

---

**REPORT 9**  
*(1215/52/IM)*

## **EMAIL PROTOCOLS FOR THE MAYOR AND COUNCILLORS**

---

### **1. Purpose of Report**

The purpose of this report is to seek Council's agreement to a set of protocols around the use of email by the Mayor and Councillors, in order to ensure this form of communication occurs in line with the Relationships and Behaviours section of the Elected Members Code of Conduct, statutory requirements and good practice.

### **2. Executive Summary**

A set of protocols has been prepared for the use of email by the Mayor and Councillors to ensure elected members maintain high standards in communicating with each other, officers and members of the public, using this medium.

### **3. Recommendations**

It is recommended that the Committee:

- 1. Receive the information.*
- 2. Recommend to Council that it adopt the Email Protocols for the Mayor and Councillors (attached as Appendix 1 to this report).*

### **4. Background**

There has been an increase in email traffic between elected members of late, and it was considered prudent to formally introduce protocols around email use to ensure elected members maintain high standards in communication with each other, with officers and members of the public.

Such guidelines are standard in government departments and corporate organisations. The protocols are intended to guide the use of what can be an ambiguous, difficult communication tool, and ensure agreement on its correct and appropriate use.

## **5. Discussion**

Under the Elected Members Code of Conduct, the Mayor and Councillors are to conduct their dealings with each other, the Chief Executive, Council staff and the public in ways that, among other things:

- maintain public confidence in the office to which they have been elected
- are open and honest
- focus on issues rather than personalities
- avoid aggressive, offensive or abusive conduct
- avoid publicly criticising any employee in any way, but especially in ways that reflect on the competence and integrity of the employee
- do not seek to improperly influence staff in the normal undertaking of their duties
- accord citizens respect in their dealings with the council.

Elected members conduct their dealings with each other, officers and members of the public in a number of ways, including face to face contact, letters and, increasingly, email. Email, just as much as any other form of communication, should adhere to the requirements of the Code of Conduct. For example, there is no difference between an offensive oral statement made by one elected member to another, than an offensive email sent by one elected member to another. Both could give rise to a complaint under the Code of Conduct.

Given this, and given the increasing use of email as a means of communication between elected members, officers and members of the public, a set of Email Protocols for the Mayor and Councillors have been developed (attached as Appendix 1 to this report). The Protocols set out standards in relation to the content and management (including distribution) of emails. The existence of the Protocols will assist elected members to ensure their email dealings with each other, officers and members of the public are of a high standard and do not breach the requirements of the Code of Conduct. The Email Protocols also include reference to using email in line with particular statutory requirements (e.g. not distributing or storing objectionable or copyright information), and good practice in relation to the management of emails.

## **6. Conclusion**

The attached protocols have been prepared for the use of email by the Mayor and Councillors, to ensure elected members maintain high standards in communicating with each other, officers and members of the public, using this medium.

## Supporting Information

### **1) Strategic Fit / Strategic Outcome**

*This project supports objective 9.2.1 of outcome 9.2:  
9.2. City governance and decision making.*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*The project relates to C534 Committee and Council process.*

### **3) Treaty of Waitangi considerations**

*There are no Treaty of Waitangi implications.*

### **4) Decision-Making**

*This is not a significant decision.*

### **5) Consultation**

#### **a) General Consultation**

*No specific consultation is required*

#### **b) Consultation with Maori**

*No specific consultation is required.*

### **6) Legal Implications**

*The Protocols have been reviewed by the Council's legal advisors.*

### **7) Consistency with existing policy**

*This report is consistent with existing WCC policy.*

# Appendix 1

## EMAIL PROTOCOLS FOR THE MAYOR AND COUNCILLORS

### Introduction

Under the Elected Members Code of Conduct, the Mayor and Councillors are to conduct their dealings with each other, the Chief Executive, Council staff and the public in ways that, among other things:

- maintain public confidence in the office to which they have been elected
- are open and honest
- focus on issues rather than personalities
- avoid aggressive, offensive or abusive conduct
- avoid publicly criticising any employee in any way, but especially in ways that reflect on the competence and integrity of the employee
- do not seek to improperly influence staff in the normal undertaking of their duties
- accord citizens respect in their dealings with the council.

These standards apply to email use as well as interpersonal contact, so breaching them through email may result in a complaint under the Code of Conduct.

Email messaging is not always an ideal form of communication. It may be ambiguous and, as a general rule, emails should not be used to transmit sensitive information.

Access to email is provided to elected members as a business tool. Emails are deemed official information covered by the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993, so every email sent may be recoverable as public information.

Elected members should also remember that emails are likely to be discoverable in court proceedings, so careful judgement should be exercised in what is written.

### Protocols

Elected members should:

- use best efforts to resolve any disagreements with colleagues in person, rather than via email
- respect and uphold the confidentiality of non-public information and not disclose in emails information that may be harmful to elected members or the Council as a whole
- only copy to those who need a copy (this is particularly important when deciding either to reply to author or reply to all).

Elected members should not:

- distribute misleading, harassing, intimidating, defamatory, or distasteful comments or material by email or attachments
- indulge in email messaging that demands or insists on outcomes and which is abusive or bullying
- indulge in email messaging that threatens an action or consequence if demands or outcomes are not met
- indulge in repetitive, rhetorical, discourteous or vexatious email messaging
- distribute or store emails or attachments that contain objectionable, pornographic, offensive or copyright information, or which disclose personal information about others without their permission
- send chain emails
- send or copy messages to third parties, such as media, with the express aim of seeking to embarrass or coerce the Council or colleagues into the decisions or outcomes demanded (noting that elected members are free to express a personal view to the media at any time in line with the Code of Conduct)
- access (including reading, sending and deleting messages) email accounts that members are not authorised to use
- over-use capital letters or bold for emphasis – it is tantamount to shouting
- demand responses within unrealistic timeframes. The Council standard is that emails are to be acknowledged within 24 hours and replied to in full within 15 working days
- blindcopy to other parties – this is discourteous and causes mistrust. Email traffic should be an open and reasonable forum. It is only fair that all who answer have knowledge of who will be reading their replies.