **All officers, partners, volunteers, contractors, consultants and agency staff** are responsible for applying IM principles, standards, and practices in the performance of their duties.
- **Elected Members;** members of the County Council including co-opted members are responsible for protecting the information and data which they have access to or are exposed to in the course of their County Council activities in accordance with this policy, its supporting documents and relevant legislation.
- **Information manager;** the information manager has specific roles and responsibilities related to the management of information, which include developing and promoting a framework for the management of information, including standards, guidelines, tools, and best practices that support this policy; and providing advice to departments.
- **Business Intelligence Manager;** has specific responsibilities related to the management and quality of the Council's data and business intelligence, which include developing and promoting standards for the provision and use of business intelligence, management information and analysis and co-ordinating service process and business system change and its impact on BI infrastructure.
- **ICT Services;** are responsible for ensuring that information and data management facilities are appropriate; effective and secure in accordance with legislative and statutory requirements. This will include the undertaking, and documentation, of appropriate risk assessments in respect of system and database security. ICT services are also responsible for ensuring that information security policies are maintained and adhered to in conjunction with the information manager.
- **Internal Audit;** The team will be responsible for ensuring that data quality meets the appropriate standard and that each audit undertaken has an element of challenge to ensure that information management and data quality are addressed in accordance with this policy and supporting documents.

## Implementation

9. Awareness of this policy will be promoted through news on the Council's intranet home page, at team meetings by discussion at appropriate performance reviews and other relevant meetings and by inclusion in appropriate training modules and in appropriate publications.

## **Review**

10. The policy will be reviewed in April 2017 and annually thereafter.



## **TRAVEL AND ACCOMMODATION POLICY**

### **GENERAL**

1. This policy (the Nottinghamshire County Council Travel Policy) covers the approval and booking arrangements for travel and accommodation required in connection with the Council's business. It does not apply to travel and accommodation required in connection with direct service delivery e.g. school, trips, service users' outings, where the relevant Departments will have their own procedures.
2. This policy replaces all previous policies, decisions and/or precedents relating to travel undertaken in connection with the business of the Council.
3. The power to amend this policy is reserved to the full Council.
4. The practices in this policy shall, as far as possible, reflect the contents of the County Council's Members' Allowances Scheme and the Terms and Conditions of Service for Employees (see paragraph 9 of the Financial Regulations and D7 and D10 of the Personnel Handbook).
5. In the event that a conflict arises between this Policy and the Members' Allowances Scheme the Monitoring Officer and the Chief Executive will mediate and determine the matter following consultation with the Leader.

### **GENERAL PRINCIPLES**

6. The policy is based on the following principles:
  - a. the proper conduct of business, and the overall efficiency of the Council;
  - b. transparency and accountability;
  - c. achieving Best Value in the use of the Council's resources, benefiting the community, the Council and councillors;
  - d. meeting the needs of those with disabilities and/or health problems.

### **APPROVAL PROCESSES**

7. The following travel may be undertaken without prior approval:
  - a. day to day travel within Nottinghamshire in connection with Nottinghamshire County Council business;
  - b. travel in connection with training and development events within the East Midlands which have been authorised in accordance with relevant policies.

8. All other travel must be approved in advance in accordance with the following:

Participant	Description	Approval required from
Councillors, Statutory and other co-opted members	(a) All travel within mainland UK not described in Schedule 2 of the Members' Allowances Scheme.	Administration Sub- Committee
	(b) Outside the UK	Administration Sub- Committee
Officers	(a) Within the UK	Relevant chief or other officer in accordance with departmental procedures
	(b) Outside the UK	Administration Sub- Committee

9. The County Council recognises that, in cases of genuine urgency, it may not be possible to obtain formal approval from the Administration Sub-Committee prior to the expected date of travel. In these cases, the Urgency Procedure (section [x] of the Constitution) should be used.

## **BOOKING ARRANGEMENTS**

10. With the exception of travel by private car in connection with the day to day business of the Council, all arrangements and/or bookings for travel and accommodation approved under this policy must be made by Transport and Travel Services in the Environment and Resource Department.
11. Provisional bookings will not be made unless approval has been given in accordance with paragraph 8 of this policy.

## **METHOD OF TRAVEL**

12. At all times, the chosen method of travel must be the most cost-effective method, taking into account the value of time saved, anticipated subsistence and other expenses and any other relevant matters.

### **Travel within the UK (mainland)**

13. Public transport should normally be used, unless the use of private/self-drive hire/civic cars is proved to be the most cost effective option, taking into account mileage charges, anticipated subsistence, other expenses

and any other relevant consideration including but not limited to those at paragraph 12.

14. The use of private cars to attend events out of the County area must be determined in relation to the following criteria:
  - a. cost in comparison to other options;
  - b. availability of public transport;
  - c. business requirements;
  - d. disability or health considerations.
15. Other options which must be considered prior to approving the use of private cars are:
  - a. car sharing;
  - b. use of hire cars/pool cars;
  - c. use of civic cars.
16. Any travel by train within mainland UK will usually be standard class fare unless travel by other classes of ticket is cheaper overall.
17. Any councillor or officer requesting first class rail travel must give reasons which shall be recorded in the register referred to the section below.
18. Councillors are encouraged to purchase appropriate railcards if eligible, in which case the Council will reimburse two-thirds of the cost. Councillors should advise Transport and Travel Services that they have a railcard at the time of booking, to ensure that a reduced price ticket is obtained.
19. Air travel within mainland UK will be permitted only where the cost/convenience brings benefits to the Council.

