



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
STANDARDS COMMITTEE

4TH FEBRUARY, 2009

REVIEW OF POLITICAL CONVENTIONS

REPORT OF THE MONITORING OFFICER

1. PURPOSE OF REPORT

To enable Standards Committee to consider the need to review the Council's political conventions.

2. RECOMMENDATIONS

Members are invited to comment on the need and potential scope of a review of the Council's Political Conventions and decide how to take this matter forward.

3. REPORT

3.2 Current Political Conventions

The Council must, and has, adopted the National Code of Conduct for Elected Members. In addition, Leicester has complemented this with a set of Political Conventions which were adopted with the full support of all political groups following Unitary Status. The current version is shown attached, **Appendix A**.

The Conventions deal with Councillor / Officer relationships and the current introduction reads as follows:

“INTRODUCTION

Councillors are democratically accountable and have political affiliations. Officers must serve the whole Council objectively. Together they must balance a complex range of obligations and competing interests. For this to be effective, Councillors and Officers must have mutual trust and respect for each other's requirements and duties. There must also be transparent consistency in everyday working relationships.

Ten General Principles of Conduct for Councillors and co-opted members of local authorities have been prescribed by legislation (*Appendix 1*). There is also a Model Code of Conduct (*Appendix 2*) which sets out the minimum standards Councillors and co-opted members must observe. These Conventions operate within that framework and provide the Council's local ground rules.

Councillors, co-opted members and officers agree to observe the General Principles, and the Model Code and these Conventions, and to be guided by them in the interests of fair treatment and good government.

The Conventions are the Council's way of applying the following basic principles:

- **Members have a right to information and support on a “need to know” basis.**

The “need” is so that they can perform their role as Councillor. It can be limited by conflict of interest, confidentiality and practicality.

- **Officers must serve the whole Council objectively.**

They must therefore provide “*unified advice*” at all times. This is advice which is objective, consistent and points out all relevant factors. Different points of view between Officers should be resolved or presented in a balanced way which helps Councillors to choose between them.

- **Political processes and different roles for Councillors are a legitimate part of local democracy.**

Officer advice and support can be tailored accordingly. A party group is entitled to the confidentiality of Officer advice on developing policies and may decide when to publish a proposal. The overall arrangements for Officer advice must be transparent.”

3.2 The need for change

Although tried and tested, the Conventions now are somewhat out of date for a number of practical reasons and would benefit from a review to ensure that they suit the current needs of the Authority.

The Standards Committee asked for consideration of the need for a review of the Conventions to be included in its work programme; hence this report.

A number of technical updating issues need to be addressed, for example:

- * Reference to “triumvirate” needs to be replaced with “Chair and Vice-Chair”.

- * Reference to the Town Clerk needs to be considered following the current corporate review of the officer structure.
- * “Party spokespersons” needs to be replaced by “Group spokespersons” etc.

There are also some more general areas of amendment required:

- * There needs to be a provision added to reflect the fact the minority group representatives are now routinely invited to attend Cabinet.
- * The Conventions need to be updated to reflect the fact that Cabinet has now delegated decision making to individual Cabinet members.
- * Regarding local assessment of complaints against Councillors: consideration needs to be given to adding text to discourage misuse particularly during election periods. This need not be a controversial issue and is likely to receive support from all political groups.

Some more substantial additions are required:

- * There is a need for a more comprehensive section dealing with partnerships, how the Council relates to them and governance arrangements.
- * The Council does not have a Monitoring Officer protocol – it is good practice to have one; it could either be a separate document or it could be incorporated into the Conventions.
- * Community meetings – it would be helpful to have a section dealing with this as well as task group meetings and the role of the task group leader.

Views are invited regarding the overall presentation and style of the document, also the title.

Next steps

The Conventions have been approved by full Council with the support of all political groups, so any change would require similar approval.

