HOPESAY PARISH COUNCIL

Correspondence & Communications Policy & Protocol

Policy statement

The purpose of this policy is to define the roles and responsibilities within the Council regarding communications with members of the public, other councils, and external bodies. See Council's Press and Media Policy for communications with the Press.

The purpose is also to protect councillors, who are giving their time as voluntary 'Holders of Public Office', from undue pressure to respond to members of the public on matters that concern Council decisions or policy and which therefore require a Council response.

Scope

It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to ensure safe, efficient and effective communications between council members and with third parties. A separate policy on Press and Media exists and should be considered in conjunction with this policy.

Key principles

When writing any communication always assume that it may have to be disclosed to a court or tribunal or to the Information Commissioner.

Always write emails as if they are permanent, because even when they have been deleted, they often can still be retrieved and may be disclosable to a court or the Information Commissioner.

Internal emails, even if marked private or confidential, might eventually need to be disclosed when it is lawful to do so, or as part of the requirement on parties to disclose documents in the course of legal proceedings.

Councillors' and Officers' e-mails and other communications therefore should be considered and written as being in the public domain.

Procedure

The point of contact for the Parish Council is the Clerk (the Proper Officer), and it is to the Clerk that all correspondence for the Parish Council should be addressed. Naturally residents will continue to lobby their individual councillors, contact them with their concerns, raise issues, as they have always done; and individual councillors will continue to engage with residents, mindful of Council's Code of Conduct and other policies, and the limitations on an individual councillor's powers. If there is any doubt as to who should properly deal with an item it is always safer to ask the Clerk and the Chair, and to always keep Council informed!

In normal circumstances, the Clerk will receive all correspondence on behalf of Council and be responsible for dealing with it and, as appropriate, for bringing it to the attention of the Council for consideration and decision. All correspondence from the Council should be written and signed by the Clerk as Proper Officer, and sent from Council's official address (I.e. in the absence of a council office this is the Clerk's address), or from the Clerk's official email address.

It is the job of the Clerk to deal with correspondence as outlined above; councillors should not assume this role unless they are requested and authorised to do so by the Council, in which case their response and any further correspondence should be copied to the Clerk so that Council holds a record on file.

Occasionally, there may be exceptional situations when it is appropriate for a parish councillor to issue correspondence in their own name as a Parish Councillor. Such correspondence should be authorised and approved by the Parish Council, and safeguards should be put in place to avoid a councillor inadvertently acting beyond their power. This is not only to avoid the risk to Council of acting beyond its powers but also very much to protect councillors from such accusations.

Councillors who are corresponding with members of the public, or other organisations (as authorised by Council), should copy the Clerk in on correspondence, so that the Clerk and therefore Council has a record of communications. Correspondence received by councillors about Council business should always be forwarded to the Clerk if not already copied in. Even when correspondence is addressed to a councillor, in most circumstances it should be forwarded to the Clerk and responded to by the Clerk, properly, on behalf of Council.

If Councillors receive a complaint from a member of the public (which they then must forward to the Clerk/Chair), this will be dealt with under the Council's adopted complaints procedure.

In normal circumstances, where a Councillor wishes fellow Councillors to receive information /reports etc, this should be circulated via the Clerk.

No individual Parish Councillor should communicate directly with companies/individuals with which the Parish Council has a contractual relationship, unless authorised to do so by full Council. All enquiries should normally be through the Clerk as Proper Officer.

No individual Councillor should allow themselves to be the sole custodian of any correspondence or information in the name of the Parish Council.

Councillors do not have a right to obtain confidential information/documentation unless they can demonstrate a 'need to know'.

The Chair is the most appropriate person to deal with correspondence in the absence of the Clerk e.g. to send emails/sign letters stating a council policy/decision or to send a 'holding' reply pending consideration of a matter by the Council.

Timing

The Clerk will endeavour to acknowledge correspondence within 7 working days, excepting 'vexatious correspondence'*.

The Clerk will endeavour to give a response to correspondence within 14 working days (excepting 'vexatious correspondence'*) unless the matter is being put to the Council or a decision-making committee for consideration – in which case the correspondent will be informed as to when and where that will happen.

*There will be a separate procedure to deal with correspondence deemed to be vexatious.

Anonymous correspondence cannot be considered.