#### **Travel to Northern Ireland/Republic of Ireland/Outside the UK**

20. Where available, and subject as follows, economy class should be used for all air, sea or land (i.e. rail) travel where this the most cost effective.
21. The County Council recognises that there will be occasions where it is not appropriate to use economy class i.e. where there are health or disability issues to be considered. In these cases, a higher class of travel may be permitted, wherever possible, subject to prior approval being by Administration Committee.

## **ACCOMMODATION**

22. Mid range hotels of good standard with appropriate business facilities will be chosen within safe and reasonable access to where the business of the visit is to take place.
23. For conferences, the added value of all-inclusive packages will be evaluated against making separate hotel arrangements.

## **SUBSISTENCE AND OTHER EXPENSES**

### **Within the UK (including Northern Ireland)**

24. All costs of the approved method of travel will be paid by the County Council.
25. Subsistence allowances may be claimed in exceptional circumstances. They will be the same for councillors, Statutory Co-optees, other co-opted Members and officers. Details of the amounts which may be claimed are in the Members' Allowances Scheme.
26. Claims should be made on the forms provided as follows:
  - a. officers – from their Department;
  - b. councillors and others covered by the Members' Allowances Scheme – from Democratic Services.
27. Receipts should be obtained for all expenditure incurred.

### **Outside the UK**

28. Accommodation will be booked and paid for by Transport and Travel Services in the Environment and Resource Department on behalf of the County Council.
29. Subsistence allowance may be claimed for actual reasonable expenses incurred on meals, beverages, transport within the foreign country, laundry, 'phone calls etc.
  - a. The current maximum amount for subsistence per 24 hours for countries within the European Union is £75.00 (plus £10 per day for unreceipted out of pocket expenses).
  - b. For travel to other destinations, Transport and Travel Services will calculate a maximum amount for subsistence per 24 hours. That amount will be notified to Administration Sub-Committee when approval is sought for the travel to be undertaken.
30. The above rates assume that all meals (excluding breakfast) will have to be paid for from the subsistence allowance. If meals are provided as part

of the visit and at no personal cost to the Council's representative(s) the daily allowance will be reduced by 20% for each meal provided.

31. Receipts must be obtained wherever practicable for all claimable expenditure. Where this is not possible, a written statement will be required from the person claiming allowances.

## **ADMINISTRATION OF THE POLICY**

32. All travel tickets and/or accommodation required under this policy must be booked through Transport and Travel Services in the Environment and Resource Department.
33. Before any bookings are made, Transport and Travel Services will require written confirmation of approval. Where the cost is to be met by a Department, the appropriate budget code(s) for the expenditure will also be required.
34. Subject to normal formalities, Transport and Travel Services can arrange advances of cash, foreign currency and travellers' cheques. Any unspent cash/currency or travellers cheques must be returned to Transport and Travel Services within one month of return from the visit.
35. All claim forms, together with receipts and details of expenses incurred must be submitted within one month of return from the visit.
36. County Council credit cards must only be used for claimable expenses incurred in carrying out the County Council's business and all receipts/vouchers in respect of any expenditure met in this way must be passed to Financial Services within one month of return from the visit.
37. Where the Council's representative wishes, for personal reasons, to extend their stay at the destination to which they have travelled, this is permitted on the strict understanding that no additional cost falls to be met by the Council and that all expenses in connection with the extension of stay are reimbursed before the date of outward travel.
38. Where the Council's representative is accompanied by a partner, the Council must be reimbursed for all expenses to be incurred in respect of travel arrangements made by Transport and Travel Services in respect of the partner before the date of outward travel.

## **RECORD KEEPING**

39. Transport and Travel Services will maintain a public register of the following information in respect of each item or travel undertaken under this policy:
  - a. name of traveller/participant;
  - b. purpose of travel/visit;

- c. dates of travel;
  - d. destination;
  - e. method/class/cost of travel and/or accommodation;
  - f. cost of insurance;
  - g. amount(s) of allowances paid;
  - h. details of the date approval was given and the identity of the decision maker (including details of specific additional approvals from time given in respect of, for instance, travel by other than standard class);
  - i. the date on which the Council's representative(s) submitted a report on the outcome/value of the visit, where appropriate.
40. The register shall be available for public inspection and shall be published on the Council's website.
41. Annual reports shall be made to the Administration Sub-Committee which shall give:
- a. details of the totality of travel undertaken under this policy;
  - b. information as to occasions upon which other than standard/economy class travel or its equivalent has been used.



**Nottinghamshire County Council**

**Councillor Interests Protocol**

Councillors and Co-opted members are required by law to register certain interests, and to declare them when taking part in meetings. Failure to do this is a criminal offence. The Council's Code of Conduct and meeting procedure rules also require Councillors and Co-opted members to declare private interests, whether pecuniary or non-pecuniary.

This Protocol provides information and guidance to assist Councillors and Co-opted members.

## **Important Information**

### **1. Deadlines**

The law requires Disclosable Pecuniary Interests to be registered within certain time limits. These are summarised below for ease of reference.

- Within 28 days of taking office as a councillor you must submit your declaration of interest.
- If you have been re-elected you do not need to submit a new form, but within 28 days of re-election you do need to review your declaration and submit any new/revised information, or confirm that there have been no changes.
- If you declare a DPI at a committee meeting that is not already on the register, you must submit written notice of it within 28 days of the meeting.
- You will be required to check on an annual basis that your declaration of interest is up to date.

### **2. Criminal Offences**

Failure to comply with some legal requirements is a criminal offence. These are summarised below for ease of reference.

- Failure to comply with the timescales above is a criminal offence.
- It is also a criminal offence to participate and vote in a meeting where you have a Disclosable Pecuniary Interest, or to take any other steps in relation to the matter.
- Providing false or misleading information is a criminal offence.
- Conviction can lead to a fine and disqualification from being a councillor for 5 years.

