

**BRISTOL CITY COUNCIL
Standards Committee**

15th February 2007

Report of: The Monitoring Officer

Title: Protocol on the provision of support to Councillors by Members Services staff

Ward: All

Officer presenting report: Shahzia Daya, Senior Solicitor

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RECOMMENDATION

To consider the remaining amendments proposed at the last meeting of the Committee

Summary

To consider (in detail) paragraphs 10 to 18 of the Protocol.

The significant issues in the report are:

As set out in the report

Policy

n/a

Consultation

As set out in the previous report to the committee

Context

The Protocol has been the subject of some debate. The amendments being suggested should make the Protocol easier to use in practice.

Proposal

The remaining changes that have been proposed are as follows;

Para 10.2 Add "A bulk mail out is defined as any unsolicited mail to more than two people or where the content of the letter is virtually the same and is sent to more than two people. If more than 500 letters are likely to be sent then consideration should be given to whether the Council should be sending the mail out rather than the group office". Representations have been made that this paragraph should be deleted as the Group Office budget should simply be allocated by the Council as an overall figure.

Para 11.1 For clarity, meetings that discuss Council business may use Council facilities. This includes group meetings.

Para 11.1 Delete "Members should submit....maintained". It is for the MOM/Pa to ensure that photocopying is monitored and they should decide how best to do this. As long as there is a rough audit procedure then this will assist should use be challenged. Representations have been made that may Member do not have an Emos care and do not use the copier in the Members room. Some Members would prefer to use the group office copiers. Wherever copying is undertaken, Members must abide by the rules contained in para 11.4.

Para 12 Replace reference to para 13 to para 12 throughout.

Para 14.5 Delete the Freepost facility as very few Members use it.

Additional Para 14.6 All mail should be sent by internal post or by second class post if being sent externally, unless urgency demands otherwise.

Para 15.4 A query was raised as to what Telewest accounts are being provided and to whom - The Head of Democratic Services will confirm.

Para 15.6 The budgets for this year have been confirmed.

Para 15.7 Amend "detailed" to "reasonable". Provided sufficient receipts are kept to meet any challenge, then this should be acceptable.

Para 18 Enforcement of the Protocol should be fair in terms of how the Standards Board would treat Councillors and how Managers treat any

alleged breach by employees.

Other Options Considered

None

Risk Assessment

Clarification of what is expected and required will improve the use of Council resources

Race Impact Assessment

N/A

Legal and Resource Implications

Legal	As set out.
Financial	None
Revenue	"
Capital	"
Land	"
Personnel	"

Appendices: Appendix A - Revised protocol as at 7th December 2006

**ACCESS TO INFORMATION
Background Papers**

PROTOCOL ON THE PROVISION OF SUPPORT TO COUNCILLORS BY MEMBERS SERVICES STAFF

INTRODUCTION

- 1.1 This Protocol covers the support provided to councillors via Members Services function. It is supplementary to, and should be read in conjunction with, the Officer Code of Conduct and Protocol on Member/Officer Relations¹ in the Constitution. It applies to all members services staff and allocates specific responsibilities to the Members Office Managers/ Political Adviser (MOM/PA) who are responsible for managing the respective Liberal Democrat and Conservative and the Labour political group offices.
- 1.2 The Council only has power to provide support services to Members to assist them in the effective and efficient discharge of their duties and role as members of the Council. Such support services can therefore only be used for the efficient discharge of Council duties and not for private purposes or in connection with party political or electoral campaigning activity. For the avoidance of doubt, any expenditure by the Council (either monetary or in officer time), on activities designed to affect public support for a political party would be unlawful.
- 1.3 Subject to 8.11 below, this protocol does not affect the activities of members using non-Council resources, for example using support provided by their political parties. Any difference in the level of resources available to the different political groups from outside the Council is not a matter for the Council.
- 1.4 This protocol applies to use of Council resources generally. It provides guidance on a number of issues many of which have not occurred in Bristol City Council but their inclusion will assist in any investigation of such matter should they arise

