



**Nottinghamshire
County Council**

**Councillor and Co-opted Member
Code of Conduct**

**Protocols, Guidance and Procedure for
Dealing with Conduct Allegations**

CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS	3
Introduction	3
Underlying Principles	3
General Conduct	4
Policies Protocols and Procedures	5
Registering and Declaring Pecuniary and Non-Pecuniary Interests	6
COUNCILLOR INTERESTS PROTOCOL	7
Important Information – deadlines and criminal offences	8
Appendix 1 – Disclosable Pecuniary Interests	9
Appendix 2 – how to complete the declarations form – a sample form	11
Appendix 3 – Further information regarding the ‘securities’ DPI	16
Appendix 4 – Declaring interests in meetings, including the circumstances in which you must not take part in a meeting and must not vote	17
PROTOCOL IN RELATION TO GIFTS AND HOSPITALITY	19
What to do if you are offered a gift	19
What to do if you are offered hospitality	19
Family and Friends	20
PROTOCOL FOR USE OF RESOURCES	21
Introduction	21
Council Business – when this Protocol applies	21
Principles for use of Resources	21
Schedule – Equipment and Resources for Councillors	23
Schedule – County Hall Essential Information	25
SOCIAL MEDIA POLICY FOR COUNCILLORS	27
Introduction	27
Policy Statement	27
Purpose	28
Responsibilities of Councillors and Co-opted Members	28
Principles for using Social Media	30
Inappropriate use of Social Media by Others	30
PROCEDURE FOR DEALING WITH CONDUCT ALLEGATIONS	31
Introduction	31
Responsibilities	31
Receiving the Complaint	31
Initial Considerations	32
Consideration of the Complaints	32
Powers of Governance and Ethics Sub-Committee	33
Appeal	33
Reporting	34
OTHER POLICIES AND PROTOCOLS	35
Councillor Divisional Fund Policy and Guidance	35
Equality and Diversity Policy	35
ICT policies and Councillor’s ICT Acceptable Use Guidance	35
Information Management policies	35
Travel and Accommodation Policy	35
Protocol for Councillor and Officer relationships	35
Protocol for involvement in outside bodies	35
Councillors’ Allowances Scheme	35
Disclosure and Barring Scheme checks procedure	35
Procedure rules for meetings of Full Council and Committees	35

Nottinghamshire County Council

CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS

INTRODUCTION

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

UNDERLYING PRINCIPLES

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

GENERAL CONDUCT

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

POLICIES, PROTOCOLS AND PROCEDURES

9. You must comply with the Council's adopted policies, protocols and procedures including: -
 - a. Policies
 - i. Councillor Divisional Fund Policy and Guidance
 - ii. Equality and Diversity Policy
 - iii. ICT policies and Councillor's ICT Acceptable Use Guidance
 - iv. Information Management policies
 - v. Travel and Accommodation Policy
 - b. Protocols
 - i. Councillor Interests Protocol
 - ii. Councillor Gifts and Hospitality Protocol
 - iii. Councillor Use of Resources Protocol
 - iv. Councillors' Social Media Protocol
 - v. Protocol for Councillor and Officer relationships
 - vi. Protocol for involvement in outside bodies
 - c. Procedures/Schemes
 - i. Councillors' Allowances Scheme
 - ii. Disclosure and Barring Scheme checks procedure
 - iii. Procedure rules for meetings of Full Council and Committees

REGISTERING AND DECLARING PECUNIARY AND NON-PECUNIARY INTERESTS

10. You must, within 28 days of taking office as a Councillor or co-opted member, notify the Council's Monitoring Officer of any Disclosable Pecuniary Interest (we have set out the definition of a Disclosable Pecuniary Interest in the Councillors' Interests Protocol which accompanies this Code), where the pecuniary interest is yours, or that of your spouse, civil partner, or a person you are cohabiting with. **Failure to do so is a criminal offence.** On re-election you must check, within 28 days, whether any amendment is needed to the information you provided previously. Again, **failure to do so is a criminal offence.**
11. You must declare any Disclosable Pecuniary Interests to any meeting of the Council at which you are present and have an interest in any matter being considered. **Failure to do so is a criminal offence.**
12. Following any disclosure at a meeting of a Disclosable Pecuniary Interest not already on the Council's register, you must notify the Monitoring Officer of the interest within 28 days of the date of disclosure. **Failure to do so is a criminal offence.**

13. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function in relation to any business in which you have a Disclosable Pecuniary Interest. **Failure to do so is a criminal offence.** Additionally, you are required to leave the room in which the meeting is being held whilst the matter is under consideration in accordance with the Council and Committee procedure rules.
14. **In addition** you must declare any Private Interests, both pecuniary and non-pecuniary, to any meeting of the Council at which you are present and have an interest in any matter being considered. You may still participate in the item under discussion and vote, although depending on the circumstances you may decide it would be more appropriate not to.
15. A Private Interest is where a decision in relation to that interest might reasonably be regarded as affecting the wellbeing or financial standing of you or a member of your family or a person you have a close association with, more than it would other people in your electoral division or the County Council's area. It may also include other positions held where relevant, for example membership of a board or association or being a school governor. In short, anything you think the public would expect to know about if, as a Councillor or co-opted member, you were involved in a matter relating to it.
16. Where you are concerned that the disclosure of an interest would lead to you or a person connected with you being subject to violence or intimidation, you may request the Monitoring Officer to agree that the interest is a "**sensitive interest**".
17. If the Monitoring Officer agrees, then at a meeting you merely have to disclose the existence of the sensitive interest rather than the detail of it. Where it is a Disclosable Pecuniary Interest the Monitoring Officer will also exclude the detail of the sensitive interest from the Council's publicly available version of the register. If circumstances change you should notify the Monitoring Officer so that the public register can be amended accordingly.
18. The Council has adopted a **Councillor Interests Protocol** to accompany this Code of Conduct; Councillors and co-opted members should refer to it for further information and guidance.



Nottinghamshire County Council

Councillor Interests Protocol

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

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

Important Information

1. Deadlines

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

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

2. Criminal Offences

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

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

Guidance

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

Appendix 1

DISCLOSABLE PECUNIARY INTERESTS

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

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

Appendix 2

DECLARATIONS FORM N1

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

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

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

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

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

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

Pecuniary Interests to be registered on taking office

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

Pecuniary Interests disclosed at meetings

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

Sensitive Interests

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

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

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

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

I, (full name)

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

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

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

Example:

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

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

*Employer: Boots plc
Profession: Pharmacist*

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

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

Example:

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

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

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

Example:

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

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

Example:

1 Smith Street Arnold Nottinghamshire NG5

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

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

Example:

Shares – Nottingham Forest Football Club

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

Date: _____

Signed: _____

Please send the completed form to Democratic Services.

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

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

Any other matters:

Example:

Trade Union Membership – NUT

Parish Councillor – Arnold Parish Council

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

Appendix 3

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Appendix 4
MAKING DECLARATIONS IN MEETINGS

Disclosable Pecuniary Interests

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

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

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

(Continued)

Private Interests

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

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

Nottinghamshire County Council

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

WHAT TO DO IF YOU ARE OFFERED A GIFT

1. It is reasonable to accept a modest gift of a promotional character given to a wide range of people, and not uniquely to you, such as calendars, diaries, pens and other articles of use in the office. Modest gifts at the conclusion of any courtesy visit to a factory or firm of the sort normally given by that firm may also be accepted.
2. From time to time, Councillors and Co-Opted Members may be offered other higher value or personal gifts. You need to consider why you have been offered the gift. If you are in doubt as to the motive behind the gift, you should seek advice from Democratic Services as to whether it is appropriate to accept it. No gift worth over £50 should be accepted under any circumstances. Any gift offered, whether accepted or refused, should be recorded in the gift and hospitality register held by Democratic Services, which is available for public inspection.
3. If it is impractical to return a gift, or to do so would cause undue offence, in circumstances where it would otherwise be inappropriate to accept the gift, the gift can be donated to raise money for the Chairman's Charity.