## **Guidance**

<b>Appendix</b>	<b>Details</b>	<b>Page</b>
1	Interests that must be registered by law – Disclosable Pecuniary Interests	3
2	How to complete the declarations form – a sample form	5
3	Further information regarding the 'securities' DPI	10
4	Declaring interests in meetings, including the circumstances in which you must not take part in a meeting and must not vote	11



## Appendix 1

### DISCLOSABLE PECUNIARY INTERESTS

Interest	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the trade union and labour relations (consolidation) act 1992.</p>
Contracts	<p>Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the council</p> <p>Under which goods or services are to be provided or works are to be executed; and</p> <p>Which has not been fully discharged</p>
Land	<p>Any beneficial interest in land which is within the council's area.</p> <p>For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.</p>

Licences	Any licence (alone or jointly with others) to occupy land in the council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) –  The landlord is the council; and  The tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where –  That body (to your knowledge) has a place of business or land in the council's area; and  Either –  The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or  If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.  For this purpose, "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the financial services and markets act 2000 and other securities of any description, other than money deposited with a building society.

## Appendix 2

### DECLARATIONS FORM N1

#### Notification of Councillor's or Co-opted Member's Pecuniary Interests

You must use this form to provide details of your Pecuniary Interests. The form explains what Pecuniary Interests are and includes some examples.

Pecuniary Interests include both your financial interests and the financial interests of your spouse, civil partner or a person you are living with as if they were your spouse or civil partner.

**Note:** You do not have to separately identify which are your interests and which are your partner's.

The information you provide will be used to update your register of interests, which is published by the Council.

You are strongly advised to keep your register of interests up to date. Failure to do so may result in a criminal conviction.

#### **Pecuniary Interests to be registered on taking office**

You must provide us with details of all your Pecuniary Interests within 28 days of becoming a member of the Council. If anything changes you must provide updated details within 28 days.

#### **Pecuniary Interests disclosed at meetings**

Where you declare any unregistered Pecuniary Interest at a meeting, you must provide a form with written details of that interest within 28 days of the meeting.

#### **Sensitive Interests**

Pecuniary Interests that are included on the register of interests will be publicly available.

Where you are concerned that the disclosure of an interest would lead to you or a person connected with you being subject to violence or intimidation, you may request the Monitoring Officer to agree that the interest is a "sensitive interest".

The Monitoring Officer can exclude the detail of the interest from the Council's publicly available version of the register.

Do not include interests which you are requesting be treated as "sensitive interests" on this form. Please use Form N3.

I, (full name)

.....

a member of Nottinghamshire County Council **GIVE NOTICE** that I/ my partner have the following Pecuniary Interests:

**Please provide details of your/your partner's Pecuniary Interests in the boxes provided and state "none" where appropriate**

1. Details of any employment, office, trade, profession or vocation which is carried on for financial gain:

**Example:**

*Employer: Nottingham Trent University  
Job Title: Careers Advisor*

*Business: Nottinghamshire Careers Consultants  
Status in business: Partner*

*Employer: Boots plc  
Profession: Pharmacist*

**(Note:** The last entry relates to the Councillor's spouse, but there is no need to explain this on the form)

2. Details of any payment or provision of any other financial benefit received (other than from the Council) within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses:

**Example:**

*1 April 2013 - £50 - leaflet printing costs – Nottinghamshire Labour Party*

**(Note:** It is not sufficient following an election to refer here to your electoral expenses form. You should include the amount received, who it was received from, and what it was spent on)

3. Details of any contract which is made between you, your partner (or any organisation in which you or your partner have an interest) and the Council under which goods or services, or works, are done for the Council:

**Example:**

*Agreement for provision of careers advice to schools in Nottinghamshire  
Between Nottinghamshire County Council and Nottinghamshire Careers Consultants  
Dated 1 May 2012  
Duration 3 years  
Value £500*

4. The address or other description (sufficient to identify location) of any interests you/your partner hold in land situated in the Council's area (including any licences to occupy land) and/or tenancies where the Council is the landlord and the tenant is a body you/your partner hold an interest in:

**Example:**

*1 Smith Street Arnold Nottinghamshire NG5*

**(Note:** include any properties in Nottinghamshire that you or your partner own (whether you live in them or not), the address of the property you live in (whether you own it or not), and land you own (for example agricultural land). You do not need to specify the nature of the interest, but you can if you prefer.)

5. Details of any securities (e.g. shares, debentures, loan stock) that you/your partner hold which are worth over £25,000 or 100<sup>th</sup> of the total issued share capital in any body that has a place of business or land in the Council's area:

**Example:**

*Shares – Nottingham Forest Football Club*

**(Note:** There is no need to declare how many shares you or partner own or their value – further guidance on securities is available in Appendix 3 of the Councillor Interests Protocol)

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

**Please send the completed form to Democratic Services.**

The Monitoring Officer is responsible for establishing and maintaining the Council's register of interests. You may contact the Monitoring Officer if you have any questions concerning the Council's register.

**A member must within 28 days of becoming aware of any new Pecuniary Interest or change to any Pecuniary Interest specified above, register details of that new interest or change by providing written notification to the Council's Monitoring Officer (Form N2 may be used for this purpose).**

**Any other matters:**

**Example:**

*Trade Union Membership – NUT*

*Parish Councillor – Arnold Parish Council*

**(Note: 'Other matters' declarations are voluntary – you are not required to complete this section)**

### Appendix 3

#### ADVICE FOR COUNCILLORS AND CO-OPTED MEMBERS REGARDING DISCLOSABLE PECUNIARY INTERESTS AND SECURITIES

Councillors and Co-optees are required to register Disclosable Pecuniary Interests in relation to securities as follows: -

**Details of any securities (e.g. shares, debentures, loan stock) that you/your partner hold which are worth over £25,000 or 100<sup>th</sup> of the total issued share capital in any body that has a place of business or land in the Council's area**

This checklist is designed to help to decide whether you have an interest that needs to be registered.