2. LEVEL OF SUPPORT

- 2.1 The Council provides office accommodation and administrative support to members taking into account the size of the political groups, the budget available, and the importance of providing appropriate support to all members

3. ROLE OF OFFICERS

- 3.1 Members Services staff support the work of councillors in their capacity as elected representatives, but not the political party as a whole. Therefore within the parameters set out in this protocol, officers can:-
 - arrange Group meetings, circulate agendas, draft minutes
 - prepare and circulate factsheets/briefing notes within the Group
 - at the request of a member, offer assistance re speeches/press releases
 - act as a contact point between the press and a Group
 - research information to provide support on policy development within the Group
 - update members on policies at European, national, regional and local level including legislative or other changes affecting the Council
 - provide administrative support to Group officers, e.g. the Group Whip

¹ The Officer Code of Conduct and Protocol on Member/Officer Relations are contained in Part 5 of the Council's Constitution

- type letters to residents re casework and monitor progress
- monitor matters which affect the wards
- exchange and disseminate good practice with colleagues ²
- this list is not exhaustive

3.2 Group Offices are neither political offices nor a substitute for, or an extension of, a political party or Member of Parliament's office. Political agents, employees of political parties, party members and volunteers cannot use the resources within Group Offices. It is the responsibility of MOM/PA to ensure that arrangements are in place to ensure as far as reasonably possible that the perception cannot be gained that a Group Office is an arm of the political party.

3.3 The MOM/PA is responsible for ensuring arrangements are in place to prevent private or party political work being carried out in Group Offices. They should immediately inform the Democratic Services Manager or Head of Legal Services of any circumstances where it appears that the Group Office has been used for such purposes or where pressure is being brought to bear by a member or members which could lead to such usage. Members Support officers also have a responsibility to report concerns of this sort to management under the Council's whistle blowing policy, which is available on the intranet.

4. POLITICAL NEUTRALITY

4.1 With the exception of the Political Adviser post³, all Council officers serve the Council as a whole and must be seen as politically neutral⁴. Not only must officers maintain political neutrality, they must also seek to maintain the perception of neutrality. Close personal familiarity between members and officers can damage this perception. Situations should be avoided that could give rise to the perception that political neutrality is being compromised. (Section 1 of the Officer/Member Protocol refers).

4.2 Officer support must not extend into political campaigning or work of a party political nature, e.g. at election time officers should not be involved in the preparation or display of party political material such as campaign literature, leaflets or rosettes. Each political party has its own mechanisms for dealing with campaigning issues which must not involve the use of Council resources. Officers need to ensure that at election time, any support given to Members cannot be perceived to be assisting a political party. Officers therefore need to ask themselves how the support being requested assists the member in their role as a councillor discharging Council functions. The nature of the work an officer can be asked to do is subject to sensitivity and judgement,. For clarity they cannot do work of a political nature, i.e. Work that can be seen to support or is aimed at affecting support for a particular candidate or party

4.3 Particular care should be taken when publicity is issued immediately prior to an election or by-election affecting the authority's area to ensure that this could not be

² This list is not comprehensive but gives a clear indication of the range and type of work which members support staff may routinely carry out.

³ Legislation provides that the post of Political Adviser, which is a "political assistant" within the meaning of the Local Government & Housing Act 1989, serves the political group on the Council which they were appointed to support. In all other respects they are under the same obligations and responsibilities as any other employee of the Council

⁴ Expectations of the Members Office Managers are described in the Employment of Members Office Managers - conventions

perceived as seeking to influence public opinion, or to promote the public image of a particular candidate, or group of candidates. Between the time of publication of a notice of an election and polling day, publicity should not be issued which deals with controversial issues, or which reports views or policies in a way that identifies them with individual members or groups of members'. (Code of recommended practice on Local Authority publicity.)

