



OAKHAM TOWN COUNCIL

VEXATIOUS COMPLAINTS PROCEDURE

**A policy for dealing with abusive,
persistent, or vexatious complaints and
complainants**

Document Control	
Version Number	1
Adopted on	
Last Reviewed	21-07-2021
Review Date	21-07-2022

COMMUNICATIONS POLICY

OAKHAM TOWN COUNCIL CORRESPONDENCE

- The point of contact for Oakham Town Council is the Clerk, and it is to the Clerk that all correspondence for the Town Council should be addressed
- The Clerk should deal with all correspondence in a timely manner
- No individual Councillor or Officer should be sole custodian of any correspondence or information in the name of Oakham Town Council. In particular, Councillors and Officers do not have a right to obtain confidential information/documentation unless they can demonstrate a 'need to know'
- All official correspondence should be sent by the Clerk in the name of the council using council letter headed paper
- Where correspondence from the Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person (eg. Copy to XX)

COMMUNICAITONS WITH THE PRESS AND PUBLIC

- The Clerk will liaise with the Chair of the Council/Communications Officer regarding clearance of all press reports or comments to the media.
- Press reports from the Council or its Panels should be from the Clerk or a Communication Officer or via the reporter's own attendance at a meeting. However, a member may be asked to produce a press release, this should be forwarded to the Clerk.
- If authorisation has not been given by the Council to speak to the media, Councillors who are asked for comment by the media should make it clear that it is a personal view and ask that the comment(s) be clearly reported as their personal view
- If Councillors receive a complaint from a member of the public, this should be dealt with under the Council's adopted complaints procedure, or via a council agenda item

COUNCILLOR CORRESPONDENCE TO EXTERNAL PARTIES

- As the Clerk should be sending most of the council's correspondence. Correspondence by Councillors to other bodies must be written in their official capacity and must be authorised by the Council
- A copy of all outgoing correspondence relating to the Council or a Councillor's role, should be sent to the Clerk, and it be noted on the correspondence, e.g., "copy to the Clerk" so that the recipient is aware that the Clerk has been advised

COMMUNICATIONS WITH OAKHAM TOWN COUNCIL STAFF

- Councillors must not give instructions to any member of staff, unless authorised to do so (for example, three or more Councillors sitting as a Panel with appropriate delegated powers from the council)
- No individual Councillor, regardless of whether or not they are the Chair of the council or the Chair of a Panel, may give instructions to the Clerk or to another employee which are inconsistent or conflict with council decisions or arrangements for delegated power (SO21)
- Telephone calls should be appropriate to the work of the Town Council
- Emails:
 - a. Instant replies should not be expected from the Clerk; reasons for urgency should be stated
 - b. Information to Councillors should normally be directed via the Clerk
 - c. E-mails from Councillors to external parties should be copied to the Clerk
 - d. Councillors should acknowledge their e-mails when requested to do so.
 - e. All members must abide by SO35.
- Meetings with the Clerk or other officers
 - a. Wherever possible an appointment should be made
 - b. Meetings should be relevant to the work of that particular officer
 - c. Councillors should be clear that the matter is legitimate council business and not matters driven by personal or political agendas.

PRESS POLICY

Note: This policy refers to Council Members' dealings with the press and media.

INTRODUCTION:

Oakham Town Council ("the Council") is committed to the provision of accurate information about its governance, decisions, and activities. Where this information is not available via the Council's Publication Scheme (Chapter 16 of the Constitution), please contact the Council's Clerk or in his/her absence, the Deputy Clerk.

The Council shall where possible co-operate with those whose work involves gathering material for publication in any form including use of the internet ("the media")

This policy explains how the Council may work with the media to meet the above objective in accordance with the legal requirements and restrictions that apply.

