



Local Government Act 1972

I Hereby Give You Notice that an **Ordinary Meeting** of the **Durham County Council** will be held in the **Council Chamber, County Hall, Durham** on **Wednesday 25 January 2023** at **10.00 am** to transact the following business:-

1. To confirm the minutes of the meetings held on 7 December 2022 (Pages 5 - 22)
2. To receive any declarations of interest from Members
3. Chair's Announcements
4. Leader's Report
5. Questions from the Public
6. Petitions

Calling on Durham County Council to refuse to sell our Play/Recreation area at The Wynd, Pelton
7. Report from the Cabinet (Pages 23 - 26)
8. Updated Local Code of Corporate Governance - Report of Corporate Director of Resources (Pages 27 - 68)
9. Local Government Boundary Commission Review - Report of Corporate Director of Resources (Pages 69 - 74)
10. Overview and Scrutiny - Six Monthly Update - Report of Corporate Director of Resources (Pages 75 - 86)

11. Local Government Association "Debate Not Hate" Campaign - Report of Head of Legal and Democratic Services (Pages 87 - 136)
12. Motions on Notice

Councillor R Crute to Move

The current Council Tax system is iniquitous and remains unfit for purpose, even more so at a time when many households across County Durham are struggling to make ends meet under the persistent pressures of the ongoing cost of living crisis.

A motion adopted by this council in 2021 to consider options in introducing a fairer system to replace Council Tax has failed to deliver any discernible benefit to the residents of County Durham.

Therefore this council agrees to pursue every available opportunity to consider the benefits and feasibility of introducing a Proportional Property Tax to replace the current Council Tax regime in County Durham.

Councillor A Surtees to Move

This council resolves to write to local Members of Parliament, and to the Secretary of State for Work and Pensions to outline the effects of the injustice to 1950s women on the communities in County Durham and to seek their support for an immediate compensation package.

Councillor M Stead to Move

At present wholly student occupied properties do not have council tax or business rates applied to them.

Clearly students should not be expected to pay council tax.

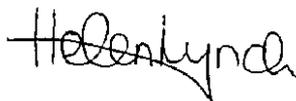
However as a council we lose £8,442,198 council tax income from 5294 properties.

This council therefore calls on the government to fund the lost income from student accommodation which currently costs Durham County Council and other local authorities with Universities huge amounts of money or come up with an alternative which protects students and funds local authorities.

13. Questions from Members

And pursuant to the provisions of the above-named act, **I Hereby Summon You** to attend the said meeting

Dated this 17th day of January 2023

A handwritten signature in black ink that reads "Helen Lynch". The signature is written in a cursive style with a prominent horizontal stroke across the middle of the name.

Helen Lynch
Head of Legal and Democratic Services

To: All Members of the County Council

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DURHAM COUNTY COUNCIL

At an **Ordinary Meeting** of the County Council held in the **Council Chamber, County Hall, Durham** on **Wednesday 7 December 2022** at **10.00 am**

Present:

Councillor B Bainbridge in the Chair

Councillors M Abley, E Adam, R Adcock-Forster, V Andrews, J Atkinson, A Batey, A Bell, C Bell, R Bell, C Bihari, G Binney, J Blakey, D Boyes, D Brown, L Brown, R Charlton-Lainé, J Charlton, I Cochrane, J Cosslett, B Coult, R Crute, M Currah, S Deinali, T Duffy, K Earley, J Elmer, K Fantarrow, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, D Hall, C Hampson, D Haney, A Hanson, K Hawley, P Heaviside, T Henderson, S Henig, J Higgins, L A Holmes, C Hood, A Hoppood, L Hovvels, D Howarth, J Howey, G Hutchinson, A Jackson, M Johnson, N Jones, P Jopling, C Kay, B Kellett, L Kennedy, C Lines, L Maddison, C Marshall, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, M McGaun, D McKenna, M McKeon, I McLean, S McMahan, J Miller, B Moist, P Molloy, D Mulholland, D Nicholls, J Nicholson (Vice-Chair), D Oliver, R Ormerod, E Peeke, R Potts, P Pringle, J Purvis, J Quinn, S Quinn, A Reed, G Richardson, I Roberts, S Robinson, K Robson, K Rooney, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, G Smith, T Smith, M Stead, W Stelling, A Sterling, D Stoker, T Stubbs, A Surtees, D Sutton-Lloyd, F Tinsley, S Townsend, C Varty, E Waldock, M Walton, A Watson, M Wilkes, M Wilson, S Wilson, D Wood, R Yorke and S Zair

Apologies for absence were received from Councillors P Atkinson, J Chaplow and C Hunt

Prior to the commencement of the meeting the Chair reported with regret the death of the former Councillor and Alderman Terry McDonnell. Terry represented the Coxhoe Ward on Durham City Council between 1987 and 2009 and was also Mayor of Durham in 1995/96. Members stood to stand for a moments silence out of respect to Terry.

1 Minutes

The minutes of the meeting held on 19 October 2022 were confirmed by the Council as a correct record and signed by the Chair.

2 Declarations of Interest

There were no declarations of interest in relation to any items of business on the agenda.

3 Chair's Announcements

The Chair reported that since the last Council meeting she had attended several events, including attending the Durham University international student welcome hosted at Durham Town Hall, the Festival of Remembrance Concert held at Durham Cathedral and the Remembrance Sunday Service and Parade, again held at Durham Cathedral.

The Chair then informed Council of some recent County Council successes.

A community rail partnership based in Darlington and South Durham had achieved success at the national Community Rail Awards.

Bishop Line Community Rail Partnership, of which Durham County Council was a partner, was recognised for its innovative work engaging communities with their local railway line.

It was a finalist in three categories at the awards, coming in second place for Most Effective Communications Campaign with its Pass on a Smile campaign; third place in the Involving Diverse Groups category with its Our Line Connections; and finalist in the Involving Children and Young People category with Creative Journeys.

A council team had won a national award for its work to help residents save money on their heating and energy bills.

The warm homes team received the National Heating Project of the Year accolade at the 2022 National Energy Efficiency Awards. The accolade recognised the achievements of the team's warm homes campaign which supported low income and fuel poor households by providing grants for new boilers and insulation measures to help lower their energy bills and give them a warmer home.

A member of staff of the Council had claimed a national award for helping to put data at the heart of the digital transformation of adult social care.

Marion Ingleby, Strategic Manager in Adult Social Care, won the Leadership Award category at this year's NHS England Digital and Data Awards.

The Awards recognised the achievements, particularly over the last two years, of individuals who worked within a digital, data, technology or informatics role within health and social care.

Finally, the Council had been recognised for its social work at a national award.

Durham claimed a gold and silver at the Social Worker of the Year Awards, which celebrated individual excellence and outstanding practice among social workers.

Durham won a gold award for Supportive Social Work Employer of the Year, which recognised organisations delivering excellent practice as an employer while also inspiring employees to achieve their best.

Judges commented on the Council's success in terms of staff training, including its innovative Leadership Academy and academy for newly qualified social workers. They also praised the Council's commitment to developing an open and supportive culture, staff wellbeing and peer support.

Meanwhile, a silver award for Social Worker of the Year was given to one of Durham's social work consultants, Nathan Head, who had been described as determined and inspirational.

Having started his career with the Council six years ago as a student social worker, Nathan was recognised for his hugely positive impact on children and young people across County Durham.

The Chair and Council congratulated all staff involved in the achievement of the awards.

4 Leader's Report

Councillor A Hopgood. Leader of the Council looked back at what had been an exceptionally busy and successful year for the Council, with a great deal being achieved across all services during the past 12 months including:

- children's services had been rated as good with outstanding features by Ofsted and the Council had been recognised at the national Social Worker of the Year Awards.
- a revised Climate Emergency Response Plan had been launched with an ambitious new target of achieving net zero by 2030 and the Council had also been awarded green status by Investors in Environment, the highest possible rating within the scheme. This was alongside receiving the award for Overall Outstanding Achiever for a large organisation at the IIE Awards.

- Durham reached the finals of the City of Culture 2025 competition, generating significant publicity and interest in the county.
- the Council was one of only two local authorities to be featured in this year's list of the UK's top 100 Apprenticeship Employers.

All of these achievements significantly contributed to making County Durham a great place to live, work, visit and invest.

The Leader concluded by wishing all Members a Merry Christmas and a Happy New Year and hoped they would all be able to spend some time with family and friends over the festive season. The Leader looked forward to what she was sure would be a very busy new year.

5 Questions from the Public

A question had been received from Mr Forbes. The questioner was unable to attend the meeting and had requested that the Chair put his question to Council. The Chair put the following question:

'Considering the cost of new vehicles and the councils need to save money and reduce their carbon footprint, has the council considered using technology to reduce emissions, like the Atmos 1 system, which can reduce emissions and could be a green cost-effective way forward in the current financial crisis?'

Councillor J Shuttleworth, Cabinet Portfolio Holder for Rural Communities and Highways provided the following response:

The use of the equipment referred to by Mr Forbes was raised during the consultation on the taxi policy and was considered by officers and by the Energy Saving Trust (EST) who provided the Council with their opinion on the subject.

The subject raised by trade respondents and the final response can be found in Appendix 4 of the report.

A copy of the response would be sent to Mr Forbes and would be posted on the Council's website.

6 Petitions

There were no petitions for consideration.

7 Report from the Cabinet

The Council noted a report from the Cabinet which provided information on issues considered at its meetings held on 12 October and 16 November 2022 (for copy see file of Minutes).

8 2022/23 Treasury Management Half Year Update

The Council noted a report of the Corporate Director of Resources which provided information on the treasury management mid-year position for 2022/23 and provided a summary of the Council's treasury position, borrowing activity, investment activity, treasury management and prudential indicators as at 30 September 2022 (for copy see file of Minutes).

Councillor R Bell, Deputy Leader and Portfolio Holder for Finance thanked the Corporate Director and his team for the comprehensive update on the Council's treasury management activity during the first half of the financial year. It was pleasing to note that the Council had continued to fully comply with all the requirements of the treasury management policy and strategy agreed by Council in February 2022.

9 Director of Public Health Annual Report

The Council received the 2022 Annual Report of the Director of Public Health for County Durham (for copy see file of Minutes).

Under the Health and Social Care Act 2012, one of the statutory requirements of the Director of Public Health was to produce an annual report about the health of the local population. In addition the local authority had a duty to publish the report. The government had not specified what the annual report should contain and had made it clear that this was a decision for individual Directors of Public Health to determine.