**1. Does the organisation you (or your partner) own shares in have a place of business or own land within Nottinghamshire?**

For some organisations their sole place of business is Nottinghamshire, but this could also include organisations that have branches, offices or factories in Nottinghamshire – for example high street chains and banks.

- If the answer to this question is yes go to 2.
- If the answer is no or don't know, a declaration is not required but do re-consider this checklist if circumstances change.

**2. Are your (or your partner's) shares worth over £25,000?**

- If the answer to this question is yes go to 4.
- If the answer is no, go to 3.

**3. Do you (or your partner) own 100<sup>th</sup> (or more) of the total issued share capital?**

For example, if the issued share capital is £200,000 and you own £3,000 of shares you own more than 100<sup>th</sup>.

You might have shares other than ordinary shares – if so you need to check if you own more than 100<sup>th</sup> of that class of share.

- If the answer to this question is yes go to 4.
- If the answer is no, a declaration is not required but do re-consider this checklist if circumstances change.

**4. If you have answered yes to any of the questions above you must register a DPI**



## Appendix 4

### MAKING DECLARATIONS IN MEETINGS

#### Disclosable Pecuniary Interests

1. If you have a Disclosable Pecuniary Interest (DPI) you must not be involved in any Council or committee decision **relating to** this interest, i.e. a decision that could impact that interest in some way. For example:
  - a. If you have a DPI in a sand and gravel business you should not take part in any item at Planning & Licensing Committee where the business is the applicant.
  - b. If you have a DPI in an information technology business you should not take part in any procurement decision where the business has tendered for the contract.
2. You must declare the fact that you have a DPI at the start of the meeting. If you realise you have an interest later in the meeting you should declare it as soon as possible.
3. The law says that you must not take part in debate or vote on the matter. The Council's procedure rules also require you to leave the meeting when the matter is under discussion.
4. If the subject matter of a report involves an organisation in which you have a DPI, but is **not in relation to** your DPI (i.e. a decision that would not impact your interest in any way) there is no need for you to declare a DPI. For example:
  - a. A committee report contains a proposal for a civic ceremony; the report contains a list of invitees, which includes the managing director of an organisation in which you have a DPI.

However you may wish to declare a private interest for the sake of transparency.

5. It is possible to make a written request to the Council's Chief Executive for a dispensation to take part in a matter despite the existence of a DPI. The Chief Executive may grant a dispensation in limited circumstances, including where so many Councillors would be prohibited from taking part that it would make the transaction of business impossible.

*(Continued)*

## **Private Interests**

6. Even if it is not a Disclosable Pecuniary Interest, you should always consider if you have an interest in a matter that you should make others aware of. This is to be open and above board.
7. This may include a financial interest which you are not required to register as a DPI because it relates to your children or parents or a close friend, rather than you or your partner. It could also include a non-financial interest such as being a school governor, where a matter relates to that school in particular.
8. In these circumstances it is for you to decide whether it would be appropriate to declare a private interest in the matter for the sake of transparency.
9. You should declare the fact that you have a private interest at the start of the meeting. If you realise that you have an interest later in the meeting you should declare it as soon as possible.
10. If you declare a private interest you can still stay in the meeting while the report is under consideration, and vote. However, depending on the circumstances you may prefer to leave the meeting while the report is under consideration, or to stay in the room but abstain from voting. You should consider whether a member of the public would find it difficult to believe that your personal interest had not influenced you.

**Always seek advice from Democratic Services if you are not sure, if possible before the meeting.**



## **Nottinghamshire County Council**

### **Councillors and Co-Opted Members - Protocol in relation to Gifts and Hospitality**

#### **WHAT TO DO IF YOU ARE OFFERED A GIFT**

1. It is reasonable to accept a modest gift of a promotional character given to a wide range of people, and not uniquely to you, such as calendars, diaries, pens and other articles of use in the office. Modest gifts at the conclusion of any courtesy visit to a factory or firm of the sort normally given by that firm may also be accepted.
2. From time to time, Councillors and Co-Opted Members may be offered other higher value or personal gifts. You need to consider why you have been offered the gift. If you are in doubt as to the motive behind the gift, you should seek advice from Democratic Services as to whether it is appropriate to accept it. No gift worth over £xx should be accepted under any circumstances. Any gift offered, whether accepted or refused, should be recorded in the gift and hospitality register held by Democratic Services, which is available for public inspection.
3. If it is impractical to return a gift, or to do so would cause undue offence, in circumstances where it would otherwise be inappropriate to accept the gift, the gift can be donated to raise money for the Chairman's Charity.

#### **WHAT TO DO IF YOU ARE OFFERED HOSPITALITY**

4. Councillors and Co-Opted members should only accept offers of hospitality if they are invited in their role as a Council representative. Offers to attend events should be accepted only when these are significant for Nottinghamshire, relate to business that is currently relevant to Nottinghamshire, or where the Council should be seen to be represented. Acceptance of such invitations should be recorded in the gift and hospitality register.
5. When hospitality has to be declined, the third party offering the hospitality should be courteously informed of the reasons for the requirement to decline.
6. When receiving hospitality, Councillors and Co-Opted Members should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

7. There may be circumstances where it will not always be possible, or even desirable, to reject offers of hospitality on a modest scale. Acceptable examples would include official hospitality at a function organised by a public authority; overseas civic twinning arrangements and similar events; refreshments following a site visit; or a working lunch of a modest standard to enable the parties to continue to discuss business. The decision whether to accept or not must depend on the circumstances in each case. These circumstances will also determine whether the hospitality needs to be entered in the register. If in doubt Councillors and Co-Opted Members should err on the side of caution and enter the appropriate details in the register.