- 4.4 Apart from the Political Adviser post, no other Members Services posts are identified as "politically restricted"⁵ therefore in their personal capacity and outside work, officers are not prevented from carrying out political activities⁶. However, officers must ensure that when acting in their personal capacity, the impression is not given that they are acting in their work capacity.
- 4.5 Officers may properly be called upon to provide support to the deliberations of political groups but they must at all times, maintain political neutrality. The following clarification is provided in respect of the relevant provisions in the Protocol for Member / Officer Relations:-

1.3 Officers serve the whole council and must be politically neutral at work

Commentary : - part of the of the work of the MOM/PA will be to provide support to the leadership of the a political group of the Council as opposed to the Council as a whole. That work may require them to provide advice / give guidance / undertake analysis which projects and/or promotes the party of the political group and its local policies in a positive way, but is consistent with the requirement to be politically neutral.

3.2 A party group meeting may be briefed by a first or second tier officer

Commentary : - the nature of the role of the MOM/PA will require them to attend political group meetings of the relevant group on a regular basis and it is envisaged that the relevant chief officer will authorise this. They will provide reports on any matter which the group leadership requests but any report prepared should remain objective.

5. SURGERIES FOR MEMBERS

- 5.1 The Group Offices may provide posters to advertise individual ward councillors' surgeries and may also place advertisements (at no cost to the Council) in local publications. Distribution of posters must be undertaken by members themselves within their own ward or the group office may do this, but only by post. Members Services staff must not conduct surgeries on behalf of a member nor should they use their own transport in Council time to take members to surgeries.
- 5.2 The Group Office may meet the reasonable cost of room hire (up to £50) for ward councillor's surgeries and Members Services staff may assist a member to locate a suitable venue for their surgery.

⁵ Section 2 Local Government and Housing Act 1989

⁶ "Political activities" includes the following:- Stand as a candidate or be elected as an MP, MEP, Councillor; act as election agent; canvas on behalf of a political party, member or candidate; hold office in a political party or branch; speak to the public with the intention of affecting public support for a political party; speak as an authorised representative of a political party; publish work intended to affect public support for a political party.

6. ATTENDANCE AT POLITICAL CONFERENCES AND MEETINGS

6.1 A MOM or PA may attend political conferences or key national/regional meetings of the party of the political group to whom they provide support, as part of their role. However they may not represent members of the political group and must not contribute to the formal meetings unless it is made clear they are attending the meeting in their own time and commenting in their own right. The officer will normally undertake a watching brief. They may network with their contacts – other political group support staff and political contacts, commensurate with their role as MOM or PA, and will report back factually to the Group on the event as required.

7. CONFIDENTIALITY

7.1 In carrying out duties, officers may acquire information which has not been made public or is confidential. Officers must not use that information for personal advantage nor must it be passed to anyone not entitled to receive it. Officers must not communicate to the public or press, the proceedings of any meeting from which the public or the press have been excluded, including meetings between individual members and officers. Officers must respect the confidentiality of any political group discussions at which they are present and must not relay the content of any such discussion to anyone outside the political group concerned.

8. COMMUNICATIONS AND PUBLICITY

Legal Context

- 8.1 Subject to the law on defamation, a member is entitled to express his/her politically partisan views in communications with constituents, the public, the media and otherwise provided that s/he **does not** use Council resources or support to do so. Such activities may include criticising the activities of other political groups or individual members of those groups. In such circumstances, Council resources (e.g. Research, briefing papers and press releases) may only be employed to support criticism of the action of Members of the Council and in relation to the business of the Council. Council resources may not be employed to support criticism of political activities and policies which do not relate to the business of the Council.
- 8.2 The Council, however, is subject to legal constraints and it is unlawful for the Council to publish material which in whole or in part appears to be designed to affect public support for a political party⁷. “Publicity” has a very wide legal definition and includes any communication to any section of the public.
- 8.3 In considering whether material appears to be designed to affect public support for a political party, regard should be had to the:
- content and style of the material
 - time and other circumstances of publication
 - likely effect on those to whom it is directed
 - whether the material
 - (i) refers to a political party or persons identified with a political party
 - (ii) promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another

⁷ S2 Local Government Act 1986

- where the material is part of a campaign, the effect the campaign appears to be designed to achieve.
- 8.4 If the material could be considered to be “party political” under the above criteria, then any expenditure by the Council could be challenged by Internal Audit and/or the Audit Commission as being unlawful.
- 8.5 If the material does not appear “party political” after applying the above criteria and the Council may lawfully publish the material, then the Council must have regard to the Code of Practice on Local Authority Publicity in coming to any decision on publicity.