The Director of Public Health annual report for 2022 focused on the following:

- Foreword by the Director of Public Health
- Health and wellbeing across County Durham
- Living with COVID-19
- Making smoking history
- Priorities (covering Healthier, Fairer and Protected)
- Update on recommendations from 2021
- Conclusion

Councillor C Hood, Cabinet Portfolio Holder for Adult and Health Services thanked the Director of Public Health for the presentation of the Annual Report which ensured that the health and wellbeing of residents remained a top priority for the Council. The report reflected what the Council was doing

to support people to live longer, and healthier lives and Councillor Hood placed on record his thanks to the Director and her team for their hard work and effort that underpinned the report.

Councillor J Howey asked whether work took place in schools to discuss the effects of smoking. The Director of Public Health replied that a lot of work which took place under the Tobacco Alliance focussed predominantly on adults because the best way to stop young people from starting to smoke was to reduce smoking in adults.

Councillor D Boyes referred to the life expectancy figures which seemed to have stalled and expressed concern that the gap in the healthy life expectancy between residents of County Durham and the rest of the country now stood at approximately 4 and a half years. Although the number of people who smoked was lower than ever Councillor Boyes asked whether the use of vapes was a health concern. The Director of Public Health replied that nationally the increase in life expectancy had started to stall. Work was carried out with partners to focus on the priorities which would address the gap in life expectancy and healthy life expectancy.

Councillor R Charlton-Lainé considered that education on the effects of vaping should take place as well as the work which took place around smoking, and the use of nitrous oxide by young people also needed to be addressed.

The Director of Public Health referred to the use of nitrous oxide and replied that the Police and Crime Commissioner had chaired the first Combatting Drugs Partnership which considered the use of drugs and alcohol in County Durham and Darlington. With reference to vaping there was strong evidence that vaping was much less harmful than smoking and there was a misperception among smokers that it was not less harmful. While young people should be discouraged from starting to vape, where young people were already smoking then it was preferable if they vaped instead. A statement about vaping had recently been sent to all schools and the Director of Public Health agreed to share this with all Members.

Councillor L Hovvels thanked the Director of Public Health and her team for the prevention work they undertook. Councillor Hovvels looked forwards to the results of research being undertaken on the long-term effects of Covid. Referring to the Warm Hubs Councillor Hovvels asked what was being done towards the hard-to-reach people.

Councillor C Kay asked what was being done to simplify access to mental health services. Councillor Kay also referred to ManHealth and asked what the Council could do to support such organisations. The Director of Public Health replied that mental health was a priority for both the Council and

partners including the Tees, Esk and Wear Valley Trust and she would provide more details of the specific work which was being done in relation to mental health.

10 Review of Hackney Carriage and Private Licensing Policy

The Council considered a report of the Corporate Director of Neighbourhoods and Climate Change which sought approval of the revised Durham County Council's Hackney Carriage and Private Hire Licensing Policy, referred to as the "taxi policy" (for copy see file of Minutes).

Council was asked to consider further changes to the revised taxi policy made by General Licensing and Registration Committee (GLRC) resulting from a second, 4-week consultation that took place between Monday 20 June and Sunday 17 July 2022. The final version of the taxi policy, as modified by GLRC was shown in Appendix 2 to the report.

In **Moving** the report Councillor J Shuttleworth, Cabinet Portfolio Holder for Rural Communities and Highways informed Council that the revised Policy had been developed over a considerable period of time and incorporated national best practice and updated government guidance. **Seconded** by Councillor D Stoker.

Councillor C Marshall referred to an email some Members had received from a group representing taxi drivers in County Durham which contained a lot of detailed information and Councillor Marshall asked whether the Cabinet Member would agree to meet with the taxi driver association to discuss the issues which had been raised.

Councillor J Shuttleworth replied that the Policy had been agreed by the General Licensing and Registration Committee prior to it being brought to Council for approval and no dissent had been made at that meeting.

Councillor N Jones informed the Council that he did not agree to further restrictions being placed on taxi drivers as proposed in the Policy and would not be supporting the Policy.

Councillor J Blakey informed the Council that she had chaired the meeting of the General Licensing and Registration Committee which gave unanimous approval of the Policy. Members of the taxi association were present at that meeting, including the sender of the email which had been received by Members this morning. One of the recommendations made at the meeting was that taxi licensing committees attend working group meetings with taxi drivers.

Councillor K Fantarrow informed Council that she did not support the new Policy and wished this to be noted.

Councillor R Crute **moved** that the report be deferred to allow the Cabinet Member and Councillor C Marshall to meet with Durham Taxi Drivers and Private Hire Association. **Seconded** by Councillor C Marshall.

Upon a vote being taken it was

Resolved:

That the report be deferred to allow the Cabinet Member and Councillor C Marshall to meet with Durham Taxi Drivers and Private Hire Association

11 Creation of the Head of Corporate Affairs

The Council noted a report of the Chief Executive regarding the decision of the Chief Officer Appointments Committee to create a new Head of Service role, Head of Corporate Affairs, which would report directly to the Chief Executive (for copy see file of Minutes)

The report also set out for information the deletion of two existing Head of Service posts which were directly related to the creation of the new post and the associated savings arising from the structural changes that were agreed as part of the establishment of the post.

12 Request to Change Name of Parish Council Hutton Henry

The Council considered a report of the Head of Legal and Democratic Services regarding a request submitted by Hutton Henry Parish Council proposing a name change of the Parish Council to Hutton Henry and Station Town Parish Council (for copy see file of Minutes).

Moved by Councillor A Hopgood, Leader of the Council, **Seconded** by Councillor S Deinali.

Resolved:

That the recommendations in the report be approved.

13 Motions on Notice

Moved by Councillor R Adcock-Forster, **Seconded** by Councillor L Fenwick

Council acknowledges the vital role played by kinship carers in offering care to children when they most need it. In recognition of the immense value of care they provide and the enormous personal sacrifices they make, Council will write to Government in support of the recommendations of the

Independent Review of Children's Social Care and its focus on restoring early help to families, supporting kinship carers and ensuring children can build lifelong links with extended family members.

Councillors O Gunn, T Henderson, M Simmons, D Sutton-Lloyd and J Howey all spoke in support of the Motion.

The Motion was **carried** by consent of the Council.

Moved by Councillor A Surtees, **Seconded** by Councillor O Gunn

This council agrees that all our primary school children in County Durham should have access to nutritious and balanced free school meals and will write to the Government to urge them to extend free school meal provision to every primary school child in England.

Councillors M Wilkes, A Shield, J Elmer, D Boyes and S Quinn all spoke in support of the Motion.

Councillor Molloy informed Council he could not support the Motion because it would provide free school meals to all primary school children, regardless of how affluent their parents might be.

Upon a vote being the Motion was **carried**.

14 Questions from Members

There were no questions from Members.

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DURHAM COUNTY COUNCIL

At an **Extraordinary Meeting** of the County Council held in the **Council Chamber, County Hall, Durham** on **Wednesday 7 December 2022** at **11.00 am**

Present:

Councillor B Bainbridge in the Chair

Councillors M Abley, E Adam, R Adcock-Forster, V Andrews, J Atkinson, A Batey, A Bell, C Bell, R Bell, C Bihari, G Binney, J Blakey, D Boyes, D Brown, L Brown, R Charlton-Lainé, J Charlton, I Cochrane, J Cosslett, B Coult, R Crute, M Currah, S Deinali, T Duffy, K Earley, J Elmer, K Fantarrow, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, D Hall, C Hampson, D Haney, A Hanson, K Hawley, P Heaviside, T Henderson, S Henig, J Higgins, L A Holmes, C Hood, A Hopgood, L Hovvels, D Howarth, J Howey, G Hutchinson, A Jackson, M Johnson, N Jones, P Jopling, C Kay, B Kellett, L Kennedy, C Lines, L Maddison, C Marshall, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, M McGaun, D McKenna, M McKeon, I McLean, S McMahan, J Miller, B Moist, P Molloy, D Mulholland, D Nicholls, J Nicholson (Vice-Chair), D Oliver, R Ormerod, E Peeke, R Potts, P Pringle, J Purvis, J Quinn, S Quinn, A Reed, G Richardson, I Roberts, S Robinson, K Robson, K Rooney, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, G Smith, T Smith, M Stead, W Stelling, A Sterling, D Stoker, T Stubbs, A Surtees, D Sutton-Lloyd, F Tinsley, S Townsend, C Varty, E Waldock, M Walton, A Watson, M Wilkes, M Wilson, S Wilson, D Wood, R Yorke and S Zair

Apologies for absence were received from Councillors P Atkinson, J Chaplow and C Hunt

1 Declarations of Interest

There were no declarations of interest in relation to the item of business on the agenda.

2 To consider the business set out in the requisition

The Chair informed Council that the Extraordinary Council meeting had been convened following a requisition submitted and signed by the requisite number of Councillors.

The Head of Legal and Democratic Services informed Council that the Motion submitted by Members of the Labour Group was a Motion on Notice

and the usual rules of debate would apply. The Head of Legal and Democratic Services advised Members that at this stage the terms of any devolution deal were the subject of negotiation. They were confidential until such time as there was a deal in principle, and it was announced by the Secretary of State. At that point details would be published and the statutory process for consideration of the proposed deal would commence. That would include consideration of the options by Cabinet as well as a public consultation on the proposed scheme before a final decision was taken as to whether to enter the deal. This approach was consistent with that taken in relation to other recently announced devolution deals elsewhere in the country. Therefore, for the purposes of the debate the Head of Legal and Democratic Services advised Members to concentrate on the principles of devolution rather than specific proposals. If specific proposals were raised it may be necessary to pass a resolution to exclude the press and public.

Councillor A Hopgood, Leader of the Council **Moved** a Motion without Notice to extend the time allowed for the Motion to one hour. **Seconded** by Councillor R Bell, Deputy Leader and Portfolio Holder for Finance.

Unanimously **agreed** by Council.

Moved by Councillor C Marshall, **Seconded** by Councillor R Crute

This Council recommends Durham County Council's cabinet puts County Durham first by securing a Countywide devolution deal with government.

In moving his Motion Councillor Marshall informed Council that a Countywide devolution deal would provide County Durham with more powers, more investment and more ability to set its own priorities. Councillor Marshall asked why the Council's leadership would pass up on this once in a generation opportunity which had never been offered to the previous Labour administration.

The current devolution deal did not have any money legally committed to County Durham but the same could not be said for other parts of the North East. Councillor Marshall urged Members to support a Durham only deal.

In response to a question raised by Councillor A Watson the Head of Legal and Democratic Services advised Council it was not being asked to make a decision in respect of devolution, the Motion recommended that Council recommends to Cabinet that it chooses a County deal.