## **FAMILY AND FRIENDS**

8. Councillors and Co-Opted Members should give the same consideration to offers made to members of their family, or friends, which could be viewed as securing an indirect benefit to themselves.



## Nottinghamshire County Council

### Councillors and Co-opted members – Protocol for Use of Resources

#### 1. INTRODUCTION

This protocol provides rules on the use of Council resources in relation to your role as a Councillor.

The Council provides a range of support services and facilities to enable Councillors to carry out their duties. The full range of resources available and rules regarding use are set out in the **Schedule** attached to this protocol.

#### 2. COUNCIL BUSINESS – WHEN THIS PROTOCOL APPLIES

Councillors may use Council facilities and resources in connection with the following Council business:

- Matters relating to the decision making process of the Council, e.g. Council and committee meetings
- Representing the Council on an outside body
- Holding division 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

#### 3. PRINCIPLES FOR USE OF RESOURCES

- Councillors must be mindful of Council resources and must always seek to conduct business in the most cost effective way. Councillors must have regard to the need to ensure prudent and reasonable use of resources and value for money.
- 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 Council is prohibited by law from publishing any material which, in whole or in part, appears to be designed to

affect public support for a political party or an individual Councillor, or to highlight their achievements.

- Use of resources for the purpose of representing individuals or small groups of residents is acceptable. However, high volume use of resources including sending out circulars and conducting wide-scale consultation exercises is not acceptable, even though these may involve Council business.
- In the interests of economy and the environment, Councillors are requested to use e-mail, or to hand-deliver, instead of using post wherever possible.
- Governance and Ethics Committee is responsible for oversight of use of resources including review of postage and photocopying costs incurred by individual Councillors and political groups. Committee is also responsible for considering requests for exceptions to be made. Committee reserves the right to charge Councillors for excessive use.

## SCHEDULE

### **Equipment and Resources for Councillors**

**ICT Equipment** - you will be provided with appropriate equipment for your full term of office.

If you have been provided with a phone, you will have access to unlimited calls and texts to standard numbers, with a 2GB monthly data limit. Any laptop or tablet devices have a 5GB monthly data limit. You will be required to meet the costs of any usage above those limits at a cost of 5p per MB.

You will be reminded of the terms and conditions around the appropriate use of these devices during your induction training.

On receipt of equipment Councillors are required to confirm that they have read the Councillors' ICT Acceptable Use Guidance.

Support for technical matters is supplied by the Council's ICT helpdesk. User training is available on the intranet.

**Councillors' Webpages** - the Council's Website includes a page for each Councillor. This page includes your contact details, photograph, and committee membership details. There is also a facility for you to provide regular updates on your activities as a Councillor. These webpages will be removed during all pre-election periods.

**Arrangements for incoming mail** – you will have a pigeonhole, located within your relevant group area (where applicable) for meeting papers and any mail sent to you at County Hall. Mail should be collected wherever possible but if you are not expected to be at County Hall for some time then you can ask for mail to be sent to your home address. Please discuss your specific requirements with your group researcher.

**Arrangements for outgoing mail** – there will be an outgoing mail tray located within your relevant group area (where applicable); this is the only mail tray you should use. The Council's corporate letter templates and window envelopes **must** be used in order to enable mail to be franked. If mail cannot be franked it is more expensive to post. Unless there are exceptional circumstances postage will be second class. Councillors should be economical in their use of post; volume use (anything in excess of xx items) is not acceptable unless approved in advance by Governance and Ethics Committee. Use email or hand-deliver instead where possible. The Post Room reserves the right to open any post to ensure policies are being adhered to.

**Stationery** - a limited range of stationery is available from either your group researcher or Democratic Services. Stationery must not be adapted to include political logos. Photographs can be included but must be printed in black and white. The Multi-Function Devices are regularly re-stocked with printer paper; you should contact Facilities to re-stock if necessary rather than taking paper from other

locations in the building; this is to ensure proper reporting to Governance and Ethics Committee regarding volumes used.

**Printing**– Photo security passes will enable you to print, scan and photocopy from the Multi-Function Devices located around County Hall. These will be the only printing facilities available, with the exception of Central Print. This is in order to ensure to ensure proper reporting to Governance and Ethics Committee regarding volumes used. In the interests of transparency and cost-effectiveness these facilities are only available when security passes are used. In accordance with the Council's Print Strategy **high volume copying and printing (any job involving 200 plus sides of paper) must be sent to Central Print as this is the cheapest option.** Due to the high costs associated with colour printing, you should always print /copy in black and white unless colour is required to enable the document to be understood. Councillors should be economical in their use of print.

**Business Cards** can be obtained from Democratic Services. You may request a supply of 500 cards to cover your full term of office. These cards should only include contact details for County Hall, to prevent any subsequent changes being required.

**Room Hire for Surgeries** – for your constituency surgeries you should seek to use meeting rooms that do not incur a charge to the Council. These can include community facilities and some Council premises. If no suitable premises are available an application for the cost of hiring an alternative venue will need to be approved by Governance and Ethics Committee

**Disclosure and Barring Service checks** – to undertake your role as a Councillor you need to have a Disclosure and Barring Service (DBS) check. Democratic Services will contact you about the process and documentation required to complete an electronic DBS application form. You may have a current DBS check, however there are very limited circumstances in which checks can be transferred. Democratic Services will advise you on this issue.