Press Releases using Council Resources

- 8.6 MOM/PA's must not put themselves in a position where their actions could be considered to be politically partisan and they must conduct their relations with the press, in particular, with this in mind. Officers should have regard to people's perceptions in these circumstances. Conversations with the press should concentrate on matters of fact and the MOM/PA should ensure that they do not act as the political “mouthpiece” of the Group they serve, either officially or unofficially, publicly or privately. At the request of a Member, a MOM/PA may contact the press to make arrangements for them to meet/ talk to members as appropriate
- 8.7 MOM/PA's must never brief the press in circumstances where the impression could be given that the views being expressed are their own.
- 8.8 In all cases where a member asks members services staff to prepare a press release it is for the member to decide the final form of the press release and the member is responsible for its contents.
- 8.9 Any press releases regarding the Group's views which are issued through Group Offices must be in the name of the member/s and not an officer. However, it is acceptable to include the name of the MOM/PA as a contact point for the Member/s concerned provided this role is made clear on the press release. A MOM/PA who is contacted by the press regarding a press release, and seeking anything other than clarification of factual information, must refer the journalist to the member concerned and not pass personal opinions or make any reference to issues of a party political nature.
- 8.10 Press releases must be designed and have as their purpose an explanation of the views of the political group on matters facing the Council, rather than the views of the national political party. The press release must not be designed to affect support for a political party. Therefore whilst it is appropriate to explain a political group's stance or policy on a matter affecting the Council and comment on how it differs from that of another political group, the press release must not promote or denigrate a political party.
- 8.11 Where publicity is used to comment on, or respond to, the policies and proposals of central government, other local authorities or public bodies, the comment or response should be objective, balanced, informative and accurate. It should aim to set out the reasons for the council's views and should not be a prejudiced, unreasoning or political attack on the policies or proposals in question or on those putting them forward. Slogans alone will not be an adequate means of justifying or explaining the authority's views or their policy decisions

- 8.12 Only press releases from the Council's Corporate Press Office should include the Council's logo. Press releases from political party group offices should contain the party political logo, strap line, colour or other design feature identifiable with a political party with a reference to Council in words only (i.e.Party, Bristol City Council).

Provision of Information

- 8.13 Support is available to members to assist them in the discharge of the functions of the Council or of the office to which the member has been elected or appointed by the Council. This includes the provision by group offices of information to constituents in their wards regarding:-
- the work of the Council, the Cabinet and executive, scrutiny commissions and other committees
 - services in the area provided by the Council and other public authorities
 - how to contact their local councillors or MP and raise issues
 - meetings, consultation and local initiatives for the area organised by or on behalf of the Council.

Avoidance of Political Publicity

- 8.14 In order to avoid allegations of "political publicity" officers are advised that correspondence and other material produced by the Council
- **Must not** include slogans, strap lines, logos, colours or other design features identifiable with a political party.
 - **Must not** emphasise the political party to which a Member belongs by the use of a large font, unnecessary repetition, design features, etc. A single incident, low-key reference to the political group only is permissible.
 - **Must not** promote or denigrate a political party
 - **Must not** promote or denigrate policies that are clearly those of a political party
 - **Must not** consist of campaigning or persuasive material, as opposed to informative material
 - **Must not** criticise other councillors.
- 8.15 Where a Ward is split, the other Councillor should be publicising themselves rather than being identified by the other Ward Councillor. In these circumstances the onus is on the Council to let residents know that a Ward is split and it is them for Councillors to publicise their own availability.
- 8.16 All material to be produced or circulated at Council expense through the group offices must have been produced/circulated in accordance with arrangements established by the MOM/PA who has the overall responsibility to ensure that the material is not party political. In cases of doubt, the MOM/PA should discuss with the Democratic Services Manager or Head of Legal Services. They should;
- consider the purpose of the material being published
 - apply the test outlined at para 8.2 and 8.3 above
 - consider whether it would be more cost effective and/or efficient for the information to be published corporately or by the relevant Council Department. In such circumstances, the MOM/PA should liaise with Corporate Communications or the relevant departmental officer to address the above point.

