

SECTION C – PROTOCOLS

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SECTION C - PROTOCOLS

1. Lord Mayor and Deputy Lord Mayor Protocol

1. Introduction

1.1 On 22 March 1982, HM Queen Elizabeth II graciously granted to the City of Swansea letters patent which elevated the status of the Mayor to that of Lord Mayor. The Unitary Authority of the City and County of Swansea which came into being on 1 April 1996 was successful in having both the City and Lord Mayor status re-bestowed on 29 March 1996.

1.2 The actual wording of the letters patent is shown below:

“Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To all to whom these presents shall come, Greeting. Know ye that our will and pleasure is and We do hereby declare and ordain that from and after the date of these presents the Mayor of the City of Swansea and his successors in office shall be styled entitled and called LORD MAYOR OF SWANSEA And we do hereby authorise and empower the Mayor of the City of Swansea and his successors in office henceforth at all times to assume and use and to be called and to be named by the style title and appellation of Lord Mayor of Swansea and to enjoy and use all and singular the rights privileges and advantages to the degree of a Lord Mayor in all things duly and or right belonging. In witness whereof we have caused these our letters to be made patent. Witness Ourselves at Westminster the twenty second day of March in the thirty first year of our reign”.

1.3 The Lord Mayor and Deputy Lord Mayor Protocol aims to cover all aspects relating to the eligibility, nomination and behaviour of the Lord Mayor / Deputy Lord Mayor.

2. Eligibility to be Lord Mayor / Deputy Lord Mayor

2.1 For the period that a person is elected as Lord Mayor / Deputy Lord Mayor, they must remain a Councillor of the City and County of Swansea.

2.2 From the moment that the person ceases to be a Councillor of the City and County of Swansea, they automatically also cease to be the Lord Mayor / Deputy Lord Mayor.

3. Formal Procedure and Criteria for the Nomination of Lord Mayor and Deputy Lord Mayor

3.1 Councillors must satisfy the following criteria prior to being nominated as Deputy Lord Mayor / Lord Mayor.

- i) Candidates for the position of Lord Mayor and Deputy Lord Mayor must be members of the Council.
- ii) Councillors shall be elected to the position of Deputy Lord Mayor and Lord Mayor based on their total length of service with the City and County of Swansea Council and its predecessor Authorities. **Appendix D** (The List) highlights the “Councillors Total Length of Service with the City and County of Swansea and each of its predecessor Authorities” (As at Date Printed on **Appendix D**).
- iii) Simultaneous service on more than one of the City and County of Swansea Council’s predecessor Authorities will count as one period of service i.e. If a Councillor was an Elected Member with Lliw Valley Borough Council and West Glamorgan County Council during 1990-1994, only 4 years would be counted towards the Councillors total length of service during that time.
- iv) If a Councillor has broken service with the City and County of Swansea Council or any of its predecessor Authorities, then the time of each of the periods of service will be added together in order to establish the total length of service. For details of a Councillors Period(s) of Service with the City and County of Swansea and its predecessor Authorities, please refer to www.swansea.gov.uk/councillors
- v) If a Councillor has accrued service with another Authority, then that time will not be counted, as the time has not been spent representing the people of the City and County of Swansea Council.
- vi) A Councillor would only be honoured with the title Deputy Lord Mayor and Lord Mayor once.

3.2 If there are more than 1 Councillors with exactly the same length of service, then the nomination will be determined as follows:

- i) Between the Councillors involved;
- ii) The drawing of lots between the Councillors involved.

4. Consultation with Political Group Leaders and their Deputies

4.1 The Head of Democratic Services shall consult with the Political Group Leaders and their Deputies via e-mail asking them to:

- i) Determine whether candidates meet the criteria set out in Paragraph 3 above;
- ii) Discuss the appropriateness of the candidates nominated for the role of Deputy Lord Mayor and Lord Mayor.

4.2 If the Head of Democratic Services receives:

- i) A unanimous decision that the Candidates meet the criteria set out in Paragraph 3 above and that the Candidates are suitable for the role of Lord Mayor or Deputy Lord Mayor then the Head of Democratic Services shall present a report to Council outlining this view recommending their Election as Lord Mayor Elect and Deputy Lord Mayor Elect accordingly;
- ii) A split decision that one or both Candidates do not meet the criteria set out in Paragraphs 3 above and / or that one or both Candidates are not suitable for the role of Lord Mayor or Deputy Lord Mayor then a meeting of the Constitution Working Group be arranged to consider the issue. This only applies to the Candidate found not to meet the criteria or found not to be appropriate for the role of Lord Mayor Elect and Deputy Lord Mayor Elect.”

