

## Item 12(i)

Matters arising from Committees  
Standards Committee –Protocol for use of IT resources

### **COUNCIL MEETING ON 21 OCTOBER 2008 – EXTRACT FROM STANDARDS COMMITTEE MINUTES ON 22 SEPTEMBER 2008 – ITEM 12(i)**

#### S15                    **PROTOCOL FOR THE USE OF COUNCIL RESOURCES**

As recommended at the last meeting, the draft protocol for the use of Council resources had been referred for adoption to the Full Council meeting on 22 July. At that meeting a number of concerns had been raised and it had been resolved that the Standards Committee be asked to reconsider the draft protocol following the collation of the comments made by members and group leaders.

The Assistant Chief Executive had asked for comments and had received three replies from members. One had been concerned about maintaining flexibility for those councillors that were dual hated members. The other comments related to paragraph 4 of appendix B of the protocol, which referred to the private use of Council - supplied IT resources for political purposes. The members argued that if this paragraph was to be applied literally it would severely restrict the ability of members to express personal views or represent constituents' opinion on policies that had been adopted in the past or might be adopted in the future.

Councillor A Dean attended the meeting to speak on this subject. He said that this was a grey area and it was difficult to be precise in defining improper political activity. As an example he said that a press release had been issued from some members of the Council stating opposition to the proposed eco town prior the Council confirming its policy on this. He said that this would have fallen foul of paragraph 4 (b) (ii) of the protocol. There were other issues about which he would personally like to express an opinion, but were not yet Council policy. He said that this paragraph of the protocol, would have the effect of stifling democratic debate on important issues.

The Chairman said that the protocol was meant to be helpful in giving guidance to members on what could be regarded as improper use. Councillor Cant replied that although it was helpful to have some direction, this part of the protocol was too prescriptive and would lead to many 'yes, but what if? questions.

Councillor Eden did not consider that that there was confusion in the wording of paragraph 4. He said that Members should not be distracted by the reference to IT resources and should apply the same rules as if they were using District Council headed

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paper for private purposes. He also said that this part of the protocol only referred to private use and not to use for council business. It was also pointed out that this protocol went no further than what was already required in the Code of Conduct but served to give some practical guidance as to how to apply those parts of the Code.

It was then moved by Councillor Eden and seconded by Councillor Lemon that the draft protocol be agreed as drafted and returned to the next Council meeting for adoption.

The Committee cited other examples where this part of the protocol could cause problems but were advised that most of these concerns were covered by the proviso which stated that “provided that this shall not in any way restrict the use of Council resources for communication between Members or council officers or restrict a Member from responding to individual constituents using Council resources”.

Some members suggested that paragraph 4 should be left more vague at the moment and the issue be revisited in the light of any relevant cases that might come forward. Councillor Cant then proposed an amendment that was duly seconded “that the protocol be amended to remove paragraph 4 (b) of Appendix B and this part of the protocol be reviewed in a years time in the light of any cases received.”

On being put to the vote this amendment was lost. It was then

RECOMMENDED that the draft Protocol on the Use of Council Supplied IT Resources is not amended and is referred to the next meeting of Full Council for adoption.