This report is based on discussions at officer level and following receipt of the Standards Committee’s view there will be further consultation with the Leader/ Cabinet, Chief Executive, Corporate Directors’ Board, Scrutiny and all Members.

Standards Committee may wish to engage and oversee the review in support of the Executive and Council.

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

None specific

5.2 Legal Implications

These are covered in the report.

5. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	No		
Policy	Yes	The Conventions play a significant role in the Council's governments arrangements.	
Sustainable and Environmental	No		
Crime and Disorder	No		
Human Rights Act	No		
Elderly/People on Low Income	No		

6. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

The Council's Constitution and relevant legislation.

7. CONSULTATIONS

To date consultations have been at officer level. Prior to initiation of the review there will be a need for further consultation with Leader and Chief Executive and subsequently all Members as summarised in the report.

8. REPORT AUTHOR

Peter Nicholls, Service Director – Legal Services, x6302

APPENDIX A

1. OFFICER NEUTRALITY

Convention	Councillors	Officers
<p>1.1 Every Officer appointment and every employment decision must be on merit alone (by law). The Council has no political assistants.</p>	<p>Councillors appoint officers to the following posts and above only: Service Directors, other officers who are directly accountable to a Corporate Director / Chief Executive for all or most of their duties (excluding officers whose duties are solely secretarial / clerical / support).</p> <p>Councillors have a formal role in certain employment appeals.</p> <p>Party political factors cannot be taken into account.</p>	<p>Policy support to Councillors must conform to the “<i>unified advice</i>” principle. It must be for Council, and not for party political purposes. Work which could be open to misinterpretation must be transparent and justified where necessary, particularly at sensitive times (such as a pending election).</p>
<p>1.2 Certain posts are politically restricted, including all senior posts.</p>		<p>Politically restricted Officers cannot be Councillors or MPs. They cannot “<i>speak or publish written work to the public at large or a section of the public, with the apparent intention of affecting public support for a political party</i>”. They can speak or publish “<i>to such an extent as is necessary for the proper performance of their duties</i>”.</p>
<p>1.3 Officers serve the whole Council and must be politically neutral at work.</p>	<p>Councillors should respect Officers’ right to private political opinions. These should not be used against an Officer who remains neutral at work and observes the relevant codes.</p>	<p>The Council’s employment procedures and Codes of Conduct must be observed. Failure to do so could be a disciplinary matter.</p>
<p>1.4 Any questions about neutrality or improper conduct by an officer should be raised in private with the relevant</p>	<p>Public accusation (direct or indirect) is potentially defamatory and such questions should not be raised in public</p>	<p>Officers must be prepared to correct an inadvertent failure to declare an interest, or to justify a decision not to declare an</p>

Convention	Councillors	Officers
Director, Town Clerk or committee adviser.	meetings. Advice should be taken before meetings. If an issue arises in a meeting, an adjustment may be appropriate to consider how to deal with it. Challenging a deliberate decision not to declare an interest should also be done off agenda.	apparent interest. Prior employment is not automatically a declarable interest, but it may be in certain cases.
1.5 Close personal relationships between Councillors and Officers should be declared to the relevant Party Whip and Director, and entered in the voluntary register of interests. The test is whether a member of the public might reasonably consider the relationship likely to influence the Councillor or Officer in their respective roles.	The Councillor concerned should judge when a personal relationship has formed or whether a family relationship or friendship might reasonably be considered as having influence (depending on domestic arrangements and other circumstances). The Party Whip should consider how working contact between the Councillor and Officer should be avoided or managed to dispel perceived bias, taking advice from the Town Clerk if necessary.	The Officer concerned should judge when to make a declaration. The Director should consider how to avoid or manage working contact to dispel perceived bias, taking advice from the Town Clerk if necessary.
1.6 Mutual respect and due courtesy between Councillors and Officers is expected by the Council.	Unwarranted criticism of Officers should be avoided, particularly when they cannot respond on equal terms, such as at Council meetings. Bullying by a Councillor could potentially expose the Council to a claim of constructive dismissal.	Officers should avoid unwarranted criticism of Councillors and should respect their rights under these Conventions. Officers should not only be neutral, they should appear neutral. Any matter which might cause doubt should be raised with the relevant Director to consider what steps are needed to provide reassurance.