WHAT TO DO IF YOU ARE OFFERED HOSPITALITY

4. Councillors and Co-Opted members should only accept offers of hospitality if they are invited in their role as a Council representative. Offers to attend events should be accepted only when these are significant for Nottinghamshire, relate to business that is currently relevant to Nottinghamshire, or where the Council should be seen to be represented. Acceptance of such invitations should be recorded in the gift and hospitality register.
5. When hospitality has to be declined, the third party offering the hospitality should be courteously informed of the reasons for the requirement to decline.
6. When receiving hospitality, Councillors and Co-Opted Members should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.
7. There may be circumstances where it will not always be possible, or even desirable, to reject offers of hospitality on a modest scale. Acceptable examples would include official hospitality at a function organised by a public authority; overseas civic twinning arrangements and similar events; refreshments following a

site visit; or a working lunch of a modest standard to enable the parties to continue to discuss business. The decision whether to accept or not must depend on the circumstances in each case. These circumstances will also determine whether the hospitality needs to be entered in the register. If in doubt Councillors and Co-Opted Members should err on the side of caution and enter the appropriate details in the register.

FAMILY AND FRIENDS

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

Nottinghamshire County Council

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

1. INTRODUCTION

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

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

2. COUNCIL BUSINESS – WHEN THIS PROTOCOL APPLIES

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

- Matters relating to the decision making process of the Council, e.g. Council and committee meetings
- Representing the Council on an outside body
- Holding division surgeries
- Meeting, communicating with and dealing with correspondence from residents, other Councillors, officers, Government officials, MPs etc. in connection with Council business
- Matters for discussion by a political group of the Council, so long as it relates mainly to the work of the Council and not your political party or group

3. PRINCIPLES FOR USE OF RESOURCES

- Councillors must be mindful of Council resources and must always seek to conduct business in the most cost effective way. Councillors must have regard to the need to ensure prudent and reasonable use of resources and value for money.
- Party political activities or individual campaigning do not form part of Council business and the Council's resources must not be used for these activities. This includes Council email addresses. The Council is prohibited by law from publishing any material which, in whole or in part, appears to be designed to affect public support for a political party or an individual Councillor, or to highlight their achievements.

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

SCHEDULE

Equipment and Resources for Councillors

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

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

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

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

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

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

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

Arrangements for outgoing mail – there will be an outgoing mail tray located within your relevant group area (where applicable); this is the only mail tray you should use. The Council's corporate letter templates and window envelopes **must** be used in order to enable mail to be franked. If mail cannot be franked it is more expensive to post. Unless there are exceptional circumstances postage will be second class. Councillors should be economical in their use of post; volume use (anything in excess of 50 items) is not acceptable unless approved in advance by Governance and Ethics Committee. Use email or hand-deliver instead where possible. The Post Room reserves the right to open any post to ensure policies are being adhered to.

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

Printing– Photo security passes will enable you to print, scan and photocopy from the Multi-Function Devices located around County Hall. These will be the only printing facilities available, with the exception of Central Print. This is in order to ensure to ensure proper reporting to Governance and Ethics Committee regarding volumes used. In the interests of transparency and cost-effectiveness these facilities are only available when security passes as used. In accordance with the Council’s Print Strategy **high volume copying and printing (any job involving 99 plus sides of paper) must be sent to Central Print as this is the cheapest option.** Due to the high costs associated with colour printing, you should always print /copy in black and white unless colour is required to enable the document to be understood. Councillors should be economical in their use of print.

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

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

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

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

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

County Hall Essential Information

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

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

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

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

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

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

Meeting rooms – meetings involving Councillors will usually be held in

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

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

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

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

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

Nottinghamshire County Council

Social Media Protocol for Councillors

Introduction

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

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

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

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

Policy Statement

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

Users must ensure that they use social media sensibly and responsibly, in line with corporate policy. They must ensure that their use will not adversely affect the Council or its business, nor be damaging to the Council's reputation and credibility or otherwise violate any Council policies.