In seconding the Motion Councillor R Crute echoed the words of Councillor Marshall. A County Durham deal would put Durham first on every metric and ensure all money devolved to County Durham would remain within County Durham. Councillor Crute asked why the leadership of the Council had

switched tack to support a metropolitan devolution deal designed and funded specifically to serve the urban towns and cities of Tyne and Wear. County Durham was a unique and rural county that needed and deserved its own bespoke devolution deal.

Councillor A Hopgood, Leader of the Council **Moved** the following amendment

This Council recommends Durham County Council's cabinet puts County Durham first by securing a ~~Countywide~~ devolution deal *that is best for County Durham residents and businesses*, with government.

In moving the Amendment Councillor Hopgood informed Council that County Durham was a part of an LA7 and the population of County Durham was a quarter of what the LA7 made up. There were no guarantees for any spending detailed to any local authority within any of the deals but there was a process to follow as set out by the Secretary of State. This would be followed and presented to Cabinet in due course.

Referring to what was best for County Durham, the Motion as moved presented only one option and therefore did not represent what was necessarily best for County Durham. It was important to get the best deal for County Durham regardless of what this was.

Councillor F Tinsley considered that the Amendment completely negated the Motion moved by Councillor Marshall. The Head of Legal and Democratic Services disagreed that the Amendment negated the Motion. For an Amendment to be valid it needed to be relevant to the Motion which it was because it related to the Council's options in respect of devolution, it proposed an alternative course of action which was acceptable, it left open the option of a County deal being recommended to Cabinet and was not the same as just voting against the Motion. Therefore, the Amendment was valid.

Councillor A Shield, Portfolio Holder for Equality and Inclusion **Seconded** the Amendment and reserved his right to speak. Councillor Shield requested a named vote at the conclusion of the debate.

Councillor E Adam spoke against the Amendment. The Amendment almost negated the Motion by offering what was already available which he considered to be a bad deal for County Durham. The deal offered or any other alternative had not been scrutinised.

Councillor R Bell, Deputy Leader and Portfolio Holder for Finance informed Council that the leadership of the Council had been open and transparent throughout and two or three briefings had taken place. Councillor Bell had

taken a keen interest in the finances which were on offer and the amounts would be detailed in a Cabinet report in due course. However, Councillor Bell confirmed that the LA7 deal brought significantly more money than a county deal would have done. Councillor Bell had spoken to three Secretaries of State over the past year and all had been very clear that the most money would follow an LA7 deal and that they wanted an LA7 deal.

In a letter received from Simon Clarke dated 7 October it was stated 'I would also reiterate my view that Durham joining the wider north east deal is likely to result in a more generous settlement than if Durham secured their own mayoral county deal. I trust that his is clear'.

Councillor Bell urged all Members to look at the facts and support the Amendment.

Councillor O Gunn informed Council that while she accepted the advice of the Head of Legal and Democratic Services, she did not believe the Amendment to be valid in respect of it not altering the Motion completely because the Leader and Deputy Leader had already indicated a preferred option.

Councillor Gunn understood that the Leader and Deputy Leader focussed on talks with Ministers and civil servants earlier on a County deal and the reason why the authority came late to the table around the devolution deal for the wider north east was because a County deal would necessitate a mayor for County Durham. Councillor Gunn asked how it could be right to have a mayor who may be based in Newcastle or in Northumberland making decisions for County Durham on issues to do with a whole range of funding and where that funding would go.

Councillor Gunn opposed the Amendment.

Councillor J Miller spoke against the Amendment. He was unsure how it could be said what was the best deal for the residents of County Durham when they had not been consulted. Consultation after the deal had gone to the Secretary of State was far too late. County Durham could be a small part of an LA7 or could be the only part of a county-wide deal.

The Head of Legal and Democratic Services clarified that there was a statutory process to be followed to determine whether or not Durham entered into this. The Secretary of State would announce a deal in principle as he had done with other areas of the country and this is what commenced the statutory process. There would be a public consultation before a final decision was taken by the relevant authorities if appropriate, or just Durham County Council if appropriate and then finally the Secretary of State. To date

consultation with residents had not taken place because the statutory process had not yet commenced.

Councillor F Tinsley referred to the Amendment and asked who decided which devolution deal was in the best interests of County Durham. Although it was acknowledged there was a statutory process this did not mean that Durham could not go beyond this and consult with residents of County Durham now.

Councillor Tinsley supported a county deal because he had confidence in the people of County Durham. A mayor for County Durham could promote the views of County Durham in a way that a regional mayor may not. There was no money whatsoever in a region wide deal which was ring fenced for County Durham.

Councillor Tinsley urged Members to vote against the Amendment and to consider what was best for County Durham and the residents they represented.

Councillor M Wilkes, Portfolio Holder for Neighbourhoods and Climate Change informed Council there were two options. While funding had been raised, there were political differences between the two options – either there would be a directly elected mayor for County Durham only who would have complete control over how the Council's £1bn budget was spent and control over who sat on Cabinet or there would be a regional figurehead with few powers and zero ability to spend or influence any of Durham County Council's budget. A directly elected mayor of the LA7 would sit on a Board with the seven council leaders and make decisions on how additional money provided to the region from government would be spent.

On a point of order Councillor Tinsley referred to the advice of the Head of Legal and Democratic Services that only matters of principle could be discussed. Councillor Wilkes had been clear about specifics of a proposal that was not in the public domain and should be struck from the record.

The Head of Legal and Democratic Services replied that Councillor Wilkes was explaining the distinction between a metro mayor and a directly elected leader. This was in the White Paper and was in the public domain.

Councillor C Hood, Portfolio Holder for Adult and Health Services considered an LA7 deal to be better for the residents of County Durham. An LA7 deal would bring more money and more opportunities for County Durham. An LA7 deal would mean County Durham would become big enough for the government's Trailblazer deal meaning even more devolved powers, more funding and more opportunities which would not be available in a county-only deal.

Referring to how the Council would function in a devolved deal Councillor Hood informed Council that an LA7 deal would result in no change to Durham County Council which would function in the same way as it currently did. A county only deal would mean a directly elected leader who would then have full control over all council services and devolution.

Councillor J Howey informed Council that initially she had thought a Durham deal would be the best option. However, since examining the options and considering the current boundary review she had decided that joining the LA6 was the better option. Joining the LA6 would bring more money into the area for residents, more opportunities, would be more progressive and would have more options. Councillor Howey was in support of the Amendment.

Councillor E Scott, Portfolio Holder for Economy and Partnerships informed Council that she had worked closely with businesses over the last 18 months and she was in no doubt that businesses saw the economic value in working together with regional colleagues and that was the direction of travel which best met joint economic ambitions.

Working in partnership a position was secured as one of the top four in the City of Culture competition which no doubt helped influence the government's recent decision to award the first Regional Tourism pilot to the north east, which would bring £2.7m across the LA7 geography to increase visitor numbers. The strength of the Joint Transport Committee had enabled an award of £163m for bus service improvements, another example of the power of partnership working across the LA7 geography.

Councillor Scott urged Members to support the Amendment.

Councillor A Surtees informed Council that she did not know what would be in a county deal so was unable to decide whether a county or LA7 deal would be best for County Durham. Councillor Surtees would like to have seen the details of the county deal which was available. Without this information Councillor Surtees informed Council she would be voting against the Amendment.

Councillor D Wood raised a point of order and asked whether Cabinet Members should have declared an interest at Agenda Item 1. The Head of Legal and Democratic Services responded that the Cabinet Members did not have another relevant interest to declare. Being a Cabinet Member was not, for the purposes of discharging Council business, another relevant interest.

Councillor M McKeon spoke against the Amendment. Councillor J Blakey and T Duffy spoke in support of the Amendment.

Councillor Shuttleworth, Portfolio Holder for Rural Communities and Highways informed Council that he would not support a deal unless it was in the best interests of the people of County Durham and his local constituents. This was why he was backing the LA7 deal and asked all Members to support the Amendment.

Councillor K Shaw informed Council that if a county deal had been offered to the previous Labour administration from 2013 onwards it would have looked very closely at it with a preference to reach this deal. Such a deal was offered to Durham last year and whilst others, including Cornwall had succeeded in getting the best possible outcome for their area this administration had failed. The LA7 deal was a 30-year contract which would entitle the fifth biggest local authority to nothing other than 30 years of horse trading negotiated from starting position of weakness. Councillor Shaw opposed the Amendment.

Councillor A Sterling informed Council that the Motion was restricted to one choice whereas the Amendment left open all options. She would therefore be supporting the Amendment.

Councillor M McGaun informed Council that the Amendment left open all options to achieve the best results for residents in County Durham.

Councillor Gunn asked whether the Leader and Deputy Leader had already indicated to the Minister what their preferred option was.

The Head of Legal and Democratic Services clarified that for the purposes of the devolution negotiations the Secretary of State had requested the Council's leadership to give an in-principle indication of what their preference was. This was the starting point of the discussions. Having given the in-principle indication there was a negotiation and if there was a deal in principle it would go through the statutory process and the Council had to consider that process before reaching a decision.

Councillor Marshall informed Council that six or seven Members of the Cabinet had stated their preference for an LA7 deal so they had already determined what the best deal was for County Durham. Any Member who thought there would be another discussion on that coming back to Council for all Members to have a vote on – this was it. Today was the last time as a Council this would be debated – the decision would go to Cabinet and through the statutory consultation process. Councillor Watson asked whether this was correct. The Head of Legal and Democratic Services replied that this would depend on the terms of the deal and the final approval process still needed to be determined but there would be a decision of a meeting of the authority.

Councillor Marshall informed Council that he was led to believe from discussions with the Head of Legal and Democratic Services that this would be a Cabinet decision or could be delegated if that was the desire of the leadership. The Head of Legal and Democratic Services responded that she had never said this. Councillor Marshall said he had been told this could be a Cabinet decision. The Head of Legal and Democratic Services responded that she had never said it would be delegated.

Following an exchange between Councillor Marshall and Councillor Hopgood regarding what had been stated at a previous Council meeting Councillor Hopgood confirmed that County Durham would not get transport money in a county deal.

Councillor Marshall urged all Members to think about the communities they had been elected to serve and ask the question did they deserve decisions to be made about their communities closer to home or should they be made by a wider LA7 area.