2. PROVISION OF INFORMATION TO COUNCILLORS

Convention	Councillors	Officers
<p>2.1 Each Councillor has a right to the information reasonably required to perform his or her role as Councillor (the “<i>need to know</i>”) but <u>not</u> where:</p> <ul style="list-style-type: none"> • The information is primarily needed for a non-Council purpose; or • There is a conflict of interest; or • There is an over-riding individual right of confidentiality (for example, in a children’s or employment matter); or • The resources needed to supply the information would be unreasonable. 	<p>Councillors need not state a need to know when requesting information, unless one of the restrictions applies, in which case entitlement should be demonstrated. Any relevant interests or non-Council capacity should be declared at the time of the request. If dissatisfied with a refusal, the Director should be approached. If still dissatisfied the Town Clerk may be asked to determine entitlement.</p>	<p>Officers should assume a Councillor has a need to know unless one of the restrictions may apply. The Councillor should then be asked to demonstrate entitlement and, in cases of doubt, the Town Clerk may be consulted. An Officer should seek clearance from his or her manager before embarking on a significant amount of work to provide information.</p>
<p>2.2 Councillors are normally entitled to be given information on a confidential basis, the exceptions being:</p> <ul style="list-style-type: none"> • An over-riding Council interest (for example, protecting its legal and financial position); and • Natural justice (for example, giving an individual the chance to respond to allegations). 	<p>Councillors should ensure that the need for confidentiality is made clear to officers.</p>	<p>The Councillor must be told immediately if an exception applies.</p>
<p>2.3 Councillors must respect the confidentiality of confidential Council</p>		

Convention	Councillors	Officers
<p>information and must use confidential information only for the purpose it is given (for example, information supplied in confidence to a Cabinet Member or Scrutiny Chair cannot be used to pursue a special Ward interest).</p>		
<p>2.4 Councillors with a particular role have a special need to know arising from that role, for example:</p> <ul style="list-style-type: none"> • Leader; • Cabinet Member: matters relating to his or her portfolio; • Scrutiny Chair and Party Spokespersons: matters relating to their terms of reference and committee business (on an equal basis as a Triumvirate); • Ward Member: matters with special implications for the Ward (ie significantly more than the general implications for the City); <p>Working Party Members: matters relating to the role of the Working Party.</p>	<p>A Scrutiny Chair or Party Spokesperson is not entitled to information in that capacity without it being known to and available to the Triumvirate</p>	<p><i>“Managed Access”</i> may be offered when information is particularly sensitive or needs interpretation. This involves inspection of the file combined with a briefing. Names and supporting evidence may need to be withheld.</p>

3. ENTITLEMENT TO BRIEFING

	Convention	Councillors	Officers
3.1	<p>Councillors are entitled to be briefed in accordance with their need to know, taking account of any particular role they have. There are the same restrictions as for information (Convention 2.1). Councillors with a particular role may expect to be briefed about relevant matters without having to make a request.</p>	<p>Councillors should declare any relevant interest when requesting or receiving a briefing. If dissatisfied with a refusal to brief, the Director should be approached. If still dissatisfied, the Town Clerk may be asked to determine entitlement.</p>	<p>Officers should be clear about the capacity in which the Councillor is being briefed and the implications of any interest. In cases of doubt, the Town Clerk may be consulted. The Officer should always make it clear if a briefing is not based on unified advice, (ie is still subject to consultation with other Officers). Otherwise the Councillor is entitled to assume unified advice is being given.</p>
3.2	<p>A Party Group meeting may be briefed, provided:</p> <p>The Chief Executive knows of and approves the briefing;</p> <p>All Groups are informed and offered the same briefing;</p> <p>More than one Officer attends;</p> <p>Officers withdraw after briefing and any questions, and before political discussion;</p> <p>Officers do not write reports for Groups, leaving it for Councillors to present draft Committee reports or briefing notes.</p>		
3.3	<p>The content of briefings is confidential to the Councillors concerned. Confidentiality extends to the questions</p>		