5. The Constitution Working Group subject to Paragraph 4 above will:

5.1 Determine whether candidates meet the criteria set out in Paragraph 3 above;

5.2 Discuss the appropriateness of the candidates nominated for the role of Deputy Lord Mayor and Lord Mayor.

5.3 If a candidate is deemed appropriate for the role of Deputy Lord Mayor / Lord Mayor then the Constitution Working Group shall present a report to Council recommending one candidate for the role of Deputy Lord Mayor and one candidate for the role of Lord Mayor based on the total length of time served by a Councillor.

5.4 If a candidate is deemed inappropriate for the role of Deputy Lord Mayor / Lord Mayor, the Constitution Working Group shall discuss what (if any) sanctions that will be imposed based on the following questions:

- a) Was the Councillor found in serious breach of the Councillors Code of Conduct?

If yes, then the exclusion from holding the office of Deputy Lord Mayor / Lord Mayor will be for a minimum mandatory period of 5 years or permanent removal from “the list”. The Constitution Working Group may extend this period if it deems the severity of the breach such. The period cannot be shortened.

- b) Was the Councillor found in minor breach of the Councillors Code of Conduct or carried out general inappropriate action(s) not involving a breach of the Councillors Code of Conduct?

If yes, the Constitution Working Group will decide on the severity and relevance of the breach of the Councillors Code of Conduct or the degree of inappropriate action.

It shall apply such deferral of office as it, in its absolute discretion, considers appropriate. As a guide such deferral of office may include exclusion from holding the office of Deputy Lord Mayor / Lord Mayor for any period up to 4 years.

- c) Was the Councillor found to have carried out inappropriate actions or other serious misbehaviour regarding the office of Lord Mayor / Deputy Lord Mayor not involving a breach of the Councillors Code of Conduct?

If yes, then the exclusion from holding the office of Deputy Lord Mayor / Lord Mayor will be for a suggested period of 4 years. The Constitution Working Group may increase or decrease this period if it deems appropriate.

- 5.5 What is a serious or minor breach of the Councillors Code of Conduct will be a matter to be determined by the Constitution Working Group on the facts of each particular case.
- 5.6 The exclusion period will be for the period starting with the final determination of the breach of the Councillors Code of Conduct for paragraphs 5.4 a) and 5.4 b) and the determination of the Constitution Working Group for paragraph 5.4. c).
- 5.7 If a Councillor has acted in the role of Deputy Lord Mayor and is deemed to be inappropriate prior to commencing the role of Lord Mayor, then s/he shall serve the exclusion period outlined above and at the end of the period undertake the role of Lord Mayor.
- 5.8 Once a Councillor has completed a period of suspension they will be placed on “the list” in accordance with their seniority.

- 5.9 In the year of a Local Government Election, it is possible that the next Councillor in line for the role of Lord Mayor / Deputy Lord Mayor either chooses not to stand for re-election or fails to get re-elected. In order to attempt to overcome this, the Constitution Working Group shall apply the appropriateness test to the next 5 Councillors in the list (Appendix D) who have confirmed that they intend standing in order to seek re-election. Please Note that Appendix D is not appended.
- 5.10 The appropriateness test for these other Councillors will only be a measure of their appropriateness at this current point in time. They will be the subject of a further appropriateness test if they are not elected to the role of Lord Mayor / Deputy Lord Mayor.

6. Constitution Working Group Report to Council

- 6.1 Council shall receive the report of the Constitution Working Group regarding nominations for the Deputy Lord Mayor and Lord Mayor. The report shall nominate one Councillor for the role of Deputy Lord Mayor and one Councillor for the role of Lord Mayor.
- 6.2 In the year of a **Local Government Election**, there will be a third and fourth recommendation seeking a resolution to name the next 5 Councillors as being eligible should the initial nominations fail to be re-elected. These additional 5 Councillors shall be appointed in line with the Protocol.
- 6.3 When a Councillor is elected to the position of Deputy Lord Mayor, then that person would become Lord Mayor the following municipal year, subject to Paragraph 5.4 b) and 5.4 c) above.