If the publicity appears designed to affect public support for a political party, then the publicity must not be issued at Council expense. It could, however, be issued by the political party at its own expense.

8.17 It should be noted that any party political material produced using non-Council resources should not contain:

- photographs of council officers
- council logo

8.18 It should be remembered that the Group Office is not an extension of the party office and therefore the recipient of any information must be able to clearly distinguish the material from party political documents and therefore recognise it as material coming from the Council. Neither the material produced nor the envelope in which it is sent should contain party political material including:

- tear off slips to join a political party
- response facility via freepost to a political party office
- political posters
- political party address or website, local or national
- political party literature
- recruitment literature

Group fact sheets and briefing notes

8.19 Officers may assist a political group by producing and circulating factsheets/briefing notes in relation to matters affecting Members in the discharge of their Council duties. Such information should only be circulated within the Group and not externally.

Ward Letter/Leaflet/Community Newsletter

8.20 The appropriate test regarding such material is what is the purpose of sending the document and why it needs to be sent out in the name of a member. If the purpose appears to be to affect public support for a political party then it must not be produced.

Use of Intranet and Internet

8.21 With the increase of information technology, internet and internet sites are an effective medium of communication. However, "publicity" includes information contained on such sites.

9. WORD PROCESSING SUPPORT TO MEMBERS

9.1 Although many members will wish to deal with their own correspondence using the PC, a word processing support service is available from the group offices via the Members Support Officers. Officers must not prepare documents which are for a member's private purposes, party political, defamatory or which purport to be on behalf of another member.

9.2 Any officer asked to prepare such documentation must refer the matter immediately to the MOM/PA as appropriate or in their absence, the Democratic Services Manager. The MOM/PA is responsible for ensuring arrangements are in place to

allow him/her to monitor requests for work to ensure they do not contravene these requirements.

10. LEVEL OF DISTRIBUTION OF MATERIAL

10.1 Normally, there should not be a problem regarding the distribution of material when providing support to Members, such as responding to individual constituents' complaints and enquiries, helping to solve individual problems, or dealing with local environmental and social issues. However, activity could become promotional party political publicity which must not be supported by Council staff or facilities, if the nature or scale of the distribution is too large. For example:-

- The material **must not** be copied for distribution more widely than the topic requires. For example, an eyesore will be a problem to the people who live near it, not to everybody in the district. Most environmental or social issues are of importance only to nearby neighbours, not to people living some distance away;
- Facilities are made available to members acting in their capacity as ward councillors and for the discharge of their responsibilities as such. Ward matters should not normally involve correspondence outside the member's ward boundary⁸. An exception might be made if an environmental issue concerned a property at a ward boundary which plainly and directly affected neighbours in an adjoining ward, but not otherwise.
- Members should consider using representative bodies e.g. residents/tenants associations where appropriate, to minimise costs where possible.

10.2 Where a MOM/PA is satisfied that the intention is not party political, the **maximum** number of copies of any letter/document ordered/produced by a Group Office for a ward councillor to their constituents (irrespective of whether the documents are to be posted or hand delivered) is as follows;

- Up to 250 letters per mail out
- A maximum of 500 letters per mail out **subject to the approval of the group whip (who will notify the other group whips of the mail out and its purpose)** . If more that 500 letters are to be sent then consideration should be given to whether the Council should be sending the mail out.

Each letter should comprise no more than 3 sheets of A4 paper (or equivalent weight)

Repeat orders for the same or a very similar document must not be accepted. Splitting a batch over several days does not overcome the limit. The materials used will be white paper or card stocked by Reprographics Unit and will be in black ink.