Convention	Councillors	Officers
asked by the Councillors.		
3.4 Cabinet Members, individually and collectively are entitled to regular confidential briefing on matters relevant to their portfolios and in support of the policies they are developing prior to them formulating formal proposals.	The relevant Cabinet Member or the Cabinet collectively determines whether confidential briefing material may be released to others for consultation or otherwise. When the stage of formal proposals is reached, supporting Officer advice becomes publishable in conjunction with the proposals.	A briefing to help a Councillor respond to a question at Council may be in the form of suggested a reply. It should be confined to factual and professional matters and to explanations of existing policy, leaving the Councillor to add any political comment.
3.5 Committee Chairs and Party Spokespersons are entitled to regular and confidential briefing on matters relating to Committee business (on an equal basis as a Triumvirate).	A Chair or Party Spokesperson is not entitled to be briefed in that capacity without the briefing being shared with the whole Triumvirate, at a joint meeting or otherwise. Confidential briefing in a different capacity (for example, developing policy options on behalf of a party group) may still be appropriate	
3.6 Councillors must respect the confidentiality of information supplied in briefing and must use it only for the purposes for which they would have been entitled to receive it (for example, information supplied as Cabinet Member or Scrutiny Chair may not be used to pursue a special Ward interest, if it would not have been supplied to the Ward Councillor).		

4. CABINET AND COMMITTEE MEETINGS

	Convention	Councillors	Officers
4.1	<p>Each Cabinet and Committee report should be in the name of a Director or the Chief Finance Officer (both if it has major financial significance) who must ensure that:</p> <ul style="list-style-type: none"> • It is made clear what stage in the process has been reached and what is required from Councillors; • There is a clear recommendation or options presented in a way which enable Councillors to choose between them; • It is clear who is responsible for action and to what timetable (including further reports); • All relevant factors are included and the issues are presented with professional objectivity; • Associated briefings and presentations are also professionally objective. 	<p>Cabinet Members may introduce reports at Cabinet. Officer advice should be obtained before the meeting on any alternative recommendation to be moved to ensure that operational, financial and legal factors are taken into account.</p>	<p>The principle of unified advice requires that meaningful and timely consultation is completed before finalising a report (particularly on financial and legal implications, on which the consultees should be named). Officers may take account of policies of the Council. Options, indeed recommendations, may reflect political realities, provided all realistic options are addressed in a way which is professionally objective and sustainable. It is not always necessary to recommend the course of minimum risk, provided risks and reasons for taking them are made clear.</p>
4.2	<p>Cabinet Members, individually or collectively, may determine the timetable for developing their policies,</p>	<p>Deferring a report is a Cabinet decision and responsibility. A Scrutiny Committee may ask for</p>	<p>Withdrawing a report is an Officer decision and responsibility, in consultation with Cabinet Lead.</p>