A vote on the Amendment was taken

For the Amendment

Councillors M Abley, B Bainbridge, A Bell, C Bell, R Bell, J Blakey, D Brown, L Brown, J Charlton, J Cosslett, B Coult, M Currah, T Duffy, J Elmer, D Freeman, D Haney, P Heaviside, T Henderson, L Holmes, C Hood, A Hopgood, J Howey, G Hutchinson, A Jackson, N Jones, P Jopling, C Lines, L Maddison, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, M McGaun, P Molloy, J Nicholson, D Oliver, R Ormerod, E Peeke, R Potts, J Quinn, A Reed, G Richardson, S Robinson, K Robson, K Rooney, J Rowlandson, A Savory, E Scott, A Shield, J Shuttleworth, M Simmons, A Simpson, M Stead, W Stelling, A Sterling, D Stoker, T Stubbs, D Sutton-Lloyd, M Walton, A Watson, M Wilkes and S Zair.

Against the Amendment:

Councillors E Adam, R Adcock-Forster, V Andrews, J Atkinson, A Batey, C Bihari, G Binney, D Boyes, R Charlton-Lainé, I Cochrane, R Crute, S Deinali, K Earley, K Fantarrow, L Fenwick, C Fletcher, J Griffiths, O Gunn, D Hall, C Hampson, A Hanson, K Hawley, S Henig, J Higgins, L Hovvels, D Howarth, M Johnson, C Kay, B Kellett, L Kennedy, C Marshall, D McKenna, M McKeon, I McLean, S McMahon, J Miller, B Moist, D Mulholland, D Nicholls, P Pringle, J Purvis, S Quinn, I Roberts, P Sexton, K Shaw, G Smith, T Smith, A Surtees, F Tinsley, S Townsend, C Varty, E Waldock, M Wilson, S Wilson, D Wood and R Yorke.

The Amendment became the Substantive Motion.

Upon a further vote being taken the Substantive Motion was **carried**.

Electoral division(s) affected:

All

Purpose of the Report

To provide information to the Council on issues considered by the Cabinet at its meeting held on 14 December 2022 to enable Members to ask related questions by no later than midday 3 working days before the day of the meeting

Contents

Item 1 –Adoption of the Inclusive Economic Strategy Key Decision:
REG/08/22

Item 2 -Ecological Emergency: Outline Strategy and Action Plan Key Decision:
NCC/04/22

Item 3 - County Durham Plan Annual Monitoring Report (AMR) 2021/22

Item 4 – Proposed revisions to the constitution for the Durham County Council Standing Advisory Council for Religious Education (SACRE)

**1. Adoption of the Inclusive Economic Strategy Key Decision:
REG/08/22 - Cabinet Portfolio Holder - Councillor Elizabeth Scott,
Portfolio Holder for Economy and Partnerships**

We considered a report of the Corporate Director of Regeneration, Economy and Growth which sought approval to adopt the County Durham Inclusive Economic Strategy (IES) that had been developed through the County Durham Economic Partnership (CDEP).

Decision

We adopted the County Durham Inclusive Economic Strategy presented in Appendix 2 to the report.

**2. Ecological Emergency: Outline Strategy and Action Plan Key
Decision: NCC/04/22 - Cabinet Portfolio Holder – Councillor Mark
Wilkes, Portfolio Holder for Neighbourhoods and Climate
Change**

We considered a report of the Corporate Director of Neighbourhoods and Climate Change which outlined an initial strategy and action plan for Council activities in response to the declaration of an ecological emergency made by Cabinet on 6 April 2022.

We also noted that further iterations of these plans would be integrated into a wider Local Nature Recovery Strategy for County Durham, as well as future Climate Change Emergency Response Plans

Decision

We approved the Ecological Emergency Action Plan (EEAP) as set out in the report.

3. County Durham Plan Annual Monitoring Report (AMR) 2021/22– Cabinet Portfolio Holder – Councillor Elizabeth Scott, Portfolio Holder for Economy and Partnerships

We considered a report of the Corporate Director of Regeneration, Economy and Growth which sought approval for the content of the Annual Monitoring Report (AMR) of the County Durham Plan (CDP) and to agree to its publication.

The Council adopted its new local plan, the County Durham Plan on 21 October 2020. This was the second AMR, but the first that covered a full year, of the adopted CDP and covered the period from 1 April 2021 to 31 March 2022.

Decision

We agreed the content of the County Durham Plan Annual Monitoring Report presented at Appendix 2 to the report and agreed its publication on the Council's website.

4. Proposed revisions to the constitution for the Durham County Council Standing Advisory Council for Religious Education (SACRE)– Cabinet Portfolio Holders - Councillor Amanda Hopgood, Leader of the Council and Councillor Ted Henderson, Portfolio Holder for Children and Young People's Services

We considered a report of the Corporate Director of Children and Young People's Services which brought to our attention a request from DCC Standing Advisory Council for Religious Education (SACRE) to make a change to its membership, which action required altering the constitution.

Decision

We

- (a) noted the current membership arrangements of Durham's SACRE;
- and
- (b) approved the request that Cabinet alters the constitution to enable Humanist representation.

Background Papers

Cabinet Agenda and Reports – 14 December 2022

[\(Cabinet - 14 December 2022\)](#)

Councillor A Hopgood,
Leader of the Council
17 January 2023

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County Council

25 January 2023

**Updated Local Code of Corporate
Governance**



Corporate Management Team

Paul Darby, Corporate Director of Resources

**Councillor Richard Bell, Deputy Leader and Cabinet Portfolio
Holder for Finance**

Purpose of the Report

- 1 This report provides Council with the updated Local Code of Corporate Governance, which was considered and approved by Audit Committee on 28 November 2022.

Executive summary

- 2 The Accounts and Audit Regulations 2015 (as amended) requires each local authority to conduct a review at least once in a year of the effectiveness of its system of internal control. A statement reporting on the review must be included in an Annual Governance Statement published with the Statement of Accounts.
- 3 The Local Code of Corporate Governance is a public statement that sets out the way the Council will meet its commitment to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively.
- 4 Various updates and amendments have been made to the Local Code of Corporate Governance following the annual governance review 2022, to reflect changes during the year and to better reflect the arrangements currently in place.
- 5 At a meeting on 28 November 2022, the Audit Committee considered and approved a draft version of the revised Code, which was marked-up to highlight each individual change. It is a requirement for Full Council to receive and consider the Local Code of Corporate Governance on an annual basis and the updated document is attached at Appendix 2.

Recommendation

- 6 Council is recommended to receive the updated Local Code of Corporate Governance (attached at Appendix 2), which was approved by Audit Committee on 28 November 2022.

Background

- 7 The Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way which functions are exercised.
- 8 In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of its functions, including the management of risks.
- 9 The Accounts and Audit Regulations 2015 require a local authority to review at least once a year the effectiveness of its system of internal control. This requirement will be fulfilled if the review is conducted in accordance with the Delivering Good Governance in Local Government Framework 2016 (the DGG Framework).
- 10 The Council should be able to demonstrate that its governance structures comply with the core and sub-principles contained in the Framework and, to facilitate this, it should therefore develop and maintain a Local Code of Corporate Governance reflecting the principles set out.

Local Code of Corporate Governance

- 11 The Local Code of Corporate Governance is a public statement that sets out the way the Council will meet its commitment to demonstrating that it has the necessary corporate governance arrangements in place to perform effectively. It represents a key component of the Council's governance arrangements and applies to all Council members, officers, partners and stakeholders in their dealings with the Council.
- 12 The Code was revamped to meet the requirements of the Delivering Good Governance in Local Government Framework (2016), which remains current, and is now reviewed annually.
- 13 The Code has been revised to incorporate elements of the Council's governance arrangements that have been strengthened or updated to ensure ongoing effectiveness, taking account of the annual governance review 2021/22. These include new and updated strategies, policy statements, communication and engagement frameworks, partnership governance arrangements and service standards, and the formal adoption of professional codes of practice.

14 The Audit Committee has considered and approved a draft version of the revised Code, which was marked-up to highlight each individual change.

Author

Kevin Roberts

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Appendix 1: Implications

Legal Implications

The governance review process ensures that the Council discharges its statutory duties under the Local Government Act 1999 and the Accounts and Audit Regulations 2015 as set out at paragraphs 5 to 8 of the report. The Code of Corporate Governance enables the Council to demonstrate how it complies with the Delivering Good Governance in Local Government Framework 2016.

Finance

There are no financial implications associated with this report. However, financial planning and management is a key component of effective corporate governance.

Consultation

Engaging local communities meets a core principle of the CIPFA/ SOLACE guidance.

Equality and Diversity / Public Sector Equality Duty

Engaging local communities including hard to reach groups meets a core principle of the CIPFA/ SOLACE guidance.

Climate Change

There are no direct climate change implications, but good governance helps to avoid or minimise adverse impacts.

Human Rights

None

Crime and Disorder

None

Staffing

There are no impacts on staffing but ensuring the adequate capability of staff meets a core principle of the CIPFA/ SOLACE guidance.

Accommodation

There are no accommodation implications, but asset management is a key component of effective corporate governance.

Risk

There are no reportable risks associated with the report, but the assessment of corporate risk is a key component of the Council's governance arrangements.

Procurement

There are no procurement implications, but the procurement function helps meet several core principles of the CIPFA/ SOLACE guidance by, for example, minimising fraud, corruption and non-compliance with legislation and good practice, thereby helping to secure value for money and effective service delivery.

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DURHAM COUNTY COUNCIL

LOCAL CODE OF CORPORATE GOVERNANCE

1. Introduction

- 1.1 The Accounts and Audit Regulations 2015 require a local authority to conduct a review at least once in a year of the effectiveness of its system of internal control. A statement reporting on the review must be included in an Annual Governance Statement published with the Statement of Accounts.
- 1.2 The Annual Governance Statement must be “prepared in accordance with proper practices in relation to accounts”. To help meet this requirement, this code has been produced in accordance with Delivering Good Governance in Local Government Framework (2016), “The DGG Framework”.