LEGAL REQUIRMENTS AND RESTRICTIONS

This policy is subject to the Council's obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972, the Local Government Act 1986, the Freedom of Information Act 2000, the Data Protection Act 1998, other legislation which may apply and the Council's Standing Orders and Financial Regulations. The Council's Financial Regulations and relevant Standing Orders referenced in this policy are available via the Council's Publication Scheme.

The Council cannot disclose confidential information or information the disclosure of which is prohibited by Law. The Council cannot disclose information if this is prohibited under the terms of a Court Order, by legislation, the Council's Standing Orders, under contract or by Common Law. Council Members are subject to additional restrictions about the disclosure of confidential information which arise from the Code of Conduct adopted by the Council, a copy of which is available via the Council's Publication Scheme.

MEETINGS

A meeting of the Council is open to the public unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest due to the confidential nature of the business or other special reason(s) stated in the resolution. In accordance with the Council's Standing Orders, persons may be required to leave a meeting of the Council if their disorderly behaviour obstructs the business of the meeting.

Where a meeting of the Council and its Panels include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council's Standing Orders.

The photographing, recording, filming or other reporting of a meeting of the Council and its Panels (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings.

Oral reporting or commentary about a Council meeting by a person who is present is not permitted.

The Council shall, as far as is practicable, provide reasonable facilities for anyone taking a report of a Council.

OTHER COMMUNICATIONS WITH THE MEDIA

This policy does not seek to regulate Councillors in their private capacity.

The Council's communications with the media seek to represent the corporate position and views of the Council. If the views of the councillors are different to the Council's corporate position and views, they will make this clear.

The Council's Clerk, or in his/her absence the Deputy Clerk and / or Chair using Delegated Powers may contact the media if the Council wants to provide information, a statement or other material about the Council.

Not to misrepresent the Council's position, councillors are free to communicate their personal position and views.

<p>The above policy is compliant with the National Association of Local Council's Media Policy (November 2014)</p>

SOCIAL MEDIA POLICY

DEFINITION OF SOCIAL MEDIA

'Social media' is the term commonly given to websites and online tools which allow users to interact with each other in some way by sharing information, opinions, knowledge, and interests. This interaction may be through computers, mobile phones, and technology such as I-Pads/tablets.

Social media has the following characteristics:

- Covers a wide variety of formats, including text, video, photographs, audio
- Allows messages to flow between many different types of device; PCs, phones, and tablets (I pads)
- Involves different levels of engagement by participants who can create, comment, or just view information
- Speeds and broadens the flow of information
- Allows communication take place in real time or intermittently

Examples of social media websites include:

- Social networking (www.facebook.com)
- Video sharing (www.youtube.com) • Blogs
- Micro-blogging (www.twitter.com)
- Wikis (eg. www.wikipedia.org)

RISKS

- The information in most cases is shared in the public domain and can be viewed by anyone in the world. You do not even need to register in many cases to view the content. Registering is only required should you wish to participate and post to the site
- Groups and specific themes can set up easily and posts then be edited by the owners of that group to reflect their single interest, ensuring theirs is the only voice heard. There is no guarantee of truth and ill-informed comment and gossip is as likely to be found there as useful information
- The nature of these tools is that information is shared immediately, and it is very easy to respond instantaneously resulting in unintentionally inflaming a situation. Information can then be shared with other sites and be spread far beyond the intended audience

It is also very easy to spend excess time viewing and responding to messages that outweigh any value in the first place.

PURPOSE OF THE POLICY

To publish information about the work of Oakham Town Council to a wider audience on a range of subjects relating to its activities, providing updates, news, and information from other sources. It also provides an opportunity to communicate with younger age groups, the business community and hopefully the harder to reach groups.

Oakham Town Council will make the use of approved social media to broadcast information but carefully control its use to minimise the risk as stated above.

Oakham Town Council will avoid entering into online debates or arguments about the Council's work. Social Media will **NOT** be used in the recruitment process for employees or new councillors - other than for the sole purpose of placing vacancy advertisements - as this could lead to potential discrimination and privacy actions, as well as breach of data protection issues.