Convention	Councillors	Officers
<p>including:</p> <ul style="list-style-type: none"> • The point at which confidential ideas become formal proposals for publication; • Who to consult and to what deadline; • The timing of Cabinet reports. <p>The relevant Director or the Chief Finance Officer must ensure that all essential decisions are requested by necessary deadlines.</p>	<p>more time, information or other views before responding to Cabinet consultation, provided:</p> <ul style="list-style-type: none"> • The Cabinet Lead Member agrees to additional time and consultation (these being matters for the Cabinet); and • The relevant Director agrees that further information can be provided at reasonable cost and use of Officer time. 	
<p>4.3 It is for a full Scrutiny Committee to determine its programme for scrutinising the implementation of decisions and for recommending policy changes to Cabinet. It is expected that reports commissioned and evidence requested will:</p> <ul style="list-style-type: none"> • Avoid cutting across work in support of developing Cabinet policies; • Involve reasonable cost and use of officer time. 	<p>Where the Cabinet and a Scrutiny Committee are considering the same service area, the Cabinet Lead Member, Scrutiny Triumvirate and Director should agree a joint programme of work and the order in which reports should be consulted upon and presented.</p>	<p>Work for and evidence to a Scrutiny Committee is determined by the relevant Director (since the Committee has no decision-making powers). If the Committee insists on work or evidence the Town Clerk should be consulted on how to resolve the impasse.</p>
<p>4.4 Any Member of a Scrutiny Committee may place an item on its agenda by giving at least three weeks' notice to</p>	<p>The Triumvirate will be notified of a notice and asked whether a report should be prepared to accompany the</p>	<p>The Town Clerk should immediately copy the notice to the Triumvirate and the relevant Director and Cabinet Members and ask the</p>

Convention	Councillors	Officers
<p>the Town Clerk of the item and why the Committee is being asked to consider it. This right does not apply when the matter has already been dealt with under the “<i>six months rule</i>” in Procedure Rules.</p>	<p>item. A report will be prepared if a majority agree. If not, the Committee may still, when considering the report, request a report at their next meeting.</p>	<p>Triumvirate whether a report should accompany the item. The Director may offer a report in any event.</p>
<p>4.5 Guidance to Officers on all matters of Scrutiny Committee business and procedure (apart from Chairing meetings) shall, subject to full committee decisions, be determined by a majority of the Triumvirate, including:</p> <ul style="list-style-type: none"> • Agendas; • Dates and times of meetings with a presumption that meetings on Mondays and Fridays will be avoided wherever practicable; • Evidence to be presented at a future meeting; • Interested parties to be invited to attend and participate at future meetings 	<p>There is a standing offer by and invitation to the relevant Cabinet Lead Member and Director to attend Scrutiny Committee meetings with a view to explaining matters relevant to the agenda. A specific request to the Triumvirate or invitation to the Cabinet Lead or Director should be made, giving reasonable notice, where:</p> <ul style="list-style-type: none"> • The Cabinet Lead would like to explain a particular matter; or • The Triumvirate would like to explore a particular matter with the Cabinet Lead or Director. <p>It is expected that the Cabinet Lead would normally attend a Scrutiny Committee which is considering proposals at the request of the Cabinet or the Cabinet Lead.</p> <p>A Councillor who has been consulted on an officer decision is</p>	<p>Each Scrutiny Committee has a Lead Officer responsible for co-ordinating its overall programme and individual agendas in consultation with:</p> <ul style="list-style-type: none"> • The Triumvirate; • Relevant Cabinet Members (in relation to Cabinet policies in development); • Directors.

Convention	Councillors	Officers
	accountable to the Scrutiny Committee for the views expressed.	
<p>4.6 The Chair is expected to conduct Scrutiny Committee meetings so as to ensure:</p> <ul style="list-style-type: none"> • The basis of any participation by non-Members of the Committee is made clear at the outset (for example, question and supplementary, statement, or participation in debate); • The questioning of Cabinet Members, Officers and others is properly structured, and conducted in a courteous, seemly and constructive manner; <p>Questions are properly directed to the Cabinet Lead (for example, justifying policy) or Director (for example, progress with implementation), inviting both to attend where necessary.</p>		

Convention	Councillors	Officers
<p>4.7 The Triumvirate should be jointly briefed on questions from the public. After the Chair has responded, the Party Spokespersons may add comments.</p>		