7 Role of Council

- 7.1 Council will receive the report of the Constitution Working Group regarding nominations for the Deputy Lord Mayor and Lord Mayor. It shall consider whether to accept the recommendations of the Constitution Working Group or not.
- 7.2 In the year of a **Local Government Election**, Council shall also be asked to accept the nominations of the next 5 Councillors under the Protocol in order to have an automatic fall-back position should the initial nominations fail to be re-elected. The automatic fall-back would mean that the next eligible Councillor who had been subjected to and passed the appropriateness test by the Constitution Working Group would be elected to the position of Lord Mayor / Deputy Lord Mayor as necessary.
- 7.3 Should Council not accept the recommendations of the Constitution Working Group, then the matter should be deferred to either the next Ordinary meeting of Council or to an Extraordinary meeting of Council in order for the appropriateness test to be considered for the next Councillor in line based on length of service by the Constitution Working Group.

8. Deferment of Term of Office

- 8.1 If a Councillor chooses to defer their term of office, then it would only be allowed in exceptional circumstances and subject to approval from all Political Group Leaders e.g. in the case of illness of the Councillor or close member of their family.
- 8.2 If the Leader of the Council is scheduled to be Lord Mayor then the Leader of the Council shall have the opportunity to defer his / her term of office for as long as they deem necessary.

9. Behaviour of Lord Mayor / Deputy Lord Mayor during their Term of Office

- 9.1 Should the behaviour of the Lord Mayor / Deputy Lord Mayor be brought into question during their term of office, then the behaviour should be reported to the Chief Executive, the Monitoring Officer, the Head of Democratic Services and to the relevant Political Group Leader.
- 9.2 However, if the alleged behaviour is considered to be a breach or potential breach of the Councillors Code of Conduct then the complainant should refer the matter to the Public Services Ombudsman for Wales or Police as appropriate.
- 9.3 The allegation will be passed to the Constitution Working Group for them to consider whether it requires any immediate action to be taken. The Group may also determine any sanction to be imposed (if any) pending the outcome of the Ombudsman's or Police investigation (if any).

10. Suspension from Office as a Councillor

- 10.1 Should a Councillor be suspended from the Office of Councillor for a period of time following a breach of the Councillors Code of Conduct, the following actions are to be followed:
- 10.1.1 Suspension is for a period **Less** than the remaining term of office of the Lord Mayor / Deputy Lord Mayor
- i) The issue shall be automatically referred to the Constitution Working Group for it to consider what action, if any should be taken.
- 10.1.2 Suspension is for a period **Longer** than the remaining term of office of the Lord Mayor / Deputy Lord Mayor
- i) The Councillor will cease to serve as Lord Mayor / Deputy Lord Mayor with immediate effect.
- 10.2 The Constitution Working Group reserves the right to amend the sanction as it sees fit.

11. Behaviour of Lord Mayor's Consort, / Deputy Lord Mayor's Consort, Lady Mayoress / Deputy Lady Mayoress during their Term of Office

- 11.1 Should the behaviour of the Lord Mayor's Consort, / Deputy Lord Mayor's Consort, Lady Mayoress / Deputy Lady Mayoress be brought into question during their term of office, then the behaviour should be reported to the Chief Executive, the Monitoring Officer, the Head of Democratic Services and to the relevant Political Group Leader.
- 11.2 The allegation(s) will be passed to the Constitution Working Group for them to consider whether it requires any immediate action to be taken. Action could include suspending the individual for a period of time or seeking a Council resolution to remove the individual from Office.

2. Hospitality Protocol

2.1 Principles

- 2.1.1 The Council accepts that Members and Officers have an important role as ambassadors for the Council, ensuring that it promotes its aims and objectives, and, by this protocol, the Council seeks to ensure that Members and Officers hosting or attending cultural, sporting and other such events are using those events to the Council's maximum benefit and for the benefit of the community as a whole.
- 2.1.2 This protocol therefore sets out guidance for Members and Officers on issues which commonly arise as a result of offers of hospitality. It covers both hospitality offered by the Council and hospitality offered to the Council.
- 2.1.3 The protocol supplements the respective Codes of Conduct which apply to Members and Officers and is subject to the Council's Procedure Rules.

