

Surrey Heath Borough Council
Council
22 February 2023

Governance Working Group

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Report Author: Rachel Whillis – Democratic Services
Wards Affected: n/a

Summary and purpose

To consider the recommendations agreed by the Governance Working Group at its meeting on 27 January 2023.

Recommendation

The Council is advised to RESOLVE that

- (i) the ICT Code of Practice at Part 5, Section C of the Constitution, be updated as set out at Annex A to this report;
- (ii) the Social Media Protocol for Councillors, one of the Documents which supports the Constitution, be updated as set out at Annex B to this report; and
- (iii) the Protocol for appointment and role of Honorary Freemen and Honorary Aldermen, as set out at Annex C to this report, be adopted as a Document which supports the Constitution.

1. Background and Supporting Information

1.1 The Governance Working Group met on 27 January 2023 and has made a number of recommendations in relation to:

- (i) revisions to the ICT Code of Practice
- (ii) revisions to the Social Media Protocol for Councillors
- (iii) adopting a Protocol for the appointment and role of Honorary Freemen and Honorary Aldermen.

2. ICT Code of Practice

2.1 The Governance Working Group considered proposed revisions to the ICT Code of Practice at Part 5 of the Council's Constitution. The changes primarily

reflect the proposal to supply councillors with laptops from May 2023 onwards.

- 2.2 The Working Group reviewed paragraph 5.4 of the Code and expressed a view that councillors should not be permitted to use Social Media on Council provided devices. However, no alterations were proposed to this paragraph.
- 2.3 The Working Group also recognised that, whilst requiring councillors to undertake Data Protection training every two years was preferable, it was not enforceable. It was therefore agreed to amend this paragraph to reflect that the training would be strongly encouraged.

3. Amendments to the Social Media Protocol for Councillors

- 3.1 The Governance Working Group reviewed the changes to the Social Media Protocol for Councillors proposed by the Monitoring Officer.
- 3.2 The introduction has been amended to provide more explanation on when a Member may be deemed to be acting in an official capacity during use of social media platforms, as well as emphasising the need for caution during use of social media platforms. Given that the application of the Code of Conduct is fact specific, and dependent on circumstances, the Monitoring Officer has recommended that it is appropriate to encourage prudent and cautious use of social media platforms.
- 3.3 The “do” and “don’t” sections have been updated to include references to the Nolan principles. This assists Members to appreciate the link between the guidance provided in the Protocol and the Code of Conduct.
- 3.4 The section on “*When the Code of Conduct may apply*” has been updated to also reference the Nolan principles and to emphasise that the Council expects Members to adopt high standards even if the Code of Conduct does not strictly apply.

4. Protocol for the appointment and role of Honorary Freemen and Honorary Aldermen

- 4.1 Section 249 of the Local Government Act 1972 provides for Local Authorities to admit a person of distinction as an honorary freeman of the borough in recognition of their eminent services to the borough; the person nominated in respect of an appointment as honorary freeman may be an organisation. The Act also provides for Local Authorities to confer the title of honorary alderman upon a past member of the Council in recognition of their eminent services to the Council.
- 4.2 The Council has appointed ten Aldermen to date and there are currently four serving Aldermen. The Council has not previously appointed any individuals as Freemen, although a number of organisations have been awarded Freedom of the Borough. The Council has not previously adopted any

framework for appointing Honorary Freemen and Honorary Aldermen and any such appointments have followed an informal nomination process.

- 4.3 The Governance Working Group considered a draft protocol that proposes definitions of eminent service, for both Honorary Freemen and Aldermen, and a suggested minimum length of service for a councillor to be eligible for appointment as an Alderman. The draft protocol also proposes a process for making nominations to these roles.
- 4.4 The Working Group considered the Protocol and discussed the need to balance criteria for selection to these distinguished roles that reflects the 'above and beyond' service from that individual, whilst not being too prescriptive to prevent the nomination of suitable candidates.

5. Proposal and Alternative Options

- 5.1 It is proposed that the Council considers the recommendations from the Governance Working Group and agrees whether to agree them, with or without any amendments it considers appropriate.

6. Contribution to the Council's Five-Year Strategy

- 6.1 No specific matters arising.

7. Resource Implications

- 7.1 There are no specific resource implications arising from the decisions sought in this report.

8. Section 151 Officer Comments:

- 8.1 No matters arising.

9. Legal and Governance Issues

- 9.1 Any decision to amend the Constitution is reserved to Full Council. The adoption of new Documents Which Support the Constitution is also reserved to the Full Council.
- 9.2 The Council's power to appoint Aldermen and Freemen is provided by Section 249 of the Local Government Act 1972.

10. Monitoring Officer Comments

- 10.1 As set out above.

11. Other Considerations and Impacts

Environment and Climate Change

11.1 No matters arising.

Equalities and Human Rights

11.2 No matters arising.

Annexes

Annex A – proposed revisions to the ICT Code of Practice

Annex B – proposed revisions to the Social Media Protocol for Councillors

Annex C – new Protocol for appointment and role of Honorary Freemen and
Honorary Aldermen

Background Papers

[Local Government Act 1972 -Section 59](#)