5. REGULATORY AND COUNCIL COMMITTEES

Convention	Councillors	Officers
<p>5.1 Development control, licensing and other quasi-judicial matters must be dealt with solely in accordance with the relevant policies and legal requirements, and in particular:</p> <ul style="list-style-type: none"> • The appearance of decisions being based on party political consideration must be avoided; • If Officer recommendations are not accepted, care should be taken to ensure that any departures can be justified and that they are consistent over time. <p>The Code of Practice in <i>Appendix 3</i> must be followed.</p>	<p>Particular care should be taken to declare interests in formal meetings, at site visits and in formal discussion and, if necessary avoid participation. Potential interests should be raised with Officers before meetings. Any Cabinet Member would have an interest in a planning application by the Council.</p>	
<p>5.2 Only Councillors who have received appropriate training may participate in decisions relating to regulatory decisions and Employees' Committee Appeal Hearings.</p>	<p>Any untrained Councillor asked to participate in a decision should request training, which will be fast-tracked if necessary.</p>	
<p>5.3 Reports to Regulatory meetings should</p>		

Convention	Councillors	Officers
<p>comply with Convention 4.1 except that political considerations are inappropriate. The Chair and Spokespersons shall be a Triumvirate similar to Scrutiny Committees for the purposes of briefing and guiding Committee business and procedure.</p>		

6. WORKING PARTIES

Convention	Councillors	Officers
<p>6.1 Non-statutory Working Parties of Councillors may be set up by the Cabinet, or by the Town Clerk in consultation with the relevant Councillors of all Groups, for the purpose of:</p> <ul style="list-style-type: none"> • Providing an all-party forum to assist in developing particular policies; • Providing a forum for consulting interested parties on particular services or issues; • Pursuing all-party consensus on an issue prior to a formal decision; • Enabling Cabinet and Scrutiny Members jointly to review a matter. 	<p>Panels for statutory purposes and single-party groups are outside this Convention. The term “<i>Working Party</i>” defines the status of the body within the Council’s structures. It need not necessarily be used in the body’s title.</p>	
<p>6.2 A Working Party should:</p>		

Convention	Councillors	Officers
<ul style="list-style-type: none"> • Be politically balanced unless the Groups unanimously agree otherwise. • Have clear terms of reference. • Be defined as a standing body or a task and finish group. 		
<p>6.3 Any co-opted members of the Working Party shall be determined by the Town Clerk or the Cabinet on the advice of the Working Party.</p>		
<p>6.4 The Cabinet will be asked to review annually the need for each Working Party.</p>		

7. COUNCILLOR INVOLVEMENT IN CASEWORK

Convention	Councillors	Officers
<p>7.1 Officers must implement Council policy within agreed procedures. An individual Councillor cannot require an Officer to vary this and cannot take a decision or instruct an Officer to take action. The Councillor’s role in relation to casework is:</p> <ul style="list-style-type: none"> • To be briefed or consulted where there is a need to know; • To pursue the interests of individuals by seeking information, testing action taken and asking for the appropriateness of decisions to be reconsidered. <p>A Councillor’s entitlement to be involved is based on the “<i>need to know</i>” and determined in accordance with Conventions 2 and 3.</p> <p>Access to files may need to be denied or restricted if one of the exceptional circumstances in Convention 2.1 and 2.2 applies. Any access then allowed may need to be “<i>managed access</i>” (as described in Convention 2).</p>	<p>Councillors should avoid becoming unduly involved in individual cases and operational detail, except within clear procedures. Involvement in legal proceedings and audit investigations carries special dangers of prejudicing the case, and of personal embarrassment. The District Auditor has warned of the dangers of individual Councillors intervening in the processes of the Council without full knowledge of the facts.</p> <p>A Councillor lobbied on an issue (especially planning policy) should explain that any views expressed are personal and they cannot commit or anticipate the Council’s decision. Any lobbying should be referred to at meetings to consider the policy.</p>	<p>Officers should take the lead in pointing out where the boundaries lie in particular areas, recognising that:</p> <ul style="list-style-type: none"> • Councillors legitimately adopt different approaches • Councillors may legitimately pursue non-Ward issues (for example, a City-wide community of interest) • The special local knowledge of particular Councillors may be useful to a particular case. <p>Officers should point out to the Councillor when a restriction on the need to know may apply, explore entitlement with the Councillor and, in cases of doubt, consult the Town Clerk.</p> <p>Directors should ensure that their staff know how to obtain appropriate senior management support (particularly out of hours) when the extent of a Councillor’s involvement in an issue needs to be clarified.</p>
<p>7.2 A Councillor pursuing a Ward matter on behalf of a close family member or</p>	<p>A close relationship should be judged as in Convention 1.4.</p>	