Purpose

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

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

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

Responsibilities of Councillors and Co-opted Members

1. Social media must not be used in a way that might lead to a complaint that you have breached the Council's Code of Conduct for Councillors and Co-opted Members.
2. You may prefer to have separate social media profiles for your role as a County Councillor or Co-opted Member. For example on Facebook you could have both a personal and a public figure account. However, remember you are an ambassador for the County Council whenever you are in public, including on social media when you are not using your County Council social media profile. You should bear this in mind at all times.

3. You are personally responsible for the content you publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action for which you will be personally liable; no indemnity from the Council will be available. This could include 'liking' or sharing someone else's content as this could be viewed as endorsement.
4. Be careful not to give the impression your personal website or social media account is an official County Council website or account, for example by misleading use of the Council's logo. It is acceptable to share the Council's public social media content through your own social media account/s
5. Social media sites are in the public domain and it is important to ensure that you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.
6. Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.
7. Do not disclose personal details such as home addresses and telephone numbers. Ensure that you handle any personal or sensitive information in line with the Council's Data Protection policies.
8. Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.
9. Do not publish or report on meetings which are private or internal (where no members of the public are present or it is of a confidential nature) or exempt reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985).
10. Copyright laws still apply online. Placing images or text from a copyrighted source (e.g. extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.
11. Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.

12. You may wish to review your social media history to ensure that content is appropriate.

Principles for Using Social Media

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

Be respectful – set the tone for online conversations by being polite, open and respectful. Use familiar language, be cordial, honest and professional at all times. Make sure that you respect people’s confidentiality – do not disclose non-public information or the personal information of others.

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

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

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

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

Inappropriate Use of Social Media by Others

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

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

You may wish to save a screenshot in the circumstances.

Nottinghamshire County Council

PROCEDURE FOR DEALING WITH CONDUCT ALLEGATIONS

Introduction

1. The Council is committed to promoting and maintaining high standards of conduct by all Councillors and Co-opted Members and has adopted a Code of Conduct which all of its members must adhere to.
2. This procedure covers complaints made against Councillors and Co-optees who are alleged to have breached the Code.

Responsibilities

3. Any complaints should be addressed to the Monitoring Officer who will consider the matter.
4. An Independent Person appointed by Council will be consulted on any matter that is referred to the Governance and Ethics Sub-Committee. The Governance and Ethics Sub-Committee must take the Independent Person's views into account before making a decision on an allegation that is subject to investigation and formal hearing.
5. The member who is the subject of a complaint may consult the Independent Person in respect of the complaint.

Receiving the complaint

6. Any complaint must be made in writing. The complaint should include details of:
 - a. the complainant's name, address and other contact details
 - b. the complainant's status, for example, member of the public, fellow member or officer
 - c. who the complaint is about and
 - d. the alleged misconduct including, where possible, dates, witness details and other supporting information
 - e. whether the complainant is willing for their name to be disclosed to the person who the complaint is about

Initial considerations

7. The Monitoring Officer will check that the complaint relates to a serving member of the Council or a Co-optee and could amount to a breach of the Code and is therefore valid.
8. If the complaint is not valid the complainant will be informed that no further action will be taken.
9. Where the complaint falls under the scope of one of the Council's other complaints procedures, the Monitoring Officer may refer the complaint on to the Complaints and Information Team for investigation.

