



NB Part 5.4B is subject to review

THE NEWCASTLE CHARTER

Part 5.4B – Protocol – Use of Council Equipment

Notes:-

The purpose of this protocol is to provide guidance to members and voting co-optees on the use of Council equipment. It constitutes a local protocol and is not part of the Code of Conduct for Members and Voting Co-optees under the Localism Act 2011.

Authorisation

This was approved by City Council on 5 February 2003. Minor changes were made in 2008 to reflect the revised Members' Code of Conduct.

Further changes have been made in 2012 to reflect the new Members' Code of Conduct.

CODE OF CONDUCT FOR MEMBERS AND VOTING CO-OPTEEES
- USE OF COUNCIL EQUIPMENT

Paragraph 7 of the Code of Conduct for Members provides:

"7 When using or authorising the use by others of the resources of the Council, you must act in accordance with the Council's reasonable requirements (as set out in such protocol as it may adopt from time to time for these purposes) and must ensure they are not used for party political purposes."

Guidance for Members and voting co-optees is provided in this code.

Whilst this code of conduct sets out the Council's requirements about the use of Council resources by Members, Members are also reminded that the Council has adopted policies on sustainability under Local Agenda 21. Members are able to contribute to the achievement of these policies in the way in which they use Council resources (e.g. recycling, electronic communication etc) and are encouraged to do so.

1. General

- 1.1 The Council only has power to provide facilities that assist Members in discharging their role as Members of the Council. Services and equipment provided can, therefore, only be used on Council business and not in connection with party political or electoral campaigning activity or for private purposes (except where specifically authorised).
- 1.2 Members should have regard to the limit on Council resources.

2. Printing

- 2.1 The facilities are not available for producing material designed to affect public support for or to promote a political party or a candidate in an election or to promote a party political campaign.
- 2.2 No political logos can appear on printed material.
- 2.3 The name of a political party may appear on printed material once, but only in the form: "*Name of party* Member".
- 2.4 The Council's logo is only available for use in connection with Council business.

3. Photocopying

- 3.1 Photocopying facilities are provided in connection with Council business only.
- 3.2 There is no specific limit on the number of photocopies available but Members should be economic in their use of resources.
- 3.3 Members should be aware of copyright and that there are restrictions on what can and cannot be copied. Members should follow the guidelines displayed in Members Services.

4. **Personalised letterhead and business cards**

These are provided for use only in connection with Council business.

5. **Postage**

5.1 This is available for Members in connection with Council business only. Whilst there is no restriction on distributing leaflets or circular letters, Members are requested to be economic in their use of this facility. Members are also reminded that this facility cannot be used in connection with party political or election purposes.

5.2 Unless there are exceptional circumstances, postage will be second class.

5.3 In the interests of economy, Members are requested to use e-mail instead of post wherever possible.

6. **Member Services**

The secretarial and research services provided by Member Services cannot be used in connection with party political or election purposes or for private purposes.

7. **Telephones**

If the Council installs a telephone line at a Member's home at the Member's request, this is to be used exclusively for Council business. (Such installation will be free of charge to the Member). Members receive a yearly allowance towards the cost of rental and calls

8. **Car park passes**

These can only be used on Council business.

9. **Return of Equipment**

At the end of the period as an elected Member, all items of equipment are to be returned to the Council in full working condition.

10. ICT

The following options are available to Members :

- Provision of a laptop
- Use of a PC in Council premises
- Provision of a PDA

	Laptop	PC in Council premises	PDA
(A) The equipment is the property of the Council.	✓	✓	✓
(B) At the end of the period as an elected Member, the equipment and software is to be returned to the Council in full working condition. In addition, the equipment and software is to be returned on request by the Head of ICT.	✓		✓
(C) The equipment must be installed by an IT Support Officer of the Council.		✓	✓
(D) Members are required to undergo training provided by the Council in the use of the equipment.	✓	✓	✓
(E) The system, including access to the internet and e-mail and the calendar system, is provided for use as a Member only. However, personal use is permitted provided that it does not hamper or conflict with official business, but political use is prohibited.	✓	✓	✓
(F) The installation of software is only to be carried out by an IT Support Officer	✓	✓	✓
(G) No unlicensed software or software not related to Council business is to be installed. IT Support Officers are authorised to remove all such software.	✓	✓	✓
(H) The copying of licensed software and data is illegal and prohibited.	✓	✓	✓
(I) Software or data files are to be checked for viruses before being loaded on to the equipment.	✓	✓	✓
(J) Members must not attempt to repair the equipment themselves.	✓	✓	✓
(K) It is a Member's responsibility to ensure that any data he or she wishes to keep is backed up on any floppy disc or PC.	✓	✓	✓
(L) Members should only use the official Council e-mail address for Council business.	✓	✓	✓
(M) Only the official Council website address, and the official Council e-mail address may appear on Council stationery.	✓	✓	✓
(N) Members are required to sign and keep up to date an inventory of all equipment supplied to them.	✓		✓