2. What is Governance?

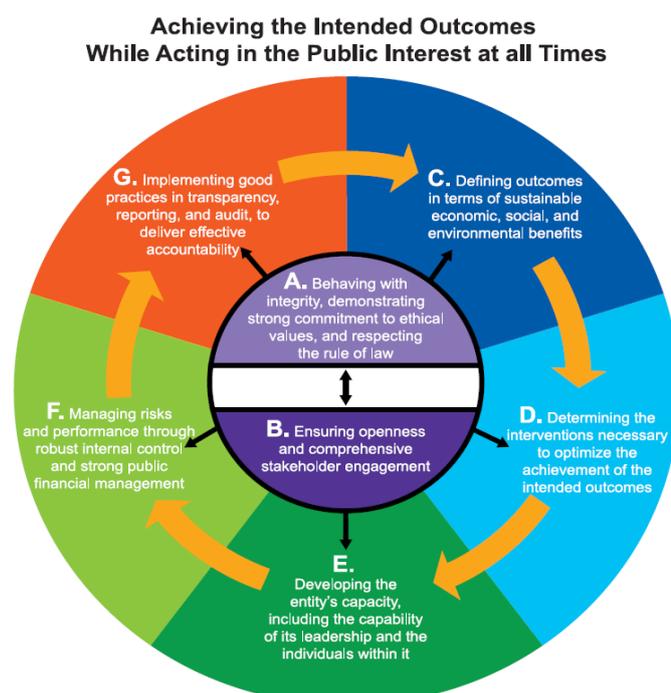
- 2.1 The International Framework: Good Governance in the Public Sector (Chartered Institute of Public Finance and Accountancy / International Federation of Accountants, 2014), the ‘International Framework’, defines governance as follows:

Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.

- 2.2 The International Framework also states that:

To deliver good governance in the public sector, both governing bodies and individuals working for public sector entities must try to achieve their entity’s objectives while acting in the public interest at all times. Acting in the public interest implies primary consideration of the benefits for society, which should result in positive outcomes for service users and other stakeholders.

- 2.3 The diagram below, taken from the International Framework shows how the various principles of good governance in the public sector relate to each other.



3 The Principles of Good Governance

3.1 The DGG Framework requires governance processes and structures to focus on the attainment of sustainable outcomes for the economy, society and the environment. The Council acknowledges that sustainability and the links between governance and public financial management are crucial and pledges to take account of the impact of current decisions and actions on future generations.

3.2 Principles A and B are consistently applied through principles C to G and ensure that the Council achieves its intended outcomes while acting in the public interest at all times. This requires:

A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

B. Ensuring openness and comprehensive stakeholder engagement.

3.3 In addition to the overarching requirements for acting in the public interest in principles A and B, achieving good governance in the public sector also requires effective arrangements for:

C. Defining outcomes in terms of sustainable economic, social, and environmental benefits.

D. Determining and planning the interventions necessary to optimise the achievement of the intended outcomes.

E. Developing the Council's capacity, including the capability of its leadership and the individuals within it.

F. Managing risks, data and performance through robust internal control and strong public financial management

G. Implementing good practices in transparency, reporting and audit to deliver effective accountability

4 The Council's Local Code of Corporate Governance

4.1 The Council is committed to, and endeavours to maintain, an effective governance framework to meet the principles set out in this Code.

4.2 This Code also aims to ensure that the Council responds appropriately to sustained pressures from a variety of sources.

4.3 The components that make up the Council's governance framework are many and varied. They include: -

- The statutory officers with responsibilities and powers to protect good governance, namely, the Head of Paid Service (Chief Executive), the Section 151 Local Government Act 1972 Officer (Corporate Director of Resources) and the Monitoring Officer (Head of Legal and Democratic Services).
- Internal and partner strategy documents that set out a longer-term vision for the future of the County and identify the most important priorities;
- Internal and partner policy documents and codes that regulate committee and business activities to ensure that they comply with the law and that the Council's objectives and values are supported;
- Committees and officer groups that regulate and/or monitor Council or business activities to ensure that they comply with the law and that the Council's objectives and values are supported;
- Other systems, processes and documents, including self-assessment tools, that support or evidence the principles of good governance set out in The DGG Framework.

4.4 The key document supporting the Council's governance arrangements is the [Constitution](#), which sets out how we operate, how decisions are made and the rules and procedures we follow to ensure our work is efficient and transparent and that we are accountable to local people. The Constitution Working Group, which is chaired by the Leader of the Council and consists of the lead Members from each political party, co-ordinates proposed changes, and these are approved by Full Council. A full annual review is carried out each year.

4.5 A fundamental feature of the Council's governance arrangements is the overview and scrutiny system, the role of which is to review policy and challenge whether the Executive has made the right decisions to deliver policy goals. Audit Committees are a key component of an authority's governance framework. Their function is to provide an independent and high-level resource to support good governance and strong public financial management. The purpose of the audit committee is to provide those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and governance processes. Another key feature is the Standards Committee, which is responsible for promoting and maintaining high standards of conduct by councillors, independent members and co-opted members. Further details on the overview and scrutiny function and the Standards Committee are included under Principle A.

4.6 This section describes, with reference to the components of the Council's governance framework, how each of the principles and sub-principles of this Code will be met. In addition to the components listed above, where relevant, references to key legislation, professional standards and codes of practice are made.

Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

Why this is important

- 4.7 The Council is accountable not only for how much it spends, but also for how it uses the resources under its stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes it has achieved. In addition, the Council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, it can demonstrate the appropriateness of all its actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

How we meet this principle

- 4.8 Key governance documents supporting Principle A include:

[Constitution](#) – Codes of Conduct for Members; Contract Procedure Rules; Decision Making; Functions and Responsibilities of Key Officers; Overview and Scrutiny Arrangements; Protocol on Member/Officer Relations; Other Codes and Protocols; Roles and Functions of Members.

[Other](#) – Code of Our Values, Behaviours and Conduct (Employees); [Confidential Reporting Code \(Whistleblowing Policy\)](#); [Corporate Complaints Policy](#); [Counter Fraud and Corruption Strategy](#); [Fraud Response Plan](#); Member Role Descriptions ([Councillor Compact](#)); Officer and Member Gifts & Hospitality Register and Procedures; [Overview and Scrutiny Handbook](#); [Slavery and human trafficking statement 2020-21](#); Statutory Officers; [Sustainable Commissioning and Procurement Policy](#).

A1 Behaving with integrity

- 4.9 The Council ensures that its values are communicated and understood, and that members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated. This is achieved by:
- Setting out in the [Code of Our Values, Behaviours and Conduct](#) what is important to us. We work together to achieve the best for people; we put people and communities at the heart of everything we do and value our employees; we value, trust and support each other; we embrace change and look for better ways to deliver services.
 - Setting out, in the Protocol on Member/Officer Relations and their respective codes of conduct, the behaviour that is expected between members and officers, and the implications of any breaches. The Protocol, which may be taken into account if there is a complaint about a member or an officer, promotes politeness and respect as well as clarity and certainty in relation to roles and expectations, including limitations of behaviour. The Monitoring Officer periodically reminds members and officers of their mutual obligations.

- Seeking individual commitment to the codes from members and officers during induction, through annual, written reminders and in performance appraisals.
- Assigning the Constitution Working Group, chaired by the Leader of the Council and consisting of the lead Members from each political party, to oversee the maintenance and approval of the codes and protocols in the [Constitution](#). The Codes of Conduct are intended to be consistent with the Seven Principles of Public Life* (the Nolan Principles), which must be observed by members and employees when conducting the business of the Council or acting as a representative of the Council.
* Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.
- Setting out in the Financial Procedure Rules, supported by more detailed Financial Management Standards, the framework for managing the Council's financial affairs and ensuring that they are strictly adhered to in practice.
- Setting out in the Contract Procedure Rules how contracts for goods, works, services and utilities should be put in place and managed, and detailing the record keeping and reporting requirements related to procurement activity.
- Members leading by example by adhering to these principles in decision making and during meetings with fellow members, employees, the community and partners.
- Maintaining Registers of Interest for members and officers and formally registering interests at meetings and declaring gifts and hospitality. The process for declaring officers' personal interests, [gifts and hospitality](#) is digitised and declarations are recorded on the employee's personal file.

4.10 The Council endeavours to demonstrate, communicate and embed its values through the following policies and processes, which are reviewed on a regular basis to ensure that they are operating effectively. This is achieved by:

- Providing guidance, through the [Fraud Response Plan](#), which supports the [Counter Fraud and Corruption Strategy](#), to employees and managers on the procedures that must be followed in the event of suspected fraud, theft or other irregularity.
- Requiring the Chief Internal Auditor and Corporate Fraud Manager to verbally inform the Section 151 Officer, [Audit Committee](#) and External Audit of any serious cases of fraud.
- Reporting the outcomes of anti-fraud and corruption work to [Audit Committee](#) as part of Protecting the Public Purse updates.
- Enabling employees, through the [Confidential Reporting Code](#) to raise serious concerns within the Council rather than overlooking a problem or 'blowing the whistle' externally.
- Including in the Durham Managers training programme a course that explains how the [Confidential Reporting Code](#) should be used as a means to 'blow the whistle' where appropriate.
- Maintaining arrangements, through the [Corporate Complaints Policy](#), for non-statutory complaints about services, which are reported to [Corporate Overview and Scrutiny Management Board](#) along with details of investigations by the Commissioner for Local Administration.

- Maintaining arrangements for complaints against employees, which are referred to the Corporate Fraud Team, Human Resources and the respective Service Management to ensure a proper investigation.
- Assigning the Monitoring Officer to oversee the arrangements for conflicts of interest, gifts and hospitality for members and officers, who are required to review their declarations annually.
- Publishing the Register of Gifts, Interests and Hospitality for Members on the website under the relevant meeting or on the [Your Councillor webpage](#).

A2 Demonstrating strong commitment to ethical values

4.11 The Council seeks to establish, monitor and maintain ethical standards and performance, while underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation. This is achieved by:

- Assigning the [Standards Committee](#) to promote and maintains high standards of conduct by councillors, independent members and co-opted members.
- Assigning the Appeals and Complaints Committee to determine appeals against decisions made by the Council.
- Maintaining an effective scrutiny function that encourages constructive challenge and enhances performance through the [Corporate Overview and Scrutiny Management Board](#) and Overview and Scrutiny Committees.
- The role, functions and scope of the [Corporate Overview and Scrutiny Management Board](#) and the five thematic committees are set out in detail in the [Constitution](#) and the [Overview and Scrutiny Handbook](#). They allow a wider involvement in Council business by involving non-councillors from the wider public sector, voluntary and community groups to help them in their work. They may make reports and recommendations to the Executive and the Council as a whole on its policies, budget and service delivery.
- Review and scrutinise the conduct, decisions and actions of Police and Crime Commissioner through the [Durham Police and Crime Panel](#), which is made up of members from Durham County Council and Darlington Borough Council.
- Periodic review of the Officers Gifts and Hospitality Register by the Monitoring Officer.
- Providing, through the [Constitution](#), roles for independent members and co-opted members on the Standards Committee, Overview and Scrutiny Committees, [Audit Committee](#) and Police and Crime Panel.
- Reporting bi-annually, through the Internal Audit Service, to Corporate Management Team and the [Audit Committee](#) on investigations into misconduct, including any measures taken to enhance the control environment in order to prevent incidences happening in the future.
- Embedding ethical values through a variety of channels, including online training, briefings and news bulletins.
- Rewarding good ethical behaviour through the Inspiring People Awards and awarding instant recognition certificates to those who make an exceptional contribution in this area.