Convention	Councillors	Officers
friend should declare the relationship and consider whether to ask another Councillor to pursue the matter.		
7.3 Councillors should not act as an individual's "friend" or provide a reference in relation to staffing matters within the Council (except in exceptional circumstances). They should avoid involvement in staff lobbying outside formal procedures.	<p>The main procedures for Councillor involvement in staffing matters are:</p> <ul style="list-style-type: none"> • Formal machinery for taking individual staffing decisions. • Arrangements for staff representatives to submit views when staffing issues are before Councillors. 	
7.4 Staff may raise issues with their Councillor as citizens. They must not lobby Councillor on personal employment or budgetary matters except within the proper management and representative procedures (in the interests of balanced, unified advice to Councillors).	Councillors should refuse to respond to inappropriate lobbying and inform the relevant Director who should direct the staff towards the appropriate channels. This applies if the approach is superficially to a Ward Councillor, but in reality amounts to an employment matter.	Directors should ensure their staff are aware of these requirements and the proper channels for their views to be put forward.
7.5 A Councillor's right of access to Council premises and to bring in guests is based on the "need to know" (that is, to perform the Councillor's role). In addition to the general restrictions, it is subject to ensuring: <ul style="list-style-type: none"> • Operational continuity; 	<p>When visiting Council premises, a Councillor should:</p> <ul style="list-style-type: none"> • Make prior arrangements whenever possible for visits outside NWC; • Check in on arrival with reception or the site manager; 	Directors should ensure that their staff are aware of these requirements and know how to obtain appropriate senior management support (particularly out of hours).

Convention	Councillors	Officers
<ul style="list-style-type: none"> • Confidentiality; • Compliance with Health & Safety arrangements; • Compliance with security requirements. 	<ul style="list-style-type: none"> • Observe the site manager's requirements in relation to health and safety and so on. • Expect to be denied access or asked to leave in circumstances where compliance with the requirements cannot be guaranteed or the Councillor's behaviour might bring the Council into disrepute. 	
<p>7.6 Councillors' guests should:</p> <ul style="list-style-type: none"> • Be properly checked in and out; • Explain the purpose of their visit, if requested; • Observe the site manager's requirements; <p>Not be admitted after normal business hours, except for notified evening meetings and by special arrangement for particular purposes.</p>		<p>Directors should ensure their staff are aware of these requirements and how to obtain appropriate senior management support (particularly after hours). They should also ensure staff are aware exactly when guests may be admitted outside normal opening hours.</p>