2.2 General Roles and Responsibilities

- 2.2.1 Members of Council and Officers will throughout the course of a year receive many invitations to attend Council hosted functions and it is expected that Members and Officers attending these events will carry out an ambassadorial role on behalf of the Council, engaging as wide a section of the community as possible.
- 2.2.2 Attendance at Council hosted events Does not require an entry in the Hospitality register if the attendance is as a result of a formal invitation. These invitations are to Members and Officers in their formal official role and should be treated as part of the Council's formal activities in the Community. Invitations will be issued on the basis of areas of expertise, expectations of the event and on a fair and equitable basis thereafter.
- 2.2.3 Any benefit received from the Council, in the form of tickets, investigations to events etc., which is not received by way of a formal invitation MUST be registered.
- 2.2.4 Members and Officers should be aware of the possibility that acceptance of hospitality from third parties may require that they do not participate in decisions of the Council that affect that third party, such as lettings of contracts/participation in decision making, etc.
- 2.2.5 Invitations to or from organisations with whom the Council may be contracting should be treated with extreme caution. Legal advice should be sought before such an invitation is extended or accepted.

2.3 Specific Protocols

- 2.3.1 This general protocol will be supported by specific, practical protocols for Council venues and events, such as the Mansion House or the Stadium. These protocols will be provided by the Presiding Member and Monitoring Officer, in consultation with the Council's external auditors, Group Leaders and the Chief Executive.

2.4 Hospitality Registers

- 2.4.1 The Monitoring Officer maintains a register of any declaration of hospitality or gift accepted by Members of more than £25 in value in accordance with:

- a) The Members Code of Conduct
- b) "Interests, Gifts and Hospitality of Members" within the Council Procedure Rules.

- 2.4.2 The Chief Executive maintains a register of any declaration of hospitality or gift accepted by Chief Officers of more than £25 in value in accordance with:

- a) The Officers Code of Conduct
- b) "Interests, Gifts and Hospitality of Officers" within the Council Procedure Rules.

- 2.4.3 All gifts and hospitality over £25 in value received from any source other than formal Council invitations MUST be registered.

2.5 Enquiries

- 2.5.1 If any Member or Officer is uncertain about any aspect of hospitality, they should seek advice from the Monitoring Officer immediately.

3. How Councillors and Officers Deal with Planning Applications

3.1 Introduction

3.1.1 The planning system involves taking decisions about the use and development of land in the wider public interest having regard, in particular, to the Development Plan.

3.1.2 The Local Government Association has recommended that Planning Authorities should agree a Local Code of Practice to guide elected Members, Officers and Developers in the way they go about their business. The Council therefore adopted such a Code of Practice in May 1997. This document summarises the main contents of this Code.

3.2 Role of Elected Members

3.2.1 Elected Members determine the Council's Planning Policy. When elected Members come to make a decision on a planning application they will:

- a. Act fairly and openly;
- b. Approach each application with an open mind;
- c. Carefully weigh up all relevant issues;
- d. Determine each application on its own merits;
- e. Avoid undue contact with interested parties;
- f. Ensure that the reason for their decisions are clearly stated.

3.3 Role of Officers

3.3.1 The officers' function is to advise and assist Members in matters of Planning Policy and in their determination of planning applications by:

- a. Providing impartial and professional advice;
- b. Making sure that all information necessary for the decision to be made is given;
- c. Providing a clear and accurate analysis of the issues;
- d. Assessing the application against the Council's Development Plan policies and all other material considerations;
- e. Giving a clear recommendation;
- f. Carrying out the decisions of Councillors in Committee or Council.

3.4 Lobbying

3.4.1 It is quite common for applicants or other interested parties to wish to discuss a proposed development with Elected Members before a planning application is determined.

3.4.2 This can help Members' understanding of the issues and concerns associated with an application. However, to avoid compromising their position before they have received all the relevant information, Members will:

- a. Avoid as far as possible meeting an applicant or potential applicant alone;
- b. Avoid making it known whether they support or oppose the proposal;
- c. Restrict their response to giving Procedure advice;
- d. Not pressurise officers to make a particular recommendation in their report;
- e. Direct lobbyists or objectors to planning officers who will include reference to their opinions where relevant in their report;
- f. Advise the Head of Economic Regeneration & Planning or the Cabinet;
- g. Member for Environment of the existence of any lobbying.

3.4.3 Where a Member feels that his/her impartiality has been compromised he/she will need to decide whether to declare a personal interest and withdraw from the decision making process.

