Guide for Members’ Use of Council Resources, Facilities and Equipment

1. Introduction

1.1 This Guide is for all Members of the Council. Where relevant, it also applies to statutory co-opted members on the Children’s Services Select Committee (for education matters), and independent members of the Standards Committee.

1.2 You can only use or access Council resources, facilities and equipment in your role as a councillor. This Guide is to help you to understand what use you may make of Council resources, facilities and equipment, and to be clear about what you cannot ask for or expect. The intention is to avoid any misunderstandings and to safeguard you from any inappropriate use.

2 There are a number of principles and requirements which underpin the Guide:

2.1 Honesty and Integrity - one of the nationally agreed principles governing conduct by Members and co-opted members is -

"Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour"

2.2 The Members’ Code of Conduct includes a requirement that Members and co-opted members -

"Must, when using or authorising the use by others of the resources of the authority -

(i) act in accordance with your authority's reasonable requirements; and

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes)"

2.3 The Member - Employee Relations Protocol explains that in a work sense -

Members can expect employees to assist them in carrying out their role as Members of the Council in connection with Council business (they cannot, however, assist with party political or campaigning activity, or with private business)

2.4 However, the Protocol provides for senior employees (with the express permission of the Chief Executive) to brief Members in a party group setting on the understanding that all party groups will be served similarly if they so request. This provision only relates to giving information and advice on Council business.

2.5 The Protocol also requires that Members will not ask employees to give them unauthorised access to resources.
2.6 **Data Protection Legislation** restricts the release of personal data and controls its use where access to such information is granted.

3. The Guide has been developed by the Standards Committee and its key officers. They have a responsibility to encourage high standards of behaviour by Members.

4. It has been adopted by the Assembly for inclusion in the Council's Constitution.

5. The general message throughout this guide is:

5.1 **Council resources, facilities and equipment may only be used by Members for Council business.**

5.2 Any role in a personal capacity such as a School Governor, being on an external organisation or connected with party politics is not regarded as Council business.

5.3 If you are appointed by the Council as a School Governor, this is classed as Council business but there are certain restrictions on accessing Council resources. These are explained in this guide.

6. **Employee Resources**

6.1 Employees are able to help and support you in your role as a councillor. The Member-Employee Relations Protocol sets out in detail expectations on both sides and aims to make sure there are good and appropriate working relationships.

6.2 In terms of Members asking employees for assistance you may make full use of the support offered by the Members' Services Section. The employees are there to help you.

6.3 You may also ask or expect employees to:

6.3.1 help you in resolving Council related case work or enquiries;

6.3.2 help you with research, briefings and administration associated with a position as a Council representative (that is, approved by the Cabinet or the Assembly) on an external organisation or as a School Governor;

6.3.3 help you make travel and accommodation arrangements for conferences, seminars or other external events which are either approved by the Cabinet, (where necessary), linked to a position or responsibility held on the Council, or otherwise associated with Members' personal development as a councillor; and

6.3.4 help you with Ward material, stationery and posters on the understanding that the same help is offered to all Wards and Members on an equal basis. This
may mean that the scale of any help may have to be limited, depending on take up.

6.4 You may not ask or expect employees to:

6.4.1 process or assist with anything which is party political, or which could be misinterpreted as being so;

6.4.2 undertake research, administration, or word processing in connection with party group activities;

6.4.3 help you in your personal role as a School Governor other than in connection with formal enquiries of the Council;

6.4.4 help you in your personal capacity on an outside body or charity other than in connection with formal enquiries of the Council;

6.4.5 assist you in your role as an assistant to a Member of Parliament (MP), a Member of the European Parliament (MEP), a Member of the Greater London Assembly (MGLA), or as an employee of a political party other than in connection with formal enquiries of the Council;

6.4.6 help you with any private work; or

6.4.7 do anything which goes against the provisions of the Member - Employee Relations Protocol.

7 Facilities

7.1 Facilities in Council administrative buildings (meeting rooms, Members' Rooms, Mayor's Parlours, and public space areas) can normally only be used by Members for Council related activities. However, it is recognised that party political groups need to meet and this is accepted as part of the democratic process. You may therefore use meeting rooms within Council buildings for party group purposes during reasonable hours without charge. Council administrative buildings may not, however, be used for public meetings associated with a party political group.

7.2 It is also accepted practice that the meeting rooms are available to local Members of Parliament for surgeries, and, by permission of the Chief Executive, by Members for Ward Surgeries. This is based on the understanding that all Members will be considered equally.

7.3 Premises for ward surgeries should be arranged by Members but Council funds are available to pay standard rates for those surgeries located within the boundaries of the Borough.

