

Constitution & Member Services Q&A

This particular meeting of the Panel had been arranged at the request of the Overview and Scrutiny Committee meeting of 29 January 2009, to examine in closer detail the Government consultation document on the Code of Recommended Practice on Local Authority Publicity which had been put before that meeting. The consultation document, with 16 questions, was discussed by the Committee. The questions and the Panel's responses to them are listed below:

Question 1 Is there other guidance, (additional to the Publicity Code), that councils consider creates a barrier to the provision of publicity or support, or that needs clarifying?

Panel Response: The Publicity Code needs to take into account the provision of publicity material for foreign languages and appropriate use of translation services.

Question 2 Is there a requirement for different codes to apply to different types of authority?

Panel Response: The Publicity Code should apply equally to all elected bodies.

Question 3 Should the Publicity Code specifically address the presentation of publicity on an authority's website?

Panel Response: The Publicity Code should not be technology specific, as technology is changing regularly. **Local authority constituted meetings, such as planning meetings and Full Council, and the webcasting of these meetings, should not be covered by the code as they are a Council function, directed by law.**

Question 4 Does anything need to be added to or removed from the list of matters an authority should consider in determining whether or not to issue publicity on a certain subject?

Panel Response: The Publicity Code should make reference to community leadership, community wellbeing and the Chairman of Council's new role of promoting local democracy. Publicity will no longer be strictly limited to the Council's own functions.

Question 5 Should the Publicity Code specify the different criteria local authorities should use to determine whether or not publicity can be judged to be cost effective?

Panel Response: **There was, currently, a plethora of assessments on cost effectiveness within the Council.** All costs were monitored and assessed through Use of Resources assessment and the Comprehensive Area Assessment (CAA) process together with value for money requirements.

Question 6 Is there any aspect of the cost section that is not required or anything which should be added?

Panel Response: Same as 5.

Question 7 Should the Publicity Code contain advice about ethical standards, or should this be left to local authorities to judge for themselves?

Panel Response: No the Publicity Code should rely on Members' Code of Conduct standards.

Question 8 Is there any aspect of the content section that is not required or anything which should be added?

Panel Response: Same as 7.

Question 9 Should the Publicity Code be modified to specifically address the issue of privacy and the dissemination of unsolicited material?

Panel Response: No change thought necessary.

Question 10 Is there any aspect of the dissemination section that is not required or anything which should be added?

Panel Response: Same as 9.

Question 11 Is there any aspect of the advertising section that is not required or anything which should be added?

Panel Response: **Many areas do not have a single newspaper (or other media outlet) which operates solely within a single local authority area.** Paragraph 31 should be reviewed to recognise that inevitably advertising would extend beyond District boundaries because of the way in which the media operate.

Question 12 Should adverts for local authority political assistants appear in political publications and websites?

Panel Response: The current prohibition in paragraph 37 of the Publicity Code regarding publicity advertisements relating to recruitment of political assistants should be amended to reflect that these positions need to be advertised in political journals.

Question 13 Is there any aspect of the recruitment advertising section that is not required or anything which should be added?

Panel Response: Same as 12.

Question 14 Given the emphasis given to supporting and raising awareness of the role of the councillor in the White Paper, is there any aspect of the section on councillors that is not required, or anything which should be added?

Panel Response: The Publicity Code should provide guidance on the creation of Councillor websites which are linked to the Council's website. Clarification was needed on where the publisher's status rested in accordance with the Code of Conduct. Relaxation of any rules in this area needed to be balanced with cost effectiveness and personal responsibility for those Councillors with their own websites.

Question 15 Is there any aspect of the timing of publicity section that is not required, or anything which should be added?

Panel Response: **Clarification was needed in paragraph 41, Annex C, Elections, referendums and petitions. "Publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual members or groups of members." Also, the sentence "other politicians involved directly in the election," needs to be clarified.**

Question 16 Is there any aspect of the assistance to others for publicity section that is not required, or anything which should be added?

Panel Response: No change recommended.