3.4.4 Membership of a Community Council which has expressed a view on an application does not by itself give rise to a conflict provided that the Member retains an impartial viewpoint. The Council's Monitoring Officer will give advice on whether an interest should be declared in cases of doubt.

3.5 Discussions with potential applicants

3.5.1 Pre-application meetings with potential applicants are encouraged, but to avoid them being misunderstood they will normally be at officer level and:

- a. Where they involve elected members they will be at a forum prescribed for the purpose;
- b. Potentially contentious meetings will be attended by at least two officers including the Head of Economic Regeneration & Planning or his representative;
- c. A note of the discussion will be taken and placed on file and made available for public inspection at the appropriate time;
- d. It will be made clear at such meetings that only personal and provisional views based upon the Development Plan can be given and no decisions can be made which would bind or otherwise compromise the Development Control Committee or Council.

3.6 Decisions contrary to officer recommendation

3.6.1 From time to time Members of the Development Control Committees or Council will disagree with the professional advice given by the Head of Economic Regeneration & Planning.

3.6.2 In such cases the reasons for rejecting an officer's recommendation will be clearly stated and recorded in the minutes of the meeting. Where an appeal arises against such a decision, officers will give support to the relevant members in preparing evidence for the appeal.

3.7 Site Visits

3.7.1 Site visits can be useful to identify features of a proposal which may be difficult to convey in a written report, but site visits do delay the decision on an application.

3.7.2 When appropriate, however, they will be normally requested by a ward member at the time of calling an application to committee; or

3.7.3 Be requested by a ward member when contacted by the relevant Team Leader or Planning Control Manager as part of the Area Committee agenda signing-off process (to confirm the ward member's continued wish for Committee to determine an application); or

3.7.4 Be authorised by the relevant Committee or by the Head of Planning Services in consultation with the Chair of the relevant Committee;

3.7.5 Normally, the site visits will be held between the publication of the Area Committee Agenda and the Committee meeting.

3.8 Planning Applications by Councillors or Officers of the Council

3.8.1 When an application is submitted by anyone involved in the planning process, the Member or officer will:

- a. Inform both the Head of Economic Regeneration & Planning and the Council's Monitoring Officer;
- b. Take no part in processing or determining the application.

3.8.2 The Head of Economic Regeneration & Planning will ensure that all such applications are determined at the Committee meeting and not under delegated powers.

3.9 Planning applications by the Council

3.9.1 The Council itself requires planning permission to carry out or authorise development on land it owns. These applications will be treated in the same way as those from private applicants.

3.10 Complaints

3.10.1 Any issues or concerns arising from the Code of Practice can be raised with the Cabinet Member Place, the Corporate Director (Place), or the Head of Economic Regeneration & Planning.

- 3.10.2 The Council also have a formal complaints system in operation which can be used if necessary.
- 3.10.3 The Council's Complaints Team can be contacted on 01792 637345.
- 3.10.4 Issues of maladministration can be referred to the Public Services Ombudsman for Wales who can be contacted at 1 Ffordd yr Hen Gae, Pencoed, Bridgend, CF35 5LJ.

Telephone 01656 641150.

E-Mail : ask@ombudsman-wales.org.uk

Web www.ombudsman-wales.org.uk

Planning Applications

Having your say at City & County of Swansea Council's Area Planning Committees and Planning Committee

Listening to the people's views is an important part of City & County of Swansea Council's work. The Area Planning Committees and Planning Committee welcome statements and petitions from local people about planning applications that affect them.

The Area Planning Committees and Planning Committee decide the larger, complex or more controversial planning applications in the City.

The Committee meetings usually take place on Tuesdays at 2.00pm (but please check beforehand as occasionally times will vary) in the Council Chamber, Civic Centre, Oystermouth Road, Swansea, SA1 3SN and are open to the public.

The public have a right to attend the meeting and may make a statement to the Committee (subject to advance notice being given) if they so wish.

- **Who can speak**
- **Registering your request to speak**
- **What you can say to the Committee**
- **What happens at the meeting**

Who Can Speak

If you wish to speak directly to one of the Area Planning Committees or Planning Committee you should be:

- Someone who lives in Swansea and/or
- Someone who has a genuine interest in expressing a view on development control matters for example someone who:
 - (i) Is an applicant (or applicant's agent) for planning permission
 - (ii) Is an individual objector/supporter of a planning application
 - (iii) Represents a group of objectors/supporters of a planning application.