7.4 Where Council premises are available for hire to members of the public, you may hire the premises for personal or other non-Council business on the same terms and conditions as a member of the public. However, you must not do anything which might bring the Council into disrepute through inappropriate use of Council premises or standards of behaviour.
7.5 You may:

7.5.1 make use of the relevant party Members' Rooms at Barking Town Hall and Dagenham Civic Centre for reading, research, use of the information technology, use of the telephone, and discussions with Member colleagues and officers on Council related business but on the understanding that the facility is shared with all other party members;

7.5.2 use the telephones for brief, personal, local calls. International calls cannot be made without contacting the operator by dialling ‘O’ (any such personal calls will be billed to you separately); and

7.5.3 make use of the Council's web site to provide readers with non party political information about yourself. Provided all Members are treated equally, you can show your respective political party. For example: "Councillor A N Other, Labour Councillor for .... Ward". However you cannot include personal, political commentary such as: "As .... (party) Councillor for .... Ward I have demonstrated my commitment to the Ward by ...." etc. etc.

7.6 You should not:

7.6.1 expect to have sole use of the Members' Rooms except under exceptional circumstances and with the consent of the Chief Executive. The rooms are available for all Members to use during office hours and when evening meetings are being held; or

7.6.2 bring visitors into Council buildings relating to national/regional politics, or any other guests not relating to Council business. If any clarity is required on this matter, advice on compliance should be sought from the Chief Executive.

7.6.3 display, or expect to have displayed, in council buildings or on council premises, any material which is party political including leaflets, posters, election campaign sheets, petitions, party newspapers or news sheets etc.

8. **Stationery, postage, photocopier and other equipment**

8.1 You should be adequately stocked at home with stationery, pens, ink cartridges, files, pads, computer discs and any other necessary equipment in order to carry out your duties as a councillor. In addition, at the start of each municipal year, you will be supplied with a stock of personalised business cards.

8.2 You should:

8.2.1 make sure that stocks of stationery are adequate;

8.2.2 always use appropriate Council headed paper for Council business; and

8.2.3 return any unused stocks of stationery and other equipment, including parking permits, when ceasing to be a councillor.
8.3 You may:

8.3.1 ask for Ward posters or other material for use in connection with Ward surgeries; and

8.3.2 make use of the Council's photocopying facilities for Council business.

8.4 You may not:

8.4.1 use Council stationery for personal use or for use as a School Governor regardless of whether or not the position is held in a personal or a Council capacity (contact the relevant School in this respect);

8.4.2 use Council stationery and your position as a councillor to influence a personal situation;

8.4.3 use the Council's postage franking facilities for personal mail;

8.4.4 use the photocopier or other equipment for party political material, or in connection with your role as an assistant to an MP, MEP or MGLA unless using a designated code which allows the costs to be billed to the relevant party/MP/MEP/MGLA for payment;

8.4.5 include party political logos or party political commentary on Council stationery, or distribute party political material in the same envelope or package as Council correspondence; or

8.4.6 use any designatory letters after your name, in line with Council custom and practice, e.g. BA hons, with the exception of honours granted by any Head of State.

9. **Transport**

9.1 You should make your own transport arrangements in connection with Council business. Generally, this will mean use of your own car, use of public transport, or, perhaps, receiving a lift from a colleague.

9.2 If you are eligible for a Blue Badge, or are otherwise unable to make use of your own transport due to a medical condition or incapacity (such as a broken leg), or in any other exceptional circumstances, you may apply to the Chief Executive who in liaison with the Leader of the Council will consider special assistance. Exceptional circumstances will include, for example, where an evening event would mean late travel that might not be safe or convenient, and/or where you need to work during the journey and that would not be possible on public transport. If your application is confirmed you may contact the Transport Manager who will arrange mini cab assistance in connection with the following Council business:

9.2.1 Travel to and from Council and Member level meetings within the Borough.

9.2.2 Travel to and from other official meetings within the Borough in connection with Council business.
9.2.3 Travel to and from official site visits within the Borough.

9.2.4 Travel to and from official meetings outside the Borough.

9.2.5 Travel to and from official visits outside the Borough.

9.2.6 Travel to and from rail, bus or underground stations or airports in connection with Council business.

9.3 Council transport will be provided for all Members for civic, ceremonial and awards functions or similar. These include Ceremonial Council meetings, the Civic Service, Remembrance Sunday, the Civic Reception and the Royal Garden Party. Special provision is also given for your partner or guest if they live or are staying in the Borough and have accepted an official invitation to any of these functions.

9.4 Council transport will also be provided for all Members where they have been appointed by the Assembly or another formal meeting of the Council to attend any meetings or visits outside the Borough in connection with Council business.

9.5 You should:

9.5.1 where you are eligible, aim to ask for transport before 4.00 p.m. the day before the service is needed;

9.5.2 give all relevant details when asking for transport as these must be recorded by the Transport Manager (you must explain the purpose of the journey and the destination);

9.5.3 expect to share vehicles with other Members (the Transport Manager will look for best value when a number of Members are travelling to the same destination at around the same time); and

9.5.4 be ready at the agreed time.