APPROVED COUNCIL SOCIAL MEDIA

- *Oakham Town Council website*
- *(Official) Oakham Town Council Facebook page*

NB: Please note OTC does not currently have a Twitter Feed

USERS OF COUNCIL SOCIAL MEDIA

In accordance with the Council's Communications Policy, the Clerk with the Chair are the Council's nominated Press Officers with the authority to issue official press releases. No other member of staff (other than the Clerk) has the authority to issue public statements on behalf of the Council.

AIMS AND OBJECTIVES

Social media can be used by the Town Council as an effective and measurable way to achieve resident engagement and attract publicity.

The aim of this Policy is to ensure:

- Engagement with individuals and communities and successful promotion of Town Council based services through the use of social media
- A consistent approach is adopted and maintained in the use of social media
- That all Town Council information remains secure and is not compromised through the use of social media
- That users operate within the existing policies, guidelines and relevant legislation
- That the Town Council's reputation is upheld and improved
- That communication by use of social media is effective, timely, appropriate and useful ensuring the Town Council engages with a wider audience and utilises cross-promotion of other Council communication tools

POLICY STATEMENT

It is acknowledged that there is considerable potential for using social media which can provide significant advantages. The responsible, corporate use of social media is actively encouraged. The following applies equally to Officers and Members.

This policy provides a structured approach to using social media and will ensure that it is effective, lawful and does not compromise Town Council information or computer system/networks.

All users (including Elected Members) must ensure that they use social media sensibly and responsibly and ensure that its use will not adversely affect the council or its business, nor be damaging to the Town Council's reputation and credibility or otherwise violate any Town Council policies.

The following guidelines will apply to online participation and set out the standards and behaviour expected as a representative of Oakham Town Council: -

- Be aware of and recognise your responsibilities identified in the Social Media Policy.
- Remember that you are personally responsible for the content you publish on any form of social media
- Never give out personal details of others such as home address and telephone numbers.
- Ensure that you handle any personal or sensitive information in line with the Data Protection Act
- Do not use the Town Council e-mail address, logos or any other Town Council identification.
- Where possible, you should include the Town Council's adopted disclaimer: "Statements and opinions here are my own and do not necessarily represent Oakham Town Council's policies or opinions"
- Know your obligations; you must comply with other Town Council policies when using social media (eg. do not breach Town Council confidentiality and proprietary information policies.)
- Show respect to all
- Be respectful of the Authority (the Town Council) elected Members, contractors and employees
- Derogatory comments are always wrong
- Use of the Town Council's Facebook account (by staff members) must always accurately reflect the Council's position/decisions on any matter and in no circumstances must it be used to express personal opinion
- If unsure, say nothing and seek clarification from the Town Clerk

Elected Members (Councillors) are at liberty to set up accounts using any of the tools available but should ensure they are clearly identified as personal and do not, in any, reflect the Town Council's view. Councillors should always present a professional image and not disclose anything of a confidential nature. Comments of a derogatory, proprietary, or libellous nature should not be made and care should be taken to avoid guesswork, exaggeration and colourful language.

RESPONSIBILITIES

Twitter

NB: Whilst OTC does not yet have a Twitter feed, the following guidelines will apply in the event of the Council using twitter.

The Town Clerk is the designated 'Council' owner of the Council Twitter feed (where used) and any other Social Media channels agreed by the Council.

Councillors may be officially appointed from time to time by the Council to assist the Town Clerk to disseminate information on the Town Council's Twitter feed during busy times or when the Clerk is absent to ensure the best use the Twitter account. However, all must ensure they follow this policy. No account details may be changed without the permission of the Town Clerk.

The Town Clerk and Town Clerk's Assistant are permitted to operate a Twitter account but must adhere to this policy and ensure the 'personal view' disclaimer is used.

Individual Councillors are at liberty to set up their own accounts, but they should ensure they comply with this policy and ensure the 'personal view' disclaimer is used.