What can I say to the Committee?

Under planning law, we can only take into account comments on planning issues. For example, these include loss of light or privacy, highway safety, traffic and parking issues, noise, amenity, pollution, conservation, wildlife, design and

Registering your request to speak

If you are thinking of speaking, please contact us as soon as possible. You can write, email or fax us and you **must**:

- Send your request to speak by **no later than 12.00 noon on the working day before the meeting, clearly indicating the item number or application number on which you wish to speak.**
- Give your name and address which will be publicly available unless there are particular reasons for confidentiality.

Contact details can be found at the end of this leaflet.

What happens at the meeting? (continued)

The Chair will then ask the Planning Officer to introduce the application and respond to any points raised. The Committee will then discuss the application and make a decision.

At the meeting you should not interrupt another speaker or the Committee debate.

appearance of the development.

Issues which cannot be taken into account include loss of view, effect on property values, private rights, covenants and construction noise and boundary disputes.

The City & County of Swansea Council has also to take into account Welsh Assembly Government policies and guidance, together with its own planning policies and you may wish to refer to these as well.

You should not make statements that are personal, slanderous or abusive.

Keep your address short.

What happens at the meeting?

Statements are heard prior to the relevant item.

Immediately before the item is to be considered, the Chair will call you to speak to the Committee.

However, the Council Constitution provides for a total time of ten minutes for representations (a maximum of 5 minutes each for objectors and applicants and supporters). So if there is more than one person wishing to address the Committee, either as an objector or applicant or supporter, you are advised to discuss the presentation before hand, perhaps nominating one person to make the statement, to ensure that the five minute limit is not exceeded.

The Committee Chair always has discretion as to whether or not a person speaks and has discretion to allow longer speaking times if appropriate.

Late requests to speak will not normally be accepted, although, in exceptional circumstances, they may be taken with the specific agreement of the Chair and Committee.

Should objectors/applicants wish to submit photographs/images for display at Committee, this has to be done by Noon the previous working day.

Any materials/literature objectors/applicants may wish to distribute to Members, they must do this themselves.

If a matter is deferred/withdrawn/deferred for site visit you will not be able to speak until it comes back to Committee.

After the meeting

A letter will be sent to you notifying you of the decision made on that application.

Contact details

If you wish to make a statement or present a petition, please address it to:

Democratic Services - Tel: 01792 636820

and send it either

By post: Democratic Services, City & County of Swansea, Room 2.2.3, Civic Centre, Oystermouth Road, Swansea, SA1 3SN

By fax: 01792 637261

By email: democratic.services@swansea.gov.uk

If you have any questions about the procedures above or would like a copy of the full scheme please contact the Democratic Services Team.

Translation/Special Requirements

If you would like this information in a different format, for example in Welsh, large print, computer disc or community languages, please contact: Planning Services, City & County of Swansea, Oystermouth Road, Swansea, SA1 3SN.

4. Title of Lord Mayor or Deputy Lord Mayor in Councillors Correspondence

4.1 Introduction

4.1.1 This protocol provides Councillors with clear guidance on the Use of the Title Lord Mayor or Deputy Lord Mayor in Councillors Correspondence. A breach of this protocol is deemed a breach of the Members Code of Conduct. As such should a breach occur then it should be reported to the Public Services Ombudsman for Wales.

4.2 Personal Motto and/or Civic Crest

4.2.1 The use of a Personal Motto or an attempt to use or amend the Civic Crest by the Lord Mayor, Deputy Lord Mayor or any Councillor in correspondence shall not be allowed.

4.3 Use of the Title Lord Mayor or Deputy Lord Mayor

4.3.1 The use of the Title Lord Mayor or Deputy Lord Mayor in personal correspondence shall not be allowed.

5. Access to Political Group Rooms and Other Councillor Areas by Members of the Public

5.1 Introduction

5.1.1 This protocol provides Councillors with clear guidance on access to Political Group Rooms and other Councillor areas by members of the public. A breach of this protocol is deemed a breach of the Members Code of Conduct. As such should a breach occur then it should be reported to the Public Services Ombudsman for Wales.