- The [Slavery and human trafficking statement 2020-21](#), through which the Council aims to understand and address all potential modern slavery and human trafficking risks related to its business.

4.12 The Council places emphasis on agreed ethical values by:

- Maintaining a range of key ethical codes and protocols, such as the codes of conduct for members and employees, and the Protocol on Member/Officer Relations, in the Council [Constitution](#).
- Using the above codes and protocols to set the tone for subsidiary policies and procedures in areas such as procurement, recruitment, staff discipline, gifts and hospitality and declarations of interest.

4.13 The Council requires external providers of services on its behalf to act with integrity and in compliance with ethical standards. This is achieved by:

- Including the Council's ethical values in protocols for partnership working.
- Seeking, through the [Sustainable Commissioning and Procurement Policy](#), to implement procedures that protect the long-term interests of the communities we represent, in line with the Public Services (Social Value) Act 2012. Instructing bidding organisations to bring the above policy to the attention of bidders.
- Addressing ethical supply chain issues through [Sustainable Buying Standards](#), which are mandatory in all relevant council contracts.
- Vetting potential contractors for convictions and violations for specified offences, as required by the Public Contracts Regulations 2015.

A3 Respecting the rule of law

4.14 The Council endeavours to ensure that members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations. It also seeks to create the conditions to ensure that the statutory officers, other key post holders, and members, can fulfil their responsibilities in accordance with legislative, regulatory and other legal requirements. This is achieved by:

- Through the [Constitution](#);
 - Committing to exercise all powers and duties in accordance with the law;
 - Setting out Member Role Descriptions and the functions and responsibilities of key officers, recognising those posts that are statutory;
 - Committing to provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed;
 - Designating the Chief Executive as Head of Paid Service in accordance with Section 4 Local Government and Housing Act 1989.
 - Designating the Corporate Director of Resources as the Section 151 Chief Financial Officer (CFO) to fulfil the governance requirements of

the CIPFA* Statement on the Role of the CFO in Local Government (2010).

* Chartered Institute of Public Finance & Accountancy

- Maintaining, under the supervision of the Chief Executive, a chief officer structure that is equipped to respond to modern challenges faced by the Council.
- Making the CFO a member of Corporate Management Team, reporting directly to the Chief Executive and reviewing all reports to Cabinet which have financial implications.
- Maintaining arrangements for members and officers to work together on the work programme of the Cabinet, which is managed through a system of Cabinet pre-agenda meetings, supported by regular briefing sessions held by Corporate Directors with Cabinet Portfolio Members and their support Members.
- Providing specialist legal advice through Legal & Democratic Services.
- Providing training, awareness and advice, through central support services, to meet general legal requirements in areas such as data protection, freedom of information, equalities and health and safety.
- Making staff aware of relevant statutory provisions through formal training, written guidance and implementing appropriate service-specific arrangements to ensure compliance.

4.15 The Council strives to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders by:

- Designating, in accordance with Section 5 Local Government and Housing Act 1989, the Head of Legal and Democratic Services as Monitoring Officer, who attends Corporate Management Team and advises on legal issues.
- Authorising the Head of Legal and Democratic Services, under the [Constitution](#) to institute, defend or participate in any legal proceedings to give effect to decisions of the Council or in any case where she considers that such action is necessary to protect the Council's interests.
- [Selective licensing](#) of privately rented properties from April 2022 until March 2027, which aims to drive up standards and thereby improve communities. The Council uses its powers to regulate landlords and managing agents in areas that suffer from low housing demand or high levels of anti-social behaviour or deprivation.

4.16 The Council endeavours to deal effectively with corruption, misuse of power and breaches of legal and regulatory provisions by:

- Maintaining a dedicated Corporate Fraud Team to support its counter fraud arrangements.
- Vigorously dealing with breaches of legal or regulatory provisions through disciplinary or criminal proceedings, as appropriate.
- Enabling employees, contractors and suppliers, through the [Confidential Reporting Code \(Whistleblowing Policy\)](#), to raise concerns about potential breaches of conduct in decision-making.
- Thoroughly investigating and, if confirmed, vigorously pursuing any allegations of corruption and misuse of power, seeking the strongest possible sanctions against those who seek to defraud the Council, regardless of whether they are staff, members, contractors, external individuals and organisations.
- Exercising regulatory and enforcement functions under the [Environment, Health & Consumer Protection enforcement policy](#), which requires authorised officers to have regard to codes of conduct, legislation and other statutory provisions, and adhere to the 'principles of good regulation' to improve outcomes without imposing unnecessary burdens on individuals and businesses.
- Undertaking Public Protection Service enforcement and intervention activity in relation to licensing, neighbourhoods, trading standards and safer communities.

Principle B: Ensuring openness and comprehensive stakeholder engagement.

Why this is important

4.17 Local government is run for the public good. The Council should therefore ensure openness in its activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders. Institutional stakeholders are the other organisations that local government needs to work with to improve services and outcomes (such as commercial partners and suppliers as well as other public or third sector organisations) or organisations to which they are accountable.

How we meet this principle

4.18 Key governance documents supporting Principle B include:

[Constitution](#) – Audit Committee Role; Decision Making; How the Council operates; Joint Arrangements and Partnerships; Officer Scheme of Delegations.

Other – [Area Action Partnerships](#) Terms of Reference; [Consultation Statement](#); [Consultations web page](#); [Framework for Good Workforce Mental Health in County Durham Businesses](#); [Joint Health and Wellbeing Strategy 2021-2025](#); [notice of key decisions webpage](#); [officer decisions webpage](#); [Partnership Governance Framework](#); [petitions webpage](#); [Risk Management Policy and Strategy](#); [County Durham Vision 2035](#); [Transparency and Accountability webpage](#).

B1 Openness

4.19 The Council maintains an open culture and encourages wide public involvement in determining the most appropriate and effective interventions and courses of action. This is achieved by:

- Encouraging a climate of openness, headed by the Council Leader who holds regular Cabinet meetings at various locations in the County.
- Maintaining a website that is designed to make it easy for users to find information and includes a [Transparency and Accountability webpage](#) to comply with the [Local Government Transparency Code 2015](#).
- Publishing information on the website about services provided, land and assets owned by the Council, organisational structures and salaries, counter fraud, how money is spent and how services are bought.
- Deploying a range of research, consultation and engagement techniques so that the selected approach is fit for each given purpose.
- Taking a planned approach to encourage participation in new initiatives to ensure that the public's views are incorporated into decision making processes.

4.20 The Council seeks to make decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes, with a presumption for openness and, where relevant, giving reasons for keeping any decision confidential. Clear reasoning and evidence will be provided for decisions, being explicit about the criteria, rationale and considerations used to ensure that the impact and consequences of those decisions are clear. These aims are achieved by:

- Setting out in the [Constitution](#) how the Council operates, how decisions are made and the procedures followed to ensure that these are effective, transparent and accountable to local people.
- Publishing on the website: advance [notice of key decisions](#) covering a rolling period of four months; decisions made by the Executive, within two days of the respective meeting; and all major decisions that are in the public domain.
- Publishing all [officer decisions](#) made under the Officer Scheme of Delegations ([Constitution](#)).
- Supporting the Council's decision-making processes with:
 - A [Risk Management Policy and Strategy](#);
 - An [Audit Committee](#) responsible for monitoring and reviewing processes for risk management, internal control, governance and associated assurance; and

- Arrangements to ensure that they comply with legal requirements and that all reports requiring a decision include the legal implications, confirm that legal advice has been obtained on proposals, and the source of that legal advice.
- Including in the Council's stated principles for decision making the giving of reasons for decisions and supporting them with references to legal or other professional advice and stating the potential implications in terms of finance, staffing, risk, human rights and several other factors.

B2 Engaging comprehensively with institutional stakeholders

4.21 The Council seeks to effectively engage with institutional stakeholders and, where necessary, develop formal and informal partnerships to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear. The aims of this approach are to ensure that outcomes are achieved successfully and sustainably, with efficient use of resources. This is achieved by:

- Establishing a vision for the County Durham Partnership that provides a strategic direction and enables close working between partners for the benefit of our residents.
- The [County Durham Partnership](#), chaired by the Leader of the Council, including: the board and forum, which bring together the board and local communities; five partnerships (Health and Wellbeing Board and Outbreak Engagement Board (statutory); Safe Durham Partnership (statutory); Economic Partnership; Environment and Climate Change Partnership and County Durham Together Partnership); Durham Safeguarding Children Partnership; Durham Safeguarding Adult Partnership; Better Together Voluntary and Community Sector Forum; and all Area Action Partnerships.
- Managing relationships with [partners](#) to ensure that: members are clear about their roles and responsibilities; there is clarity about the legal status of the partnership; and representatives both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.
- Working with strategic partners through the Local Resilience Forum on collective capacity and capability, protection from the COVID-19 virus, managing deaths and planning for the future.
- Providing support and oversight, through a Chief Officer Safeguarding Group chaired by the Chief Executive, to chief officers across all statutory agencies of the safeguarding arrangements for children and adults' services. The Group has an independent Chair and includes officers from the Council, NHS and the Police.
- Regularly reviewing governance arrangements and structures for strategic partnerships to evaluate their effectiveness.
- Allowing, through the [Constitution](#), joint arrangements to be established for specific purposes such as the provision and maintenance of crematoria, and setting out details of existing joint arrangements, including purpose, parties and effective dates.

- Shaping and supporting a common vision and approach for community engagement through the County Durham Partnership.
- Including in the [CDP](#) a range of key public, private and voluntary sector organisations that work together to improve the quality of life for the people within County Durham.
- Managing, within service groupings, informal, collaborative working arrangements with external organisations.
- Ensuring that [partnerships](#) are based on trust, a shared commitment to change, a culture that promotes and accepts challenge among partners, and that the added value of partnership working is explicit.
- The County Durham Together Partnership, formerly the Prevention Steering Group, identifies areas of work requiring early interventions to reduce demand on services and impacts on stakeholders.

