

Appendix 2

Response to the issues raised in Cllr Jon Hubbard's referral to OS Management Committee

1. Decision making process

- **What policies or constitutional rules were followed when the decision was made to cease engagement with Wiltshire Publications?**

- **What advice was given to the political leadership, and on what basis was this advice formed?**

The ceasing of engagement with Wiltshire Publications was an operational approach employed by an officer, in this instance the Director of Legal & Governance, following conversations with the Head of Customer & Communication, the Chief Executive and Corporate Director Place and after consultation with the Leader and relevant Cabinet Member. This followed repeated contact from Wiltshire Publications on where the Council advertises Traffic Regulation Orders (TROs). The Council explained on a number of occasions the reasoning it employed and that it will review the approach after Government publishes new legislation on the issue. The approach which is used in other scenarios where repeated correspondence seems to lead to an impasse, was employed to provide sufficient space for the parties (the Council and Wiltshire Publications) to reflect. The hope was a round table discussion could be arranged. One is now in the process of being arranged for early December.

The taking of day-to-day, operational decision is referenced in part 3 of the Constitution.

The Leader and relevant Cabinet Member were given professional advice by relevant officers. The details of the that advice were withheld in answer to a Freedom of Information Act request from public disclosure on the basis that Councils and other public bodies should be able to reflect on approaches in private.

2. Assessment of Alleged Bias

- **What methodology was used to assess allegations of bias in Wiltshire Publications' reporting?**

- **Over what period was this assessment conducted, and who carried out the evaluation?**

- **What benchmarks or recognized systems were used to determine whether the publication met the Council's standards for impartiality?**

The use of the word bias was with its normal meaning. The repeated Wiltshire Publications correspondence gave the impression of a static view that the Council should change its approach about the advertising of TROs. The Council will review its reasonable position regarding advertising TROs once the Government announces an expected significantly new approach to this issue.

Impartiality was assessed based on the professional judgement of the Council's Communications team.

3. Letter Sent to Wiltshire Publications

• **The letter sent by the Council to Wiltshire Publications states: "We urge you to adopt a more professional and balanced reporting style in the future as, currently, we do not feel able to engage with your publications. Constructive dialogue is essential for our working relationship, and when we see impartiality in your coverage and clear attempts to present a balanced picture, we will review our position."**

o **How is the Council measuring whether Wiltshire Publications meets this standard for balance and impartiality?**

o **What framework is being used to guide this review?**

"Balanced" was intended to relate to providing more than one side of the issue. On the issue of "impartiality" see above.

4. Complaints Process

• **Wiltshire Publications has reportedly been unable to file a formal complaint regarding the Council's actions due to the Council's assertion that corporate bodies cannot lodge complaints.**

• **What mechanisms are in place to allow businesses or organisations to challenge Council decisions that affect them?**

• **Does the current complaints process require revision to ensure it is inclusive and fair**

The council's Complaints Procedure states:

"3.4 We do not accept complaints from corporate bodies under this Procedure, as in such cases there is no "personal injustice" suffered by the complainant."

This approach is in line with that adopted by other councils. Corporate bodies can raise concerns by writing formally to the Council, by raising them with their local councillor or through the courts. Whenever a complaint is not accepted by the council, the reasons are provided to the complainant and the details of the appropriate Ombudsman are provided should the complainant wish to escalate the matter.

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