5.1.2 Whilst access to rooms is outlined below, Members of the public should not be allowed to use the Council's ICT equipment or any other facility prohibited by other Council protocols. Use of Council telephones in Councillor areas may be allowed but only with the prior consent of the Councillor. Such use must be modest, necessary and appropriate.

5.2 Access to the Councillors Lounge by Members of the Public

5.2.1 Members of the public who have been invited into the Councillors Lounge shall be allowed to remain in the Councillors Lounge providing they are accompanied by a Councillor.

5.3 Access to the Political Group Rooms by Members of the Public

- 5.3.1 Political Group Leaders/Deputy Group Leaders shall have the responsibility for deciding whether or not members of the public should be allowed to remain unattended in their Political Group Rooms.
- 5.3.2 Political Group Leaders/Deputy Group Leaders are advised to consider whether or not the member of the public has a legitimate reason for being invited in the Political Group Room.
- 5.3.3 The relevant Political Group Leader/Deputy Group Leader shall have the responsibility of policing their own Political Group Rooms.

5.4 Access to the Cabinet Members/Chair and Vice Chair of Council/Chairs and Vice Chairs Rooms by Members of the Public

- 5.4.1 Cabinet Members/Chair and Vice Chair of Council/Chairs and Vice Chairs Rooms shall have the responsibility for deciding whether or not members of the public should be allowed to remain unattended in their rooms.
- 5.4.2 Cabinet Members/Chair and Vice Chair of Council/Chairs and Vice Chairs are advised to consider whether or not the member of the public has a legitimate reason for being invited into their rooms.
- 5.4.3 The relevant Cabinet Members/Chair and Vice Chair of Council/Chairs and Vice Chairs shall have the responsibility of policing their own rooms.

5.5 Civic Centre Control of Entry Security Provision

- 5.5.1 Facilities Management shall remind all Councillors and Officer on a 6 monthly basis of the Civic Centre Control of Entry Security Protocol.
- 5.5.2 Facilities Management shall remind all Councillors and Officers of the necessity for their visitors to sign in at reception, in order that a valid identity card be given. The identity card must not be given to a third party.

6. Councillors Correspondence

6.1 Introduction

- 6.1.1 This protocol provides Councillors with clear guidance on Use of Political Party/Political Group Logo, Personal Imagery and/or Colour in Councillors Correspondence.
- 6.1.2 Councillors must not use Council facilities and resources including letterheads and other correspondence to promote their Political Group/Political Party purposes.
- 6.1.3 A breach of this protocol is deemed a breach of the Members Code of Conduct. Any such breach may be reported to the Public Services Ombudsman for Wales.

6.2 Councillors Political Party/Political Group Names/Colours/Logos and/or Personal Imagery

- 6.2.1 The Council shall not print or allow its equipment/facilities to be used to print (or publish) correspondence for Councillors containing their Political Party/Political Group Names/Colours/Logos and/or Personal imagery.

6.3 Councillors Surgery Posters

- 6.3.1 Councillors Surgery Posters printed by the Council shall be allowed providing they are either printed using the corporate colours or in black and white.
- 6.3.2 A colour image of the Councillor shall be allowed for Councillor Surgery Posters; however the Political Group/Party Name/Logo shall not be permitted.

7. Response to Councillor Correspondence Protocol

1. Introduction

- 1.1 The “Customer Service – Guidelines for Staff” booklet outlines the Customer Request Response Guidelines. These guidelines do not differentiate between members of the public and Councillors. This Protocol makes a differentiation between Councillors and the public.

2. Service Requests

- 2.1 On occasion it is likely that a Councillor will approach an Officer directly in order to request a service (e.g. reporting a faulty street light, requesting an appointment etc.). In such occasions this Protocol does not apply. The Officer will simply pass the Service Request to the relevant section and they will be dealt with in the normal way.

3. Councillor Request Response Guidelines

- 3.1 All requests, where possible (and unless legislation allows otherwise e.g. FOIA gives 20 working days), shall be responded to within 5 clear working days of receipt.
- 3.2 If the response can be produced within 5 clear working days, no acknowledgement of receipt of the request is necessary.
- 3.3 Where this is not possible (e.g. due to complexity), an acknowledgment shall be sent within the 5 clear working days. The acknowledgment can be by written letter or e-mail and must contain the reason for the delay and a realistic timescale as to when the response will be made.
- 3.4 These guidelines apply equally to all forms of correspondence (written or verbal) including those received in the Welsh Language.