B3 Engaging with individual citizens and service users effectively

4.22 Through the [Consultation Statement](#), the Council seeks to establish a clear policy on the type of issues on which it will consult on and involve communities, individual citizens, service users and other stakeholders. The Council aims to ensure that the views of local people and visitors are used to set priorities, influence policy and decision making, and that service provision is contributing towards the achievement of intended outcomes. Council-wide Consultation Officer Group, chaired by Head of Partnerships and Community Engagement, coordinates all consultation activity across the authority.

4.23 The Council endeavours to ensure that communication methods are effective, and that members and officers are clear about their roles with regard to community engagement, in order to collect and evaluate the views, experiences and future needs of people and organisations of different backgrounds. This approach is combined with effective feedback mechanisms to demonstrate how views have been taken into account and balancing feedback from more active and other stakeholder groups to ensure inclusivity. This is achieved by:

- Assigning the Corporate Communications and Marketing Team to lead on communications with external audiences through local, regional and national media with direction and guidance provided through communications protocols.
- Welcoming [petitions](#) and recognising that they are an effective way for people to voice their concerns.
- Engaging with the community, through 14 multi-agency Area Action Partnerships, to identify and address local priorities and utilise locality budgets to drive improvements to the local area.
- Channelling communications and updates on COVID-19 through a [single point of entry](#).
- Using the consultation process to involve a range of stakeholders in refreshing the [Joint Health and Wellbeing Strategy 2021-2025](#).
- Publishing results of [consultation and engagement campaigns](#) on the website with explanations of what has been changed as a result of the views and comments collected.

- Selecting appropriate consultation techniques and engaging through area action partnerships and the voluntary sector to involve all sections of the community effectively.
- Ensuring that selected techniques recognise that different sections of the community have different priorities and establish processes for dealing with these competing demands.
- Seeking, with guidance from the [County Durham Vision 2035](#), the [Joint Health and Wellbeing Strategy 2021-2025](#), supported by the decision making process, to manage resources in ways that do not compromise the quality of life of future generations or those in the wider world.
- The [Framework for Good Workforce Mental Health in County Durham Businesses](#) was developed for small and medium sized businesses and voluntary and community sector organisations, and aims to improve awareness and promote the importance of good workforce mental health.

Principle C: Defining outcomes in terms of sustainable economic, social, and environmental benefits

Why this is important

- 4.24 The long-term nature and impact of many of the Council's responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the Council's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

How we meet this principle

- 4.25 Key governance documents supporting Principle C include:

[Constitution](#) – Decision Making; Protocol on Member/Officer Relations.

Other – [Children and Young People's Strategy 2019 - 2022](#); [Climate and Emergency Plan](#); Capital Strategy; [Council Plan 2022 to 2026](#) and service plans; [County Durham Plan](#); [County Durham Vision 2035](#); [Digital Strategy](#); [customer services charter and service standards](#); [Equality Policy](#); [Joint Health and Wellbeing Strategy 2021-2025](#); [Medium Term Financial Plan 2022/23 to 2025/26](#); [Performance Management Framework](#); [Police and Crime Plan for 2021-24](#); [Inclusive Economic Strategy](#); [Risk Management Policy and Strategy](#); [Safe Durham Partnership Plan](#).

C1 Defining outcomes

4.26 The [County Durham Vision 2035](#), which has been produced by the Council in conjunction with its partners on the [County Durham Partnership](#), and demonstrates its shared long-term vision for the future of County Durham. The Vision includes the following ambitions for the place of County Durham:

- there are more and better jobs,
- people live long and independent lives, and
- our communities are well connected and supportive of each other.

There are five underlying themes, which emerged from the extensive public consultation: rural communities, climate change, the natural environment, new technologies and the United Kingdom's exit from the European Union. The Vision seeks to address several issues arising from an analysis of performance data and emerging policy, which were further refined after consultation with residents and other interested groups. These issues are: the economy; tourism; community spirit; children's health, safety and access to a good education; health; transport; housing; and revitalisation of high streets.

The Vision and ambitions are supported by the following County Durham Partnership Plans:

- Safe Durham Partnership Plan,
- Joint Health and Wellbeing Strategy,
- Children and Young People's Strategy,
- Regeneration Statement, and
- Climate Emergency Plan.

4.27 In addition to the above arrangements, outcomes are defined through:

- The [Council Plan](#), which is the primary corporate planning document for the county council and details the Council's contribution towards achieving the objectives set out in the Vision for County Durham 2035 together with its own objectives and change agenda. The [Council Plan](#) aligns to both the council's Medium-Term Financial Plan and the County Durham Plan, which is a spatial representation of our ambitions around housing, jobs and the environment, as well as the transport, schools and infrastructure to support it. The [Council Plan](#) is underpinned by a series of corporate strategies and service planning arrangements providing more detailed information on the actions being undertaken to deliver on our priorities and to avoid duplication.
- Developing, through the [Medium Term Financial Plan 2022/23 to 2025/26 \(MTFP\)](#), a financial framework in line with the [Council Plan 2022 to 2026](#) that enables members and officers to ensure policy initiatives can be planned for delivery within available resources and can be aligned to priority outcomes.
- Subjecting the delivery of the [Council Plan 2022 to 2026](#) and the [Medium Term Financial Plan](#) to detailed and frequent monitoring undertaken by Corporate Management Team and Cabinet.
- [Police and Crime Plan for 2021-24](#).

- Durham and Darlington Fire and Rescue Service Integrated Risk Management Plan.
- NHS Clinical Commissioning Groups Strategic Plans.
- The [Digital Strategy](#), which sets out the future for connecting Durham, how we will digitally improve our services, support our people, our communities and our organisation to deliver better outcomes for the people of the county.
- The [customer services charter and service standards](#), which outline how customers can expect to be treated when they get in touch with us and specific levels of service that they should receive.
- The [County Durham Strategic Partnership Approach to Early Help for Children, Young People and Families](#), which sets out our vision, priorities and approach for providing 'early help' to address inequalities, promote opportunity and secure better outcomes for children, young people and their families.
- The [Special Educational Needs and Disability \(SEND\) Strategy](#) for the period 2022-24, which includes a vision for children and young people with special educational needs and disabilities that is the same as for all children and young people in County Durham: that they are safe and part of their community, have the best start in life, have good physical and mental health, and gain the education, skills, and experiences to prepare them for adulthood.
- The [Towns and Villages Investment Plan](#), which will lead to the re-use of derelict buildings, walking and cycling improvements, public realm and leisure schemes across the county.
- The [Tenancy Strategy 2022 - 2027](#), which sets out the Council's expectations to the registered providers of social housing operating within the County regarding the types of tenancy they should offer to their tenants.

C2 Sustainable economic, social and environmental benefits

4.28 The Council considers and balances the combined economic, social and environmental impact of policies and plans when taking decisions about service provision, taking a longer-term view with due regard to the wider public interest and potential risks. The Council is committed to acting transparently where there are potential conflicts between the Council's intended outcomes and short-term factors such as the political cycle or financial constraints. This is achieved by:

- Pursuing economic and environmental benefits through the [Climate Change Emergency Response Plan 2022 - 2024](#) and pursuing social benefits through the other themes.
- Including in MTFP planning cycles actions to address the ecological emergency declared for County Durham by Cabinet in [April 2022](#) in response to international and national declines in natural habitats and species.
- Using decision making processes, which include management of performance and risks, to support the achievement of high-level objectives in furtherance of economic, social and environmental benefits.

- Pursuing economic, social and environmental benefits in the development the [Medium Term Financial Plan](#).
- Preparing the capital budget reflecting the priorities detailed in the [Council Plan 2022 to 2026](#), using criteria laid down in the Corporate Capital Protocol.
- Advising Cabinet on the Capital Programme through the Member Officer Working Group for Capital, which is responsible for scrutinising capital budget revisions and monitoring progress on schemes.
- Following the principles of decision making set out in the [Constitution](#).
- Guiding members and employees in their relations with one another and seeking to enhance and maintain integrity by demanding very high standards of personal conduct through the Protocol on Member/Officer Relations ([Constitution](#)).
- Determining, through the [Consultation Statement](#), the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, in order to ensure appropriate trade-offs.

4.29 The Council seeks to ensure fair treatment and fair access to services and opportunities by:

- Using the [Equality Policy](#) to reinforce the Council's responsibilities under the Equality Act 2010, including compliance with the Public Sector Equality Duty, to understand and seek to prevent or mitigate any potential negative impacts as a result of Council decisions for people with protected characteristics (age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, transgender).
- Supporting the [Equality Policy](#) with an equality impact assessment process, which ensures that the impact on equality is considered in the Council's decision making.
- Promoting equality and diversity across all of the Council's work through the [Corporate Overview and Scrutiny Management Board](#) and Scrutiny Committees.
- The [Accessibility Statement](#), through which the Council endeavours to make the full range of services available on our website accessible to everyone, regardless of their skill or technology.
- Publishing the [Gender Pay Gap Report 2021](#), which sets out Durham County Council's gender pay gap data, analysis and plans for long term improvements.
- Endeavouring to fulfil the requirements of the Armed Forces (Covenant) Regulations 2022, which came into force in November 2022 and aim to ensure that serving and former armed forces personnel and their families are treated fairly and will not be disadvantaged in accessing public services by their military service.
- Signposting support for the rising cost of living through the [Help with your money](#) portal on the Council's website.

Principle D: Determining and planning the interventions necessary to optimise the achievement of the intended outcomes

Why this is important

4.30 Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions. Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved. They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed continually to ensure that achievement of outcomes is optimised.

How we meet this principle

4.31 Key governance documents supporting Principle D include:

[Constitution](#) – Budget and Policy Framework Procedure Rules; Decision Making; Financial Procedure Rules; Overview and Scrutiny Arrangements.

[Other](#) – Capital Programme; Council Plan and service plans; [Medium Term Financial Plan](#); [Partnership Governance Framework](#); [Performance Management Framework](#); [Overview and Scrutiny Annual Report](#); [Risk Management Policy and Strategy](#); [County Durham Vision 2035](#); [Sustainable Commissioning and Procurement Policy](#).

D1 Determining interventions

4.32 The Council ensures that decision makers receive objective and rigorous analysis of a variety of options, indicating how intended outcomes would be achieved and highlighting associated risks, in order to secure best value regardless of the service delivery method. This is combined with considering feedback from citizens and service users about proposed service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts. This is achieved by:

- Embedding the pursuit of value for money into all of the Council's decision-making processes.
- Frequently undertaking reviews to provide assurance that value for money services are being provided.
- Using residents' and other stakeholders' views with high level analysis of the equalities impact to shape proposals in the [Medium Term Financial Plan](#).