	Laptop	PC in Council premises	PDA
(O) Security: <ul style="list-style-type: none"> • Passwords are not to be disclosed to unauthorised persons. • The unauthorised use of another person's password is not permitted. 	✓	✓	✓
(P) Members should have regard to the privacy of other Members and should not without permission of the Member access another Member's e-mails or data.	✓	✓	✓
(Q) Insurance <ul style="list-style-type: none"> • The Council maintains insurance on the equipment provided to Members. However, all reasonable care must be taken to prevent loss and damage so that all items are to be secured as far as practical. • Laptops and PDA's must not be left unattended or unsecured wherever they may be. • Any loss or damage to equipment must be reported as soon as possible. 	✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓
(R) Laptops shall be transported in the supplied carrying case and when returning a laptop to the Civic Centre for repair it shall be returned in the carrying case together with all accessories provided with the laptop.	✓		
(S) Security policy Members must comply with the City Council's Information Security Policy. In particular, Members' attention is drawn to the following extracts. E-mail The sender of an e-mail is responsible for the communication and must ensure that it does not contain any libellous or defamatory statements. Internet Users must not: <ul style="list-style-type: none"> • access or transmit any offensive, obscene or indecent images • receive or transmit material that is designed or is likely to cause inconvenience or distress • create, receive or transmit any defamatory material • transmit any material that infringes the copyright of another person 	✓	✓	✓

	<ul style="list-style-type: none"> transmit any unsolicited, commercial or advertising material to any other person or organisation <p>Members should note that (i) the reference to e-mail here includes sms text messages (ii) the rules about access to the internet apply to access through mobile phones as well as PCs, laptops and PDA's.</p>			
(T)	The Council will provide consumables for Council use.	✓	✓	✓
(U)	<p>Health and Safety:</p> <p>(a) Members are reminded of the following recommendations for safe use of a standard PC on their desktop.</p> <ul style="list-style-type: none"> Sit in a chair that gives good back support to avoid back ache Position the screen in front of you to avoid twisting Regularly look away from the screen to reduce eye strain 		✓	
	(b) Members should avoid using a laptop on a low table or on the lap as these positions will increase strain on the lower back and neck	✓		
	(c) Members are encouraged to attend the relevant training course with regard to safe use of their computer system.	✓	✓	✓
(V)	If a Member has chosen to use his or her own PC, the Council will provide software for Council business. At the end of the period as an elected Member, the software is to be removed by IT Services and any modem is to be returned to the Council in full working condition.			

11. **Data Protection**

Members have the same responsibilities as Council employees for confidentiality and security of citizen personal data held by the council.

The council is potentially liable for any breach of the data protection principles by members whilst acting in their official capacity.

Members are personally liable for all other breaches and a number of Councillors have been prosecuted for:

- misuse of personal data obtained in their official capacity
- deliberate / accidental disclosure to a third party without the consent of the data subject
- deliberately obtaining citizen personal data for political use

Members are covered by the council notification when they access/process council-held personal data for official purposes.

Individual members keeping records of surgery appointments, dealing with citizen complaints, etc. are data controllers in their own right. The Council will secure registration of Members as data controllers with the Information Commission for which an annual fee is paid.

Members exempt from notification must nevertheless comply with all other provisions of the Act.

When campaigning for election or otherwise acting on behalf of a political party, members should be covered by the party's notification.

12. **Libel**

If Members publish something which is defamatory in a letter or an email or on the web Members are personally liable.