GUIDANCE FOR COUNCILLORS

The Town Council encourages Councillors to keep residents informed of issues within the area covered by Oakham Town Council and the use of social media can help with this, especially during official Council meetings.

Twitter is a quick and direct way of feeding concise updates about a meeting – these principles for members are aimed at the use of Twitter but are equally applicable to other forms of social media.

Below are some extra guidelines for Councillors to consider for the use of social media during meetings: -

- Handheld devices and laptops are permitted (indeed encouraged) for use during meetings to allow environmentally friendly and effective communication. The use of such devices is intended to improve communications during meetings and must not interrupt or distract anyone taking part. Please ensure the volume on all electronic devices is turned to 'mute'
- Councillor's tweets/blogs during Council meetings should refer to the discussions which are taking place at the meeting; Tweeting/blogging about other subjects will show the public and other attendees at the meeting that you are not engaging properly in the meeting
- Councillors have a responsibility to take council business seriously and it is not appropriate for members to use social media to tease or insult other members. Town residents expect debate and to be informed about council business, not witness petty arguments
- Remember that if you break the law using social media (for example by posting something defamatory), you will be personally responsible

TWITTER STRATEGY

Twitter is a 'microblogging' platform which allows users to post short messages and converse with other users. Unlike e-mail or text messaging, these conversations take place on the open and engage audiences in discussions about services, products and issues connecting a vast amount of likeminded people in an often targeted and purposeful way.

Example activity:

- Share relevant articles/blog posts/expertise
- Start discussions and ask questions to encourage interaction
- Link to Facebook content/surveys/pictures/videos
- Follow and participate in discussion with other related tweeters
- Comment on tweets and re-tweet other posts to build community
- Offer relevant Q&A sessions
- Provide information and news updates on Council activities

- Disseminate information in emergency situations

When Oakham Town Council's account is set up it will be to inform followers of related news, events, online facilities and other matters that may be of interest to residents of the community, local businesses and visitors to the area.

People following Oakham Town Council can expect tweets covering some or all the following:

- Updates on Council activities
Announcements about matters of importance to Oakham Town Council residents and those who may be visiting or moving to Oakham
- Requests for information and assistance
- News about our online facilities
- Re-tweets from organisations that we are following which meet our Twitter Policy

FOLLOWING TWITTER:

If you follow The Town Council on Twitter it will not automatically follow the person back and the right is reserved to block that person from following the Town Council. Being followed by us does not imply endorsement of any kind.

Oakham Town Council is unable to monitor Twitter 24/7, however, it will endeavour to answer all sensible tweeted questions. Please be aware that due to privacy it may not be possible to answer all tweet questions.

Councillors are at liberty to set up their own accounts subject to following the guidelines. Key questions when tweeting are:

- What do the followers really want to know?
- When do they need to know it?
- Why is the information you are sharing relevant?
- Am I the most appropriate person to be responding to queries/commenting on tweets if it is a Council-related matter?

FACEBOOK

Social networks are rapidly growing in popularity and are used by all ages in society. The most popular social networks are web-based, commercial, and not purposely designed for Town Council use and include sites like Facebook, MySpace and Bebo.

For individuals, social networking sites provide tremendous opportunities for staying in touch with friends and family. Such web sites provide a modern alternative means to communicate with residents of the town for the Town Council.

Facebook offers a rich platform allowing you to share unlimited content, including images and videos.

Example activity:

- Share articles/blog posts/expertise

- Start discussions and ask questions to encourage interaction
- Create Surveys to encourage participation from visitors
- Upload images and videos
- Generic news – what’s happening in the area

One of the hallmarks of online networks is the ability to “friend” others – creating a group of others that share interests and personal news. Care should be exercised when accepting invitations to friends others with personal social networking sites. Friends will gain access to the Town Council’s network of contacts on the site.

