Middlesbrough Council

Middlesbrough moving forward

CORPORATE AFFAIRS COMMITTEE
25 JUNE 2009

REPORT OF THE DIRECTOR OF LEGAL & DEMOCRATIC SERVICES

MEMBERS' IT PROTOCOL

Purpose of the Report

1   To seek approval for the Members' IT Protocol attached at Appendix 1

Background

2   In 1998 the Council agreed that all elected Members should have IT equipment, e-mail facilities and Internet access at their home. Since then, there have always been requirements in place in respect of the use of Council IT equipment. These requirements have, from time to time, been updated in line with IT developments. The current protocol dates back some years, and is contained in the Members' Handbook.

3   Since the last revision, IT provision has moved on. The Council now provides laptops in certain circumstances, and connection to Council networks via CITRIX. These developments needed to be recognised in the Protocol.

4   In addition to the technical advances and developments, it has become clear that the conditions of use for Council equipment by Members required revision and clarification. In particular, issues relating to "reasonable personal use" and chat rooms, forums and blogs have required updating.

5   In the current Protocol personal use of IT equipment is only permitted in the context of a Member's position as a Councillor. In respect of personal use, the current Protocol advises that :
"the following test should be applied: "Is my intended use likely to be perceived by the community at large as reasonable in the context of my position as a Councillor"

This is felt to be too restrictive. The new protocol basically allows the personal/ private use of Council IT equipment so long as that use complies with the law (such as copyright, child protection legislation, Data Protection, etc) and does not result in a breach of the Members' Code of Conduct.

6   Similarly, since the current Protocol was agreed, the use of chatrooms, forums and blogs has become widely used by national and local politicians, including Government Ministers. The attached draft Protocol recognises these developments, and permits the use of Council IT equipment for these purposes, so long as Members do so within the law, and within the Code of Conduct.

7   The current Protocol says little about the use of IT equipment for political purposes. This has become a recurring issue in respect of what constitutes political use, and whether Members are misusing Council equipment. The attached Protocol outlines the Standards Board guidance on this matter, and gives examples of what might and what might not be 'political use'. This will also require the approval of the Standards Committee, as that Committee has the responsibility for ensuring that the Code of Conduct is properly applied in Middlesbrough.

Consultation

8   The draft protocol has been sent to all Members for comment. It has also been considered and agreed by the Constitution Committee and the Standards Committee. The attched draft incorporates the comments and suggestions from the above process.

Conclusions

9   The attached draft protocol is intended to replace the version currently contained in the Members' Handbook. The revised protocol considerably extends the use of Council equipment in respect of personal use, but makes it clear that personal use must be within the requirements of any relevant legislation, and the Members' Code of Conduct. It also recognises other developments such as the use of blogs, forums and chatrooms, and attempts to clarify 'political use'.

Recommendations

10   That the draft Protocol at Appendix 1 is approved.

Chris Davies
10 June 2009