9.6 You should not:

9.6.1 where you are eligible for transport for Council business, ask for transport for personal visits, ward surgeries, political meetings or School Governing Body meetings regardless of whether or not the position as a Governor is personal or Council related. These requests will be declined by the Transport Manager;

9.6.2 ask for a specific vehicle or mini cab. The Transport Manager will select the most appropriate vehicle/company for the journey subject to availability;

9.6.3 plan the route to the required destination. The driver will select the best route depending on the time of day and other factors;
9.6.4 worry about applying for a Congestion Charge pass. The driver will organise this; or

9.6.5 if using Council transport, expect to use the driver's mobile phone during a journey other than for urgent inland calls and only for a brief period. The driver's phone must be charged and available for their own use and any incoming calls.

10. **Other Transport**

10.1 The Rules for Conferences, Visits and Hospitality (Part D of the Council’s Constitution) set out the general rules for travel arrangements for Council related business. These state:

   The choice of travel should be made with a view to keeping the cost of the visit as low as possible. People should share vehicles and travel together where practical. However, cheaper methods of transport should not be considered if this results in an additional overnight stay and greater overall cost.

   First class or club class travel is not normally provided for Members or staff, but in exceptional circumstances the Chief Executive can approve it for Members, and a Corporate Director may approve it for staff. In the case of either Members or officers, specific justification must be documented.

10.2 You should:

10.2.1 liaise with other colleagues who may be travelling to the same destination and share where possible; and

10.2.2 feel free to arrange a journey and tickets yourself if you wish to with the above principles in mind. You may also ask Members' Services for help.

11. **Telephones**

11.1 You are expected to use your own private telephone(s) for Council business at your expense. This includes mobile telephones. If you feel that your Council position warrants a mobile telephone, or other similar equipment, you should purchase your own, again at your own expense including all call costs.

11.2 If you have a Council computer and associated telephone handset you can receive incoming business calls on that line – see the relevant section later.

11.3 A Council mobile telephone will be made available for Council use by the Mayor and Deputy Mayor when attending Mayoral functions for the purpose of, for example, contacting the driver when ready to leave.
12. **Using Council Equipment at Home**

12.1 You can be provided with a personal computer, printer and scanner, linked telephone and fax facility at home. A small desk for the equipment can be provided on request, as can a small paper shredder and a mini-dictating machine.

12.2 Requests for any other electronic devices such as Blackberries, IPads and IPods etc., or home equipment in general will not normally be granted unless there are exceptional circumstances, in which case the Chief Executive, in liaison with the Leader of the Council, may grant approval.

12.3 If you wish to use your own equipment (e.g. personal computer) in place of Council provided equipment, this must be at your own expense. You will however only be able to access emails (through *imail*) and other Council systems (including *email*) via Citrix using an RSA token. The LBBD IT Client Team can advise only on the use of personal equipment. No technical support for such equipment will be available. You are not permitted to plug any personal device onto the Council’s Network unless it has first been risk assessed by the Client Team.

12.4 In general, any Council equipment, whether permanent, temporary, fixed or portable, is provided for use by you for Council business.

12.5 You should:

12.5.1 look after all Council equipment and keep it reasonably tidy and clean;

12.5.2 make sure it is not a health or safety risk to anyone (Members are responsible for assessing risk and taking appropriate action to eliminate risk); and

12.5.3 return any equipment to the Council when ceasing to be a councillor.

12.6 You should not:

12.6.1 allow use of any equipment by family or friends; or

12.6.2 personally purchase any equipment for Council use. Always contact Members’ Services who will make sure that goods are properly purchased in line with agreed procedures.

13. **Council computers and associated telephone lines**

13.1 You may:

13.1.1 use the telephone line but only for incoming calls and outgoing faxes;

13.1.2 use the computer as much as possible to reduce the number of hard copies of documents; and
13.1.3 use the computer for personal e-mails, and the Internet for personal as well as Council purposes, provided they are accessed through the Council system as installed by the I.T. system. This means that access should be by clicking on the Outlook icon, or the Internet Explorer icon. This provision is on the basis that such personal use is not excessive and would not place in doubt the integrity of the Member.

13.2 You should:

13.2.1 take advantage of relevant training to advance computer skills;

13.2.2 be aware that e-mail usage is monitored as part of the Council's security policy (consider e-mail as no more private than something which is mailed through the post);

13.2.3 take care when drafting emails to avoid any potential for later complaint. For example, avoid personal attacks and potentially rude or offensive language.