Good practice guidelines for the use of Facebook by the Town Council as a body or Councillors as individual are:

- Elected Members as staff have a corporate professional image to uphold and how we will individually conduct ourselves online impacts this image
- Remember that people classified as “friends” have the ability to download and share your information with others
- Post only what you want the world to see. It is not like posting something to your personal website or blog and then realising that a story or phot should be taken down. On a Social networking site, basically once you post something it may continue to be available, even after it is removed from the site
- Do not disclose confidential matters or criticise Town Council policies or personnel.
- Select and establish your profile’s security and privacy settings carefully. At a minimum, all privacy setting should be set to “only friends”. “Friends of friends” and “Networks and Friends” open the content to a large group of unknown people
- All activity on the Town Council Facebook page must follow the Town Council’s agreed statement of purpose and outcome for the use of the networking tool
- Do not post images that include young people without parental permission
- Pay close attention to the site’s security settings and allow only approved personnel full access to the site
- Only add statements approved by either Full Council, the Chair or Town Clerk
- Do not use commentary deemed to be defamatory, obscene, proprietary, or libellous at any time (even in a humorous or anecdotal manner)
- Exercise caution with regard to exaggeration, colourful language, guesswork, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterisations
- Evaluate whether a particular posting puts your effectiveness at Oakham Town Council at risk
- To reduce security risks, do not install any external applications that work with the social networking site. Examples of these sites are calendar programs and games
- Maintain updated anti-virus and malware protection to avoid infections of spyware and adware that social networking sites might place on your computer
- Be careful not to fall for scams that arrive via e-mail or on your wall, providing a link for you to click, leading to a fake login page
- If you find information on the social networking site that falls under the mandatory reporting guidelines then you must report it as required by law
- Ensure you keep yourself informed and cautious in the use of all new networking technologies

OTHER SOCIAL MEDIA

At this stage it is not intended to use other forms of social media for official use by Oakham Town Council, but to include in this policy as and when.

Councillors are entitled to use any form of social media they wish to but must abide by this policy at all times when doing so.

- Officers should be familiar with the terms of use on third party websites – eg. Facebook – and adhere to these at all times
No information should be published that is not already known to be in the public domain – ie. available on the Council’s website, contained in minutes of meetings, stated in Council publicised policies and procedures, etc
- Information that is published should be factual, fair, thorough and transparent
- Everyone must be mindful that information published in this way may stay in the public domain indefinitely, without the opportunity for retrieval/deletion
- Copyright laws must be respected
- Conversations or reports that are meant to be private or internal must not be published without permission
- Other organisations should not be referenced without their approval – when referencing, link back to the original source wherever possible
- Do not publish anything that would be regarded in the workplace as unacceptable
- Staff must remember that they will be seen as ambassadors for the Council, and should always act in a responsible and socially aware manner

THIRD PARTY SOCIAL MEDIA AND INDIVIDUAL COUNCILLOR USAGE

Councillors need to think about whether they are acting in a private capacity, or whether any impression might be conveyed that they are acting for and on behalf of Oakham Town Council. The Council has adopted a Code of Conduct which is binding on all members. If a Councillor uses Social Media in his/her official capacity as a councillor, he/she should always be mindful of the Code of Conduct.

Do:

- Set appropriate privacy settings for any blog or networking site
- Watch out for defamatory or obscene posts from others on any blog or page and remove them as soon as possible to avoid any perception that you condone such views
- Be aware that the higher your profile as a councillor, the more likely it is that you may be seen as acting in an official capacity when you blog or network
- Ensure any Council facilities are used appropriately – if using a Council-provided blog site or social networking area, any posts that you make are extremely likely to be viewed as being made in your official capacity
- Avoid publishing any information that you could only have accessed in your position as a councillor
- Be careful if making ‘political’ points and avoid being specific or personal about individuals.

Don't:

- Blog in haste
- Post comments that you would not be prepared to make in writing or in face-to-face contact
- Use Council facilities for personal or political purposes