10.3 In the interests of openness and accountability, the MOM/PA will supply a copy of each document which is the subject of a bulk mail out to constituents, to the Head of Legal Services who will maintain a file of such documents which will be available for inspection by any councillor during normal office hours.. A bulk mail out is defined as any unsolicited mail to more than two people or where the content of the letter is virtually the same and is sent to more than two people. If more than 500

⁸ This restriction does not apply in the case of a Member responding, on an individual basis, to correspondence specifically addressed to them.

letters are likely to be sent then consideration should be given to whether the Council should be sending the mail out rather than the group office

- 10.4 MOM/PA's must ensure that the cost of all mail outs is contained within the reprographics and postage budgets allocated to their group office.

11. PHOTOCOPIERS AND PHOTOCOPYING

11.1 Short run copying facilities are provided in each political group office for use by staff in connection with group members services business only. ~~Members should submit requests for photocopying in accordance with such arrangements as are established by the appropriate MOM/PA, who will ensure that a record of member copying and its purpose is maintained.~~

11.2 Members photocopying facilities are available in the Members Room and each member will be supplied with an "Emos" card with a personal number to allow access to the machine.

11.3 Members may not use the group office machine without officer authorisation and members services staff may not use the Members Room machine. In the event of photocopier malfunction, Members Services staff should contact the Democratic Services Manager who will authorise use of the copier in room 220.

11.4 Photocopiers must not be used to reproduce material which is party political in nature or is to be used for party political purposes. For the avoidance of doubt, this includes;

- leaflets or other political material produced by the other parties which is being copied to keep members informed of that the "opposition" is doing
- memos, letters and other documents etc which are reproduced by the group office and supplied to members of the Group for use at committee meetings and other public events for party political purposes

12. COUNCILLORS LETTERHEADS

12.1 All members may include their party affiliation on all constituency letters except, during the period between the notice of a local authority or general election and the election itself (known as the "purdah" period). This also includes members who may be affected by a by-election.

12.2 The periods referred to in paragraph ~~12.3~~.1 above is a minimum of 25 working days before the day of the election or by-election, and a minimum of 14 working days in respect of a general election.

12.3 During the periods referred to above, members standing for election must cease the use of their party affiliation on all letterheads to constituents until the day after the election. Any member not seeking re-election must also cease the inclusion of their party affiliation on letterheads to constituents where a joint letter is being sent on behalf of ward councillors which includes a member seeking re-election or in any circumstances where that Member is involved directly with the election.

12.4 The Leader of the Council and the Leaders of the Opposition groups may specify the political group which they lead in all correspondence relevant to the business of the Council. They should have regard to paragraphs ~~12.3~~.1 to ~~13.2~~.3 above in relation to elections.

13. STATIONERY

Members can obtain stationery for the discharge of Council duties only. Requests for stationery should be made in accordance with such arrangements as are established by the appropriate MOM/PA, who will be responsible for acquisition, control of supply and ensuring cost effective use, within the budgetary allocation.

14. POSTAGE

14.1 The Council's post facilities are available to members via the Group Offices on matters relating to their duties as councillors, specifically:-

- responding to an individual or small groups of constituents on specific matters raised by them.
- communication with an individual or small groups of constituents on specific matters directly affecting them.
- communication with other organisations as part of dealing with issues raised by constituents.

14.2 Council post is not available for mail shots, the distribution of leaflets or the posting of general information to constituents other than in the circumstances described above. Neither is it available for posting any material which could not be printed by the Council (eg of a party political nature).

14.3 Other than responses re casework, and in exceptional circumstances and with the prior approval of the appropriate MOM/PA, all post will be sent second class.

14.4 The group offices can supply postage stamps to members, for emergency purposes related to the discharge of Council duties only. Requests for stamps should be made to the appropriate MOM/PA who will keep a record of stamps distributed.