**Nottingham City Transport Cards** - a limited number of Nottingham City Transport Cards for official business travel on City buses are available for staff and Councillors from Reception at County Hall. These must be signed for and returned to County Hall reception after each use. At all times your chosen method of travel must be the most cost effective method, taking into account the value of time saved, anticipated subsistence and other expenses and any other relevant matters. More details are available in the Travel and Accommodation Policy.

**Conferences** – attendance at conferences, seminars and training events for which a fee is payable must be approved in advance by the relevant committee.



## **County Hall Essential Information**

**County Hall** is open Monday to Friday, usually 6.30am to 6.30pm. The building is also usually open on Saturdays from 8.00am to 1pm. If you intend to continue working in an office after 6.30pm, you should inform the Facilities office on extension 73316.

**Security pass.** You will be issued with a security pass. Security is very important and you should wear your pass at all times on a County Council lanyard as you may be asked for identification. Your pass will operate the car park barrier, the reception barriers and the doors to secure areas of the County Hall campus.

Each card is individually programmed to provide access to particular areas in the building. Your initial pass will be a temporary version – this will be replaced with a new pass containing your photograph which, as well as giving you the relevant access rights, will also enable you to scan, copy and print from the large machines around the building (called Multi-Function Devices or MFDs).

**Car Parking** spaces for Councillors' exclusive use in connection with Council business are available in the Members' Car Park on the River Trent frontage. Drive around to the rear of County Hall and present your security pass at the barrier to allow access to this area. Unless you are on Council business you should pay for parking at times when members of the public are required to pay to use the Car Park, for example during cricket and football matches.

**Office Accommodation** is provided for Councillors' use. There are currently suites of rooms on the ground and first floors at County Hall. The allocation of accommodation will be confirmed as soon as possible after the election, after consultation with the political groups.

**Confidential Waste** bins are provided in all work areas for secure disposal of confidential or sensitive documents. Recycling bins are also provided.

**Meeting rooms** – meetings involving Councillors will usually be held in

Council Chamber	- main building, floor 1.
Committee rooms B & C	- main building, ground floor.
Rufford Suite	- Riverside block, floor 1.
Committee room A & Civic Suite	- Riverside block, ground floor.

**Lifts** are available to all floors within County Hall. There is also a wheelchair lift to the Rufford Suite and Riverview Restaurant.

**Catering facilities** are available. Rolls, beverages and other snacks can be bought from the snack bar in Reception. The Riverview restaurant in the Riverside block serves hot meals and sandwiches. Councillors are entitled to complementary drinks from within their group accommodation or from the snack bar.

**Visitors** to County Hall must sign in at the reception desk in the entrance foyer; all visitors will be provided with a temporary pass. They should sign out and return the pass on leaving the building.

**Fire Alarms** are tested at 10.00am on the first Wednesday of every month. A continuous ring signals the fire alarm and an intermittent ring signals a bomb alert. If you hear the alarm bell you must vacate the building at the nearest fire exit. Please make yourself aware of these with the posters placed around County Hall and be aware of the relevant assembly points.



## **Nottinghamshire County Council**

# **Social Media Protocol for Councillors**

### **Introduction**

Social media is the term used for online tools, websites and interactive media that enable users to interact with each other by sharing information, opinions, knowledge and interests. This Protocol covers social media issues over the internet and by email, smart phones, social networking sites, blogging, and tweeting.

Social media increases our access to audiences and improves the accessibility of our communication. It enables us to be more active in our relationships with citizens, partners and stakeholders, and encourages people to be involved in local decision making, enabling better engagement and feedback, ultimately helping to improve the services we provide.

For the purposes of this Protocol, the term 'social media' covers sites and applications including but not restricted to Facebook, Twitter, MySpace, Flickr, YouTube, Instagram, LinkedIn, blogs, discussion forums, wikis and any sites which may emerge after the creation of this Protocol where Nottinghamshire County Council could be represented via online participation.

The Council acknowledges social media as a useful tool however, clear guidelines are needed for the use of social media sites to ensure they are used effectively as part of a wider communications mix and that their use does not expose the Council to security risks, reputational damage or breach the Data Protection Act.

### **Policy Statement**

This Protocol provides a structured approach to using social media and will ensure that it is effective, lawful and does not compromise Council information or computer systems/networks.

Users must ensure that they use social media sensibly and responsibly, in line with corporate policy. They must ensure that their use will not adversely affect the Council

or its business, nor be damaging to the Council's reputation and credibility or otherwise violate any Council policies.

## **Purpose**

This Protocol applies to Councillors and Co-opted Members. It gives guidelines on how to use social media, sets out how we can effectively manage social media usage and indicates how any risks or pitfalls can be minimised or mitigated. The following risks have been identified with social media use (this is not an exhaustive list):

- Virus or other malware (malicious software) infection from infected sites.
- Disclosure of confidential information.
- Damage to the Council's reputation.
- Social engineering attacks (also known as 'phishing').
- Bullying or "trolling". An internet "troll" is a person who starts arguments or upsets people, by posting inflammatory or off-topic messages online with the deliberate intent of provoking readers into an emotional response, or of otherwise disrupting normal discussion, often for their own amusement.
- Civil or criminal action relating to breaches of legislation.
- Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.
- Breach of the code of conduct for members through inappropriate use.

This Protocol aims to ensure appropriate use of social media, that Council information remains secure and is not compromised through use of social media, and that the Council's reputation is not damaged or adversely affected.

