

## Highland Council

### Protocol governing School Visits by Elected Representatives

Title:	Protocol Governing School Visits by Elected Representatives
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#### Introduction

It is recognised that there will be occasions when elected representatives will request, or be invited, to visit a school. The reasons for a visit could include, as examples, the opening of a new school, a new facility, the launch of a new service, a public meeting or prize giving.

Whatever the nature of the visit it is important that clear guidance on how to approach this is in place and the following protocol should be followed.

For the purpose of this protocol elected representatives mean Councillors, Members of the Scottish Parliament, and Members of the UK Parliament.

Official visits by government ministers are considered separately to this protocol.

#### Protocol Principles

- 1) All visits to schools by elected representatives should have prior approval from the Executive Chief Officer Education or other Education representative nominated by the Executive Chief Officer Education.
- 2) The presumption would be to approve such visits wherever possible.
- 3) There should be fair and equitable treatment to all elected representatives.
- 4) It is not considered appropriate for elected representatives to visit a school without prior notification.

#### Approval Process

In seeking to arrange a visit by an elected representatives the following process should be followed: -

- 1) Whether directly by the elected representatives or through a head teacher or another member of staff, notification of a request to visit a school should be made to [ecoel.support@highland.gov.uk](mailto:ecoel.support@highland.gov.uk).
- 2) The request will be referred to the Executive Chief Officer Education for approval. Such requests will be considered in a timely manner, and it would be expected that in most cases it would be appropriate to engage with the relevant Head Teacher.
- 3) It will ultimately be for the Executive Chief Officer Education or their nominated representative to determine the parameters and conditions of such a visit and whether other Council Officer(s) should be in attendance to support the visit.
- 4) If the visit has been authorised, then the Education Service will issue a formal invite and undertake the necessary arrangements to facilitate the visit.
- 5) There may be circumstances when such a visit is not appropriate, for example during exam times, and this should be clearly communicated in any correspondence with the elected representative.
- 6) In relation to visits by MSPs/MPs, the Education Service will ensure that the Corporate Communications office and the Policy Manager are informed of the visit.
- 7) Media attendance or photography will not be permitted, except when agreed in advance (such as a school opening, presentation etc).
- 8) The Policy Manager will ensure that the Senior Leadership Group are aware of any visit by an MSP/MP.

### **Visits pre-Parliamentary or Local Government Elections**

During any pre-election period it is important that the Council as a whole and service departments individually act to ensure that an even-handed approach is adopted towards all political parties and groupings.

Therefore, when an approach is made by a parliamentary candidate and/or their political representative or a local government candidate, requesting a visit to a school then the candidate or their political representative will require to submit in writing to the Executive Chief Officer Education, their request including the proposed schedule and the names of those proposing to attend.

In deciding whether to accede to a request, the Executive Chief Officer Education may choose to discuss the matter with the Returning Officer and relevant Head Teacher taking account of:

- (a) The potential disruption to services
- (b) The impact upon staff and pupils
- (c) All photograph/filming must be outwith school premises and may not involve staff or pupils.
- (d) The recognition that agreeing to an initial request may generate further requests which could not reasonably be refused. The Council is confident that candidates will

recognise these protocols are necessary safeguards and no way intended to be obstructive to the democratic process.

The Highland Council media protocol which includes school visits is attached at Annex A but the relevant points as they relate to schools is replicated here:

- The Council Communications Office and all Council Staff (including teaching staff) must remain politically neutral at all times.
- Neither Children and young people in the care of the council, nor council assets (such as school buildings) may be used for party political purposes.
- Photography: Aside from political neutrality, data protection law states that you must take extra care when using children's personal data, to ensure their interests are protected. The school need to have a valid reason to publish photos or videos of pupils and agreement by parents, or pupils over the age of 12, to do so. These are referred to in data protection law as 'lawful bases'. While parents, who have granted permission, may reasonably expect photos of children to be taken for class photos, school awards etc, they may not reasonably expect photographs to be taken with politicians or by politicians for their own use.
- Posting photos or videos to a public account, (such as a politician's social media or blog or newsletter) viewable by an indefinite number of people, is likely to go beyond personal use. In this instance, there would be implications and obligations under data protection law and to consider whether individuals in the photos or videos (or their guardians) would reasonably expect the images to be used in this way.
- On this basis, while visits may be considered and permitted, requests by political representatives or political candidates to photograph pupils, or to bring a photographer to take photographs, will be refused.
- Outside a pre-election period, photographs may be arranged or permitted by the Corporate Communications office, for an official visit to a school of an office-bearing elected politician (whether Council or Government), in an official capacity. This may be, for example, to open a new school building, make an announcement, present an award or congratulate students for an attainment or achievement.
- The Head Teacher must ensure that appropriate permissions are in place for any pupils and staff photographed during an official visit. Ref: <https://ico.org.uk/for-the-public/schools/photos/>
- Should visits be permitted to schools, it should be on the basis that there is no disruption to learning. Where it is decided to agree such visits, the key principle is that the same facilities should be available to all candidates, and that there is no disruption to services, and no photography.
- Particular care should be taken when publicity is issued immediately prior to an election or by-election affecting the authority's area to ensure that this could not be perceived as seeking to influence public opinion, or to promote the public image of a particular candidate, or group of candidates. Between the time of publication of a notice of an election and polling day, publicity should not be issued which deals with controversial issues, or which reports

views or policies in a way that identifies them with individual members or groups of members.

- Photographs of candidates with pupils or staff are not permitted.
- Photography of a school building is permitted from the public highway; however photographers must avoid photographing images of children or staff.

Ref: <https://www.gov.scot/publications/local-authority-publicity-code-of-practice/>

Reference:

The Highland Council Media Protocol

[https://www.highland.gov.uk/downloads/file/25307/media\\_protocol](https://www.highland.gov.uk/downloads/file/25307/media_protocol)