~~14.5 The freepost facility is available to the group offices. The MOM/PA will be responsible for making the necessary arrangements through the Mail Services Supervisor if they are required. They should be set up and renewed annually with the instructions making it clear which group office they are for. Costs will be met by the group office budget for postage. The MOM/PA is responsible for ensuring that freepost is not used for anything which could be construed as amounting to political activity.~~

14.6 all mail should be sent by internal post or by second class post if being sent externally, unless urgency demands

15. BUDGETS AND BUDGETARY CONTROL

15.1 The MOM/PA is the cost centre manager for the Group Office budget. The budget holder for the members services function is the Democratic Services Manager .

15.2 Each cost centre comprises a range of budget heads to which the costs of running the Group Office are attributed. The MOM/PA will be supplied by Business & Finance Section (B&F) with a monthly budget statement for their office and they will be responsible for ensuring that so far as possible, budgets are contained within the overall provision

15.3 Day to day management of the Group Office budget will be provided by B&F. They will process orders and accounts and will attribute costs to budget heads in the manner which they consider appropriate, unless advised differently by the MOM/PA or the Democratic Services Manager. Other than in the specific instances referred to

below, B&F may vire funds between budget heads at the end of the financial year to ensure that the accounts of the Group Office deliver a break even position.

15.4 The MOM/PA will be responsible for signing off orders for supplies, stationery and other goods for the Group office up to a maximum value of £500. They will also have responsibility for checking and signing off routine member costs⁹ (*such as member Telewest accounts, hire of meeting rooms for ward surgeries etc*).

15.5 Large spend items eg orders for new or replacement furniture, computers etc must be authorised by the DSM. In seeking authorisation the MOM/PA must be satisfied that there are sufficient funds within the appropriate budget head to meet such costs

Special requirements

15.6 Expenditure under the following budget heads must be contained within the allocated provision at all times . Virement of monies to balance budgets will only be allowed with the express authorisation of the Head of Legal Services in consultation with the political group whips. The Head of Legal Services will need to be satisfied that all expenditure has been within the rules and has not been undertaken in support of political activity ;

<u>Code</u>	<u>Budget description</u>
n/a	Printing & Stationery
CB	Photocopying/Reproductions
CD	Postage

15.7 The MOM/PA will be responsible for keeping **reasonable detailed** records of all expenditure which is incurred under these heads, where logged. This information will be maintained within the Group Office but may be required by the DSM/HoLS in the event of challenge/complaint from another political group or the public.

16. USE OF COUNCIL LOGO AND COAT OF ARMS

16.1 The Council's logo and Coat of Arms the are only available for use in connection with Council business. Use by members of the Council is only acceptable on material produced under the arrangements for communication and publicity described in paragraph 9 above and on members personalised stationery.

16.2 Under no circumstances should the City Council logo or Coat of Arms be used as part of any party political material produced by or on behalf of members, using non-Council resources.

17. MONITORING

17.1 It is the responsibility of the MOM/PA and the Democratic Services Manager, to _____ ensure that this protocol is observed at all times and to establish arrangements to _____ ensure these Instructions are observed.

⁹ this does not extend to signing off of member claims for travel, subsistence and dependent care allowances which are the responsibility of the Democratic Services Manager pursuant to internal audit requirements

18. BREACHES OF THE PROTOCOL

This protocol is deemed to comprise standing instructions to all staff in Members Services and any alleged breach of will be considered to be a disciplinary matter which may be referred for investigation under the Council's disciplinary procedures and could lead to dismissal or other form disciplinary action being taken.

It is incumbent upon officers to advise members on the application of these instructions. In circumstances where a member, having received such advice, takes action which may lead to a breach of these instructions, then this may lead to a complaint to the Standards Board or the Police, in the event of allegations of theft.

[Representations have been made that this will lead to a two tier system whereby the Standards Board are unlikely to take action against a Member who breaches the protocol whereas the Council, as employer, may treat a breach by an employee more severely.](#)

Stephen McNamara
Head of Legal Services

~~Second draft : 19th May 2006~~

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20th November 2006