8. MEDIA RELATIONS AND PUBLISHED MATERIAL

Convention	Councillors	Officers
<p>8.1 Statements and published material on behalf of the Council (including the Council's website) must not be party political and must comply with the Statutory Code of Practice (<i>Appendix 4</i>).</p>	<p>Councillors are the Council's principal spokespersons on policy. As individuals, they may make party political comment, but the Council may not publish such comment.</p>	<p>Officers may publish factual, professional and technical comment. Reports, presentations and publications must be professionally objective in language, content and tone. Directors must ensure that Officers who publish statements and material are competent for the role and understand the requirements of these Conventions.</p>
<p>8.2 News releases on behalf of the Council may only be issued through the Communications Unit. Official statements to the media should only be made after consultation with the Communications Unit. This is to ensure consistency and compliance with the Code.</p>		<p>The Communications Unit is responsible for promoting and protecting the Council's overall interests in relation to the media.</p> <p>Directors are responsible for informing relevant Councillors when a media statement is proposed.</p>
<p>8.3 The Communications Unit will support and issue news releases in relation to the business of the Cabinet and Scrutiny Committees. In this it will be guided:</p> <ul style="list-style-type: none"> • By the relevant Cabinet Lead Member (on Cabinet matters) • By the Scrutiny Triumvirate acting unanimously (on Scrutiny matters). 	<p>Triumvirate unanimity is essential, since its absence would usually imply a party political issue. The Scrutiny Chair is responsible for obtaining agreement. A statement may be in the name of the Chair if the Triumvirate agree.</p> <p>Another Councillor may act on behalf of a Triumvirate member if unavailable.</p>	<p>News releases on behalf of a Scrutiny Committee may include:</p> <ul style="list-style-type: none"> • Their reasons for considering a matter; • Their findings and recommendations; • Majority and minority views.

9. ELECTION PERIODS

Convention	Councillors	Officers
<p>9.1 From the notice of a Parliamentary or local election until election day:</p> <ul style="list-style-type: none"> • Nothing should be published (including the Council’s website) on a politically controversial issue, or which identifies views or policies with those of individual Councillors or party Groups; • In Parliamentary elections, nothing should be published which mentions or includes a picture of any prospective candidate; • Any publicity should be strictly objective, concentrating on facts or explanations; • During local elections, no Council newspaper, corporate or departmental should be published; • Councillors and Officers should take particular care to keep Officers distant from party political matters. • Councillors requesting information 		<p>Subject to this Convention, publicity is permitted of a Councillor speaking on behalf of the Council about an approved policy.</p> <p>External comments should be on strictly factual or professional matters. Care should be taken to avoid being misquoted or inadvertently associated with a particular candidate or political perspective.</p> <p>Where the Council ought to be represented as stakeholder at an event with a potentially political dimension, officers should:</p> <ul style="list-style-type: none"> • Ensure that all contributions to any discussion are factual and based on approved Council policy. • Avoid expressing opinions or views which may be perceived as containing a party

Convention	Councillors	Officers
<p>should make their “<i>need to know</i>” clear and the “<i>need to know</i>” principle should be strictly observed.</p> <ul style="list-style-type: none"> • Prospective Parliamentary candidates (including current MPs) should be treated equally. • Officers should avoid even the appearance of political bias. 		<p>political dimension.</p> <ul style="list-style-type: none"> • Avoid engaging in any media activity relating to the event (that is avoid TV or radio interviews, comment to the media, inclusion in photographs or TV filming).
<p>9.2 During such election periods the Town Hall and New Walk Centre shall not be used for political meetings (other than normal private meetings on Council business). This prohibition shall extend to the Town Hall Square Concourse, but the rest of the Town Hall Square may (subject to prior booking) be used for political meetings.</p>		

10. PARTNERSHIPS

<u>Convention</u>	<u>Councillors</u>	<u>Officers</u>
10.1 Any partnership in which the Council participates must be asked to adopt the General Principles of Conduct (<i>Appendix 1</i>) or to justify any departures.		
10.2 The partnership must be asked to observe the rules in <i>Appendix 5</i> and to have an item on all agendas requesting that interests be declared.		

11. RESOLVING PROBLEMS

Convention	Councillors	Officers
<p>11.1 Councillors and Officers should try to interpret and apply the Conventions consistently. Those concerned should first try to resolve any problems between themselves.</p>	<p>Councillors should raise unresolved problems with the relevant Assistant Director or Director. If necessary the Group Whip or Town Clerk should be consulted.</p>	<p>Officers should raise any unresolved problem with their Assistant Director or Director who will advise or take the matter up with the relevant Councillors. If necessary, the Town Clerk should be consulted. The Town Clerk may involve the relevant Group Whip.</p>