13.2.4 be aware that websites visited are also monitored (if you accidentally connect to a site containing sexually explicit or other offensive material, let the Information Technology staff know so they can block access. Most of these sites should already be blocked);

13.2.5 call the Help Desk if you cannot resolve any technical difficulties, or Members' Services for any general advice;

13.2.6 log off the computer when not in use for financial and safety reasons;

13.2.7 take reasonable care not to allow family or friends access to any personal data about constituents or any confidential information;

13.2.8 record details of any fax calls in case of later query; and

13.2.9 note that details of any bills which are considered to be excessive will be brought to the attention of the Chief Executive who will liaise with the Member concerned as to usage. If necessary reimbursement will be asked for from the Member for any exceptional personal usage costs. (See the section on 'Breaches of this Guide' towards the end of the document)

13.3 You should not:

13.3.1 use your computer to access undesirable web sites. These include sites containing information of a pornographic, sexist and racist nature.

13.3.2 use the telephone line for outgoing calls; or

13.3.3 expect to be granted access to computer based systems containing personal data.
14. Expenses

14.1 You may claim for travelling expenses and meal allowances (known as subsistence allowances) in connection with Council related business. Forms are available on the intranet for making monthly claims.

14.2 You should:

14.2.1 give relevant receipts with the claim form where possible; and

14.2.2 make claims on a regular basis rather than allowing them to build up.

14.3 You should not:

14.3.1 claim for meals if they are provided at no charge; and

14.3.2 claim any expenses in relation to a School Governor role (regardless of whether the role is personal or Council related). Any claims should be sent to the School and may be paid if the Governing Body agrees. However, school funds are limited and expenses are rarely approved.

14.4 Expenses associated with attendance at external conferences and the like can be confusing so this example may help:

You are attending a two-day conference in Bath, staying overnight in a hotel. The conference starts at 10.00 a.m. You are travelling by train leaving Euston at 7.00 a.m. and returning the following day on the 4.30 p.m. train which arrives at Euston at 6.30 p.m. Lunch is provided by the conference organisers on both days. The hotel's rates include an evening meal on the first day and breakfast on the second morning.

It is acceptable for you to claim the breakfast allowance on the first day and the rate for afternoon tea on the second. You should not, however, claim for lunch on either day, nor for the evening meal or breakfast as these are already provided for either as part of the conference fee or the hotel's rates.

If the hotel's rates are less than the 24-hour subsistence rate, you are not entitled to claim the difference.

15. Breaches of this Guide

15.1 Although this document is intended as a guide, it is important to warn that if you knowingly act against the advice, you could be in danger of breaching the Members' Code of Conduct or other protocols. This could be serious.

15.2 If any situation is unclear or not provided for in the guide, you should always ask advice either from the contacts mentioned at the end of this guide, or from the Monitoring Officer.
15.3 In all cases, a general note of the query and the advice given (but not the name of the enquirer) will be passed to the Divisional Director of Legal and Democratic Services. This will be used to brief other Members as necessary or generally be brought to the attention of the Standards Committee at an appropriate time.

15.4 In an attempt to protect Members, any areas of serious concern that come to the attention of an officer in the course of their duties will be reported to the Chief Executive. The Chief Executive will consult with the Monitoring Officer and take whatever action he or she feels is necessary to resolve the matter.

15.5 In the event that resources have been inappropriately used for non-Council purposes or otherwise in breach of any protocol or code, the Chief Executive will have the right to recover the costs involved from the Member or Members concerned. If payment is not be made within 28 days of the initial request, the Chief Executive is authorised to recover the outstanding sum through deductions from the Member's Allowance. The Member has a right of appeal to the Standards Committee against the Chief Executive's initial request for payment if he or she feels that the situation is unfair or unreasonable. An appeal should be submitted to the Monitoring Officer within ten days of the Chief Executive's formal notification of the proposed action. This provision allows for the Chief Executive (and, as appropriate, the Monitoring Officer) to be provided by relevant officers with personal data about Members relevant to such circumstances. The relevant party leader will be informed of any instances whereby the Chief Executive has brought the misuse of resources to the attention of a Member of their Group and sought to recover any costs.

16. Review and Revision

16.1 This guide will generally be reviewed each year. Any suggested or necessary revisions to the guide will be considered by the Standards Committee on an annual basis or, if urgent, at their next meeting. In either event, any revisions recommended by the Standards Committee will be put to the Assembly for approval.

16.2 The Divisional Director of Legal and Democratic Services will arrange for any administrative amendments or typing errors to be corrected.

17. Contacts

17.1 Members' Services (for general support, research, stationery etc.)

              020 8227 2116

17.2 Information Technology (for Council owned home computers and IT training)

              020 8227 2013
17.3 Computers Help Desk (for technical difficulties or advice)

☎ 020 8227 2013

17.4 Council Transport

☎ 020 8227 2692/2931

17.5 Travel and Subsistence Claims - Finance

☎ 020 8227 2018

(Contact Officer: Divisional Director of Legal and Democratic Services, Tel. 020 8227 2114)