Consideration of the complaint

10. The Monitoring Officer can decide to:
 - a. Take no further action, for example where the complaint is in the Monitoring Officer's opinion frivolous, vexatious or so minor that it would be disproportionate use of resources to take further action
 - b. Consult with the Chair of Governance and Ethics Committee before deciding whether to take further action
 - c. Consult with a cross-party panel of Governance and Ethics Committee Members before deciding whether to take further action
 - d. Refer the complaint to the Councillor's political Group in order for it to be dealt with under the Group's discipline rules or agreed process, in which case the political Group will be required to report back on the outcome for the sake of transparency
 - e. Seek to resolve the issue through mediation, explanation, or by the Councillor or Co-optee agreeing to make an apology
 - f. Investigate the complaint further before deciding on the most appropriate course of action. The use of resources in relation to any investigation should, in the opinion of the Monitoring Officer, be proportionate to the seriousness of the alleged misconduct.
 - g. Taking into account proportionate use of resources, if following investigation the Monitoring Officer is satisfied that the alleged misconduct is sufficiently serious that another course of action would be inappropriate, refer the complaint to Governance and Ethics Sub-Committee for a formal hearing
11. The Monitoring Officer will inform the relevant Councillor or Co-optee that the complaint has been received and, unless the complainant objects, the identity of the complainant.
12. All complaints will be dealt with within a reasonable time period.
13. The Monitoring Officer will keep the relevant Councillor or Co-optee and the complainant up to date with the progress and outcome of the complaint.

14. Where the complaint is fully investigated and referred to the Governance and Ethics Sub-Committee for a formal hearing, the relevant Councillor or Co-optee and the complainant will be given reasonable notice.
15. There is a presumption that Governance and Ethics Sub-Committee meetings will be open to the public, but in some circumstances members of the public may be excluded where exempt information is being discussed.
16. The Council's appointed Independent Persons will be entitled to attend all Governance and Ethics Sub-Committee meetings and to speak if they wish, but not vote.
17. In accordance with the rules of natural justice at any Governance and Ethics Sub-Committee meeting where an investigation report is to be considered and a complaint determined the complainant and the Councillor or Co-optee who is the subject of the complaint will be entitled to speak if they wish. The matter may be considered on the papers if parties do not wish to speak. The order of speaking will be as follows:
 - a. Presentation of the investigation report
 - b. The complainant
 - c. The Councillor or Co-optee who is the subject of the complaint
 - d. The Independent Person/s
 - e. Members of the Committee may ask questions of speakers when they finish speaking and/or after all speakers have finished
 - f. At the Chair's discretion the complainant and the Councillor or Co-optee who is the subject of the complaint may speak again to clarify issues arising during the meeting

Powers of Governance and Ethics Sub- Committee

18. The Sub-Committee has authority to decide whether there has been a breach of the Code of Conduct.
19. In the event the Committee concludes that there has been a breach of the Code of Conduct, it may impose any of the following sanctions:
 - a. censure the Councillor or Co-optee
 - b. recommend that Council censures the Councillor or Co-optee
 - c. any other appropriate sanction available under the relevant legislation

Appeal

20. Any decision of the Monitoring Officer or Governance and Ethics Sub-Committee is final.

Reporting

21. Subject to paragraph 15 above in relation to exempt information, all findings of the Governance and Ethics Sub-Committee will be reported on the Council's website.
22. Governance and Ethics Committee will receive regular reports on complaints considered under this Procedure, including any complaints determined by the Governance and Ethics Sub-Committee

Nottinghamshire County Council

Other Policies and Protocols

Councillors and Co-opted Members must comply with the Council's adopted policies, protocols and procedures including: -

- a. Policies
 - i. [Councillor Divisional Fund Policy and Guidance](#)
 - ii. [Equality and Diversity Policy](#)
 - iii. [ICT policies](#) and [Councillor's ICT Acceptable Use Guidance](#)
 - iv. [Information Management policies](#)
 - v. [Travel and Accommodation Policy](#)

- b. Protocols
 - i. [Protocol for Councillor and Officer relationships](#)
 - ii. [Protocol for involvement in outside bodies](#)

- c. Procedures/Schemes
 - i. [Councillors' Allowances Scheme](#)
 - ii. [Disclosure and Barring Scheme checks procedure](#)
 - iii. [Procedure rules for meetings of Full Council and Committees](#)

These are published on the Council's internet or intranet pages.

This booklet is also available online –

<http://www.nottinghamshire.gov.uk/council-and-democracy/councillors/complaints>