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**CONSULTATION ON CODE OF RECOMMENDED PRACTICE ON LOCAL
AUTHORITY PUBLICITY
(Communications and Marketing Manager)**

1. INTRODUCTION

- 1.1 This report invites Cabinet to endorse the views on a consultation on proposed changes to the Code of Recommended Practice on Local Authority Publicity (the publicity code). Local authorities have to have regard to the provisions in the code in coming to any decision on publicity. Huntingdonshire District Council officers have regard to the code in all matters of publicity.
- 1.2 The code was first issued in 1988 and covers the content, style, distribution and cost of local authority publicity. It was revised in 2001 to take account for changes in local authorities brought about by the Local Government Act 2000.
- 1.3 More recently the white paper Communities in Control committed the government to consulting on potential changes to the publicity code. The last government consultation a year ago revealed support for it as a useful source of advice for authorities on sensitive issues on the use of resources. Following that the Councillors Commission received views that there was confusion over how far councils could go in promoting and supporting councillors' roles and that the publicity code may have been seen as a hindrance to promoting the role of the councillor. The current consultation paper seeks to confirm the results of the earlier consultation and to establish views across the local government sector and stakeholders. It also asks how the publicity code might function without being, or perceived as a disincentive to effective communication.
- 1.4 The publicity code in its current form is available on request or may be downloaded at
www.communities.gov.uk/publications/localgovernment/coderecommended.

2. MAIN PRINCIPLES OF THE CODE

- 2.1 One of the main objectives of the code is that publicity in all its forms, from public meetings to council publications, advertising, and the website, describing the council's policies, aims and provision of services, should be objective and factual. It must not be presented in a party

political light, or in a way that could be interpreted as such, and that expenditure on publicity should be achieved with the greatest possible cost effectiveness.

- 2.2 Guidance on publicity about individual councillors embraces the greater emphasis the 2000 act placed on individual accountability and the role of overview and scrutiny committees. Guidance on the actions of local authorities in the run-up to an election and in connection with petitions and referenda conducted under the Local Government Act 2000 is also provided. The code states that publicity about individual councillors (eg executive councillors, chairmen of panels etc) may include the position they hold, and their responsibilities, and also information about their 'proposals, decisions and recommendations' but only where 'relevant to their position and responsibilities.' This publicity should avoid 'personalisation' and 'personal image making.'
- 2.3 This is particularly pertinent in the run-up to an election. During this time the code states that the period between the notice of an election and the election itself should preclude proactive publicity, in all its forms, of candidates and other politicians directly involved in the election. It further states that publicity should not deal with controversial issues at this time or report views, proposals or recommendations in such a way that identifies them with individual members or groups of members, although it states that it is acceptable for key members to comment in an emergency or where there is a genuine need for a member level response to an important event outside the authority's control. It states also that proactive events arranged during this period should not involve members likely to be standing for election.
- 2.4 The code includes a section dealing with recruitment advertising for political assistant posts. Huntingdonshire District Council does not have posts of this nature.

3. WHAT THE CODE DOES NOT COVER

- 3.1 The publicity code offers no specific guidance in relation to individual ward members who may not hold a particular responsibility with the council, but whose work with their constituents is of significant importance and value to their communities and such work is worthy of the raised awareness and greater understanding to be gained through publicity. Specific guidance in the publicity code should acknowledge the importance of their work.
- 3.2 A need to raise awareness of the work of Huntingdonshire District Council ward councillors was identified recently. A working group of members and officers has met and as a result a protocol has been drawn up and circulated by the Communications and Marketing Manager suggesting ways in which communications with individual ward members may be enhanced.
- 3.2 While the publicity code now embraces communications by electronic means, it does not specifically address websites and councillors increasingly have their own web pages, or the use of other electronic communications, for example blogs and podcasts which are becoming more frequently used.

4. THE CONSULTATION

- 4.1 Publicity in all its forms is an effective way of raising awareness and gaining greater understanding of the work of councils and their democratically elected councillors, particularly in the light of the continuing process of encouraging greater participation by communities, and a revision of the publicity code is to be welcomed. However if the publicity code becomes too prescriptive and unwieldy this could be counterproductive.
- 4.2 The consultation takes the form of 16 questions. These are listed below together with proposed responses:

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

Answer: It would be helpful if all guidance about publicity was in the same place. The publicity code should give details of all guidance on publicity.

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

Answer: No. It is considered the principles of the code are equally applicable to all types of authority.

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

Answer: Yes. The publicity code in its present form does not sufficiently embrace the greater use of electronic communications, including council websites, blogs and podcasts.

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

Answer: The current list appears to be adequate.

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?

Answer: Yes. Not all local authorities have officers who are able to offer expert advice on the cost-effectiveness of publicity. In many instances cheapest is not necessarily the most effective. An example may be the publicity/information required for major initiatives such as LSVT. Additional guidance may be appropriate on identifying the most appropriate medium for particular circumstances.

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

Answer: All aspects in this section should be retained, with greater clarity in regard to the point made in question 5 above.

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

Answer: The definition of 'ethical standards' appears in this instance to be moral standards generally as opposed to 'ethical standards' and the code of conduct relating to elected members.

Communications officers working for local authorities are likely to be members of professional bodies such as the Chartered Institute of Marketing or Chartered Institute of Public Relations which have their own ethical codes of conduct.

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

Answer: No but greater clarity in spelling out what constitutes 'publicity' may be helpful. For example public meetings, or consultation events firmly fall into the category of 'publicity'.

Question 9: Should the publicity code be modified to specifically address the issue of privacy and the dissemination of unsolicited material?

Answer: The section in the publicity code issued in 1988 offers clearer guidance than the amended version.

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

Answer: See answer to question 9 above.

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

Answer: More guidance on how cost-effectiveness is defined would be helpful. See answer to question 5.

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

Answer: This authority does not employ political assistants.

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

Answer: Not applicable to this authority.

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?

Answer: See paragraphs 3.1 and 3.2 of this paper. Guidance specifically on the role of ward councillors should be added so that they may be supported in gaining appropriate publicity. This is particularly relevant in the context of the White Paper Communities in Control: Real people, real power.

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

Answer: This section raises the most questions among communications officers and councillors in terms of how it should be interpreted. Clearer guidance than that in the current code is required in terms of:

- Politicians 'involved directly' in the elections. Does this not cover ALL councillors?
- It should be more specific in spelling out timescales between notice of election and the election itself
- It should be more specific in identifying what can and cannot be permitted during this period as 'emergencies' or 'genuine need'.

- How the code applies to councillors who are members of more than one authority.

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

Answer: This section appears to be adequate.

- 4.3 The closing date for the consultation is 12 March 2009. A summary of the responses will be posted on the Communities and Local Government's website www.communities.gov.uk, and will be used by the department to take decisions on possible changes to the publicity code.

5. RECOMMENDATION

Cabinet are invited to endorse the above as the Council's response to the Communities and Local Government consultation on the Code of recommended practice on local authority publicity.

BACKGROUND INFORMATION

Communities in Control: Real people, real power: Code of Recommended practice on local authority publicity: A consultation.

Code of recommended practice on local authority publicity 1988 and amendments of 2001.

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