## **Responsibilities of Councillors and Co-opted Members**

1. Social media must not be used in a way that might lead to a complaint that you have breached the Council's Code of Conduct for Councillors and Co-opted Members.
2. It is recommended that you have separate social media profiles for your role as a County Councillor or Co-opted Member and for your private life.
3. You are personally responsible for the content you publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action for which you will be personally liable; no indemnity from the Council will be available.

4. Do not use the Council's logo, or any other Council related material on a personal account or website.
5. Social media sites are in the public domain and it is important to ensure that you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.
6. Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.
7. Do not disclose personal details such as home addresses and telephone numbers. Ensure that you handle any personal or sensitive information in line with the Council's Data Protection policies.
8. Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.
9. Do not publish or report on meetings which are private or internal (where no members of the public are present or it is of a confidential nature) or exempt reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985).
10. Copyright laws still apply online. Placing images or text from a copyrighted source (e.g. extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.
11. Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.

## **Principles for Using Social Media**

You should follow these five guiding principles for any social media activities:

**Be respectful** – set the tone for online conversations by being polite, open and respectful. Use familiar language, be cordial, honest and professional at all times.

Make sure that you respect people's confidentiality – do not disclose non-public information or the personal information of others.

**Be credible and consistent** – be accurate, fair, thorough and transparent. Encourage constructive criticism and deliberation. Make sure that what you say online is consistent with your other communications.

**Be honest about who you are** – it's important that any accounts or profiles that you set up are clearly and easily identifiable. Be clear about your own personal role.

**Be responsive** – make an effort to share what you know. Offer insights where appropriate and put people in touch with someone who can help if you cannot. Respond to questions and comments in a timely manner.

**Think twice** – Think carefully about all your social media posts. Once published it will be too late to change your mind. Follow these rules and seek further guidance if you need it.

### **Inappropriate Use of Social Media by Others**

Anyone receiving threats, abuse or harassment via their use of social media should report it to the police.

Other inappropriate content can be reported to the social media site directly to ask for it to be removed.

You may wish to save a screenshot in the circumstances.

## **PROTOCOL FOR COUNCILLOR AND OFFICER RELATIONSHIPS**

### **INTRODUCTION**

1. Mutual trust and respect between Councillors and employees is at the heart of good governance for councils. They are essential elements of the partnership necessary for the effective running of a local authority.
2. This protocol is a written guide to the basic elements of the relationships between Councillors and employees and seeks to:
  - a. promote trust, openness, fairness and honesty;
  - b. define roles to clarify responsibilities, avoid conflict, prevent duplication and secure compliance with the law and codes of conduct;
  - c. maintain and enhance the integrity of local government which demands the highest standards of personal conduct.
3. This protocol should be read and operated in conjunction with the Council's constitution, codes of conduct relating to Councillors and employees and relevant legislative requirements.
4. Unless the context otherwise requires, reference to a Councillor will include reference to a co-opted member.

### **UNDERLYING PRINCIPLES**

5. Councillors and employees must at all times observe this protocol.
6. Councillors and employees must always respect the roles and duties of each other as set out below.

### **THE ROLE OF MEMBERS**

7. It is the role of Councillors:
  - a. To represent the people within their communities and bring their views into the Council's decision making process through working individually or in partnership
  - b. To promote the interests of the people of Nottinghamshire when acting collectively as the Council's decision-makers
  - c. To promote the social, economic and environmental wellbeing of the community.
  - d. Collectively to agree the policy of the County Council
  - e. To deal with individual casework and act as an advocate for constituents in resolving concerns or complaints.
  - f. To balance different interests within their electoral division and represent the division as a whole.
  - g. To represent the Council on external bodies as required.
  - h. To promote the highest standards of conduct and ethics.

### **THE ROLE OF OFFICERS**

8. It is the role of officers:

- a. To serve the community of Nottinghamshire and to deliver the highest standards of service in the most cost effective, efficient and professional manner.
- b. To implement the policies and decisions made by Councillors.
- c. To provide professional and technical advice.
- d. To carry out the functions delegated to them, including the management of staff.
- e. To provide help, support and advice to Councillors in respect of their duties and responsibilities
- f. To report to Government departments, as required.
- g. To represent the Council on external bodies as required.

## **THE RELATIONSHIP BETWEEN EMPLOYEES AND COUNCILLORS**

9. The relationship between employees and Councillors should be characterised by mutual respect and courtesy and recognition of each other's roles and responsibilities.

10. Collaborative working between Councillors and employees is essential but close personal familiarity can lead to damaging assumptions by others. Councillors and employees should inform the Monitoring Officer of any relationship either personal or family, or business connection which might be seen as unduly influencing their work in their respective roles. The Monitoring Officer will consider what action, if any, should be taken.

11. With the exception of staff specially appointed to support political groups, employees work to the instructions of their managers not individual Councillors.

12. Councillors must not require employees to change their professional advice or take any action which the employee considers unlawful or illegal or which would amount to maladministration or breach of a statutory duty.

13. Councillors should not raise matters relating to the conduct or capability of a Council employee or of employees collectively at meetings held in public or in the press. Any concerns should be raised using the procedure set out at paragraph 25 below.

14. The advice provided and actions taken by employees should be sensitive to the political nature of the organisation, but their advice should always be independent and unbiased.

15. Members must consult with the Monitoring Officer and the Chief Finance Officer about legality, maladministration and financial impropriety and if they have doubts as to whether a particular decision is or is likely to be contrary to the policy framework or budget.

16. The Council has a statutory duty to positively promote equality. Councillors and employees should not by their manner, speech, or in any written communication, be discriminatory with regards to a person's age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief,



sex or sexual orientation.

## **OFFICER RELATIONSHIPS WITH PARTY GROUPS**

17. It must be recognised by all employees and Councillors that in discharging their duties employees serve the Council as a whole and not exclusively any political group, combination of groups or individual Councillors.

18. Employees may properly be called upon to provide advice and information to political groups but must at all times maintain political neutrality. All employees must, in their dealings with political groups and individual Councillors, treat them in a fair and even handed manner.

19. Employees must respect the confidentiality of any party group discussions at which they are present and unless they are requested to do so by that party group, must not relay the content of such discussions to another party group or to any other Councillor.

20. The only basis on which the Council can lawfully provide support services (eg stationery, typing, printing, photocopying) to Councillors is to assist them in discharging their role in their official capacity as Councillor. Such support services must therefore only be used for Council business. They must never be used for party political or campaigning activity or for private purposes.

## **EMPLOYEES TO KEEP COUNCILLORS INFORMED ABOUT LOCAL ISSUES**

21. To enable them to carry out their divisional role effectively, Councillors need to be fully informed about matters affecting their division. Corporate Directors must ensure that their staff are aware of the requirement to keep local Councillors informed.

22. Whenever a public meeting is organised by the Council to consider a local issue it is recommended that all Councillors representing the divisions affected should be invited to attend the meeting.

## **MEDIA RELATIONS**

23. All relations with the media must be conducted in accordance with the Council's agreed procedures and the law on Local Authority publicity.

24. Employees will make every effort to keep Councillors informed of media interest in Council activities relevant to their responsibilities and the electoral divisions they represent, especially regarding strategic or contentious matters.

## **COMPLAINTS/CONCERNS PROCEDURE FOR COUNCILLORS**

25. If a Councillor is dissatisfied with the conduct, behaviour or performance of an officer they should raise the matter privately with the relevant Corporate Director. If their concerns relate to a Corporate Director the concern should be raised with

the Chief Executive. If the concerns relates to the Chief Executive then the concern should be raised with the Monitoring Officer and Service Director responsible for Human Resources.

## **PROCEDURE FOR EMPLOYEES**

26. If an employee is unhappy with the conduct or behaviour of a Councillor they should seek to resolve the matter by appropriate discussion and involvement of their Corporate Director.

27. In the event that matters remain unresolved they should inform the Monitoring Officer who will consider what action should be taken.

## **SUMMARY**

28. Councillors and employees can expect the following from each other:

- a. Respect and courtesy
- b. The highest standards of integrity
- c. A working partnership
- d. An understanding of and support for respective roles, work loads and pressures
- e. Confidentiality
- f. A commitment to the Council as a whole

29. In addition Councillors can expect from employees:

- a. Timely responses to enquiries
- b. Professional advice
- c. Regular up to date information

## **PROTOCOL FOR INVOLVEMENT IN OUTSIDE BODIES**

1. The Council is committed to working with other local authorities, the private, voluntary and community sectors to deliver services in the most effective way. As a result Councillors and officers are often required to act as representatives on outside bodies. This document provides guidance for those acting as representatives.

## **APPOINTMENTS TO OUTSIDE BODIES**

2. The Council's Policy Committee is responsible for deciding which organisation are included on the list of Outside Bodies and each committee will determine which outside bodies it should receive regular updates from.

## **SUPPORT FOR REPRESENTATIVES ON OUTSIDE BODIES**

3. The Council will provide indemnity insurance in appropriate circumstances.

4. The Council will make every effort to maintain a fact sheet on each outside body, stating the purpose of representation, the responsibilities of Council representatives on those bodies, and the insurance position.

5. The Council has produced guidance regarding representatives' specific responsibilities when sitting on different types of bodies, such as limited and local authority companies, statutory bodies and charities. Further support is available from Democratic Services.

## **RESPONSIBILITIES OF COUNTY COUNCIL REPRESENTATIVES ON OUTSIDE BODIES**

6. Representatives must ensure they understand the capacity in which they are appointed to the outside body. This is important for two reasons:

a. The terms of appointment could mean that the individual takes on formal responsibilities, such as those of a company director or charitable trustee, and in some cases, personal liability. Representatives need to understand the extent of their role and be satisfied that appropriate indemnity insurance cover is provided either by the Council or the outside body.

b. In some instances the primary purpose is to represent the interests of the County Council, and in some the main duty is to the outside body. This may affect the considerations that are taken into account when contributing to the outside body's decision-making. Also, it is possible that a conflict of interest will arise between the Council and the outside body, for example where there is a disagreement over a funding issue. In the event this happens the representative must be clear in whose interests they are acting. If a conflict does arise the representative must seek advice from the Council's Monitoring Officer.

7. Representatives must follow the Council's Code of Conduct for Councillors and Coopted

Members or the Code of Conduct for Officers when they are acting in that capacity, including where they are representing the Council on an outside body.

They must also ensure they follow any separate code of conduct that applies to the outside body. In the unlikely event there is a conflict they must seek advice from the Council's Monitoring Officer.

8. Representatives should always consider their duty of confidentiality to the Council, and where appropriate, to the outside body.

9. Representatives must report back to the relevant County Council committee as required.

10. It is good practice to check when first appointed whether expenses for travel and/or subsistence should be claimed from the County Council or the outside body.

### Key matters relating to Social Media guidance

- 1 What is social media
- 2 What is the purpose of social media
- 3 Purposes of guidance
- 4 Distinguishing personal and member accounts – the “Livingstone” test/similar
- 5 Legal reminders about social media – defamation/copyright/data protection issues/Purdah etc
- 6 General advice – list of tips

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