The process for developing a new [Inclusive Economic Strategy](#), agreed by Cabinet in December 2021 and considered by [Economy and Enterprise Overview and Scrutiny Committee](#) in March 2022, uses a three-stage process (economic review, economic statement, conversation on strategy)

development), and this was considered by [Economy and Enterprise Overview and Scrutiny Committee](#) (E&E OSC) in March 2022.

D2 Planning interventions

4.33 The Council's arrangements for planning the interventions for the achievement of its intended outcomes are:

- Establishing and implementing, through the [Council Plan 2022 to 2026](#) and [Medium Term Financial Plan](#) monitoring, robust planning and control cycles that cover strategic and operational plans, priorities and targets.
- Engaging with internal and external stakeholders, through participative budgeting and other consultation techniques, in determining how services and other courses of action should be planned and delivered.
- Considering and monitoring risks facing each partner when working collaboratively, including shared risks, through the [Partnership Governance Framework](#) and the [Risk Management Policy and Strategy](#).
- Ensuring, through the [Council Plan 2022 to 2026](#) and business continuity planning, that arrangements are flexible and agile so that the mechanisms for delivering goods and services can be adapted to changing circumstances.
- Determining, during the development of the [County Durham Vision 2035](#) and the [Council Plan 2022 to 2026](#) how the performance of services and projects will be measured, and linking these arrangements to a locally led [performance management framework](#), which ensures that attention is focused on Council priorities.
- Using key target indicators in areas where improvements can be measured regularly and can be actively influenced by the Council and its partners.
- Comparing performance with that of other Councils using a recognised, online tool.
- Undertaking, through the Overview and Scrutiny Committees, in-depth, evidence-based reviews of services, the findings of which are outlined in the [Overview and Scrutiny Annual Report](#).
- Preparing budgets in accordance with the [County Durham Vision 2035](#), the [Council Plan 2022 to 2026](#) and the [Medium Term Financial Plan](#).
- Informing medium- and long-term resource planning by determining, through Cabinet in consultation with the Chief Financial Officer, the general budget strategy and issuing annual guidelines to Members and Chief Officers on preparing: -
 - A detailed revenue budget for the following year and the [MTFP](#);
 - The Capital Programme;
 - The timetable for developing and agreeing the Council's revenue and capital budget.
- The Business, Economy, Regeneration Strategy Recovery Group (a subgroup of the County Durham Economic Partnership) assesses and addresses the economic implications of the pandemic to help businesses to restart and grow the economy.
- The process for [Managing Change in County Durham's Towns and Villages](#) to deliver the [Towns and Villages Investment Plan](#) was set out in a report to

Economy and Enterprise Overview and Scrutiny Committee in November 2021. This includes interventions through Masterplans and Targeted Delivery Plans, and the development and alignment of funding programmes to facilitate change and improvement.

- The [Council House Building Programme](#), phase 2 of which includes the Council's strategy for the development of new council homes within the rural west of the County.

D3 Optimising achievement of intended outcomes

4.34 The Council optimises the achievement of its outcomes by:

- Developing, through the [Medium Term Financial Plan](#), a financial framework in line with the [Council Plan 2022 to 2026](#) to deliver policy initiatives within available resources and aligned to priority outcomes.
- Developing the budgeting process in line with Budget and Policy Framework Procedure Rules, to ensure that it is all-inclusive, and takes into account the full cost of operations over the medium and longer term.
- Ensuring, through the development of the [MTFP](#) and [Council Plan 2022 to 2026](#) that partners and stakeholders have a clear view of the Council's priorities, targets and financial plans over the forthcoming period of four years.
- Seeking, through the [Sustainable Commissioning and Procurement Policy](#), to implement procedures that protect the long-term interests of the communities we represent, in line with the Public Services (Social Value) Act 2012.
- Instructing bidding organisations bring this policy to the attention of bidders.
- The Company Governance Group, which oversees the Council's companies' governance arrangements, including consideration of the strategic approach to, and structure of, its' companies and joint venture arrangements. The Group seeks to ensure that officers who work with, or who are appointed as, directors of Council companies understand their roles and responsibilities, identify and manage conflicts of interests, and provide resilience in the Council's resourcing of companies. Company governance training is included in the Council's Workforce Learning and Development Plan.

Principle E: Developing the Council's capacity, including the capability of its leadership and the individuals within it

Why this is important

- 4.35 The Council needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mindset, to operate efficiently and effectively and achieve its intended outcomes within the specified periods. It must ensure that it has both the capacity to fulfill its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which the Council operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of the leadership and of individual staff members. Leadership in the Council is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.

How we meet this principle

- 4.36 Key governance documents supporting Principle E include:

[Constitution](#) – Decision Making; The Executive; Financial Procedure Rules; Officer Scheme of Delegations; Overview and Scrutiny Arrangements; Protocol for Questions by the Public to Members of the Executive (Council Procedure Rules).

Other – [Apprenticeship Strategy 2019 to 2022](#); Area Action Partnerships Terms of Reference; Attendance Management Policy; Capital Strategy; Durham Leadership and Management Development Programme; Health, Safety and Wellbeing Strategy; Learning, Development and Support Programme for Members; [Workforce Strategy 2021 – 23](#); Property Strategy.

E1 Developing the Council's capacity

- 4.37 The Council strives to maintain the continuing effectiveness of its operations, performance and use of assets through:

- The Council's Inspire Programme, which seeks to enable flexible working through digital and mobile technology, make our workspaces more cost effective and productive, and support collaboration between teams across the organisation.
- Establishing a corporate landlord service delivery model for asset management, overseen by the Head of Corporate Property and Land.
- Regularly monitoring key areas of performance, including the condition, suitability, sufficiency and accessibility of property to ensure that best use is made of assets in terms of service benefit, financial benefit and value for money.
- Setting out in the Property Strategy the main principles to ensure that opportunities to share the use of property are identified, and to make sure

that assets are fit for purpose, cost effective and used to support regeneration and economic development.

- Consulting local communities and partners, where appropriate, about alternative methods of continuing to provide front line services.
- Advising Cabinet on the Capital Programme through the Member Officer Working Group for Capital, which is responsible for scrutinising capital budget revisions and monitoring progress on schemes.
- Formally reflecting on experiences and using learning to strengthen capacity and capability.
- The [Cyber Security Strategy](#) and the actions contained within, which aim to further strengthen and secure the Council from cyber threats by increasing security awareness throughout our workforce, investing in our systems and digital infrastructure, deterring our adversaries, and developing a wide range of responses, from basic cyber hygiene to the most sophisticated defences.
- A hybrid working model, introduced in February 2022 following the cessation of Covid Plan B measures, which minimises the potential number of employees in the workplace at any one time, whilst also supporting our future direction of travel to work more flexibly and smarter as an organisation.

4.38 The Council strives to improve the use of its resources to ensure that they are allocated and utilised in a way that realises outcomes effectively and efficiently. This is achieved through:

- The Inspiring Change element of the Inspire Programme, which seeks to invest in new IT systems, modernise and simplify business processes, redesign services in localities to meet community needs, and introduce more commercial activity to support social objectives.
- Using benchmarking data from statutory returns to inform programmes of VFM reviews and savings options in various service areas in order to ensure that defined outcomes are achieved effectively and efficiently.
- Using data from commercial benchmarking clubs, to facilitate meaningful comparisons with other Councils.
- Including in the [County Durham Partnership](#) a range of key public, private and voluntary sector organisations that work together to improve the quality of life for the people within County Durham.
- Managing, within service groupings, informal, collaborative working arrangements with external organisations.
- The [Digital Strategy](#), which sets out the Council's digital ambitions for the County and provides a framework within which these ambitions can be delivered in line with the objectives of the Council Vision.
- The [Apprenticeship Strategy 2022 to 2025](#), which aims to identify opportunities for new and existing employees to support workforce development and planning.

4.39 The Council maintains an effective workforce plan, through the Organisational Development Strategy, to enhance the strategic allocation of resources.

E2 Developing the capability of the Council's leadership and other individuals

4.40 The Council ensures that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained. This is achieved by:

- Setting out in the [Constitution](#) how the Executive is made up and how appointments to this committee are made.
- Electing the Leader under the terms of the [Constitution](#), and making appointments to a number of committees with various regulatory and scrutiny responsibilities.
- Nominating, through the Leader, nine other councillors, including a Deputy Leader, with specific responsibilities to form the Cabinet.
- Allocating, through the Leader under the terms of the [Constitution](#), roles and responsibilities to individual members and the Executive Committee as a whole.
- Supporting the above arrangements with a number of formal member and officer working groups.

4.41 The Council makes a clear distinction between the types of decisions that are delegated and those reserved for the collective decision making of the Council in the [Constitution](#), which is published on the website.

4.42 The Council clearly defines in the [Constitution](#) the respective roles of the leader and the chief executive, whereby the chief executive leads in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other's authority.

4.43 The Council continually seeks to develop the capabilities of members and senior management to achieve effective leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks. This is achieved by:

- Ensuring, through the Learning, Development and Support Programme for Members and the Durham Learning and Development System, that members and staff are provided with induction training tailored to their role and individual training and development plans.
- Ensuring, through Performance and Development Review scheme, that members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis.
- The Durham Leadership and Management Development Programme, which includes several mandatory courses, including coaching as a management style and mental health awareness for managers. Other courses are linked to corporate priorities, management skills and personal development.
- A portal on the Durham Learning and Development system, which brings together valuable resources and information for managers. Induction for new

managers includes, mandatory training, links to policies, useful documentation and guidance, briefings and useful contacts.

- Ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external
- Promoting excellence in learning through membership of the North East Public Service Academy.
- The Durham Leadership Way programme, which outlines the expectations of leaders and managers together with a development and support offer.

4.44 The Council encourages public participation by:

- Administering 14 multi-agency [Area Action Partnerships \(AAPs\)](#) that enable local people and organisations to comment on how services are provided.
- Inviting members of the public to attend Council meetings.
- Including a protocol for member of the public wishing to ask a question to the Executive.

4.45 The Council ensures that the leadership's own effectiveness is considered and that leaders are open to constructive feedback from scrutiny, peer review and inspections by:

- Monitoring the decisions of the Executive through the [Corporate Overview and Scrutiny Management Board](#), which has the power to:-
 - "call-in" decisions which have been made but not implemented; and
 - recommend that their decisions are reconsidered.
- Consulting the [Corporate Overview and Scrutiny Management Board](#) on forthcoming decisions or the development of policy.
- Assessing the skills required by members and officers through personal development plans, and making a commitment to develop those skills to enable roles to be carried out effectively.
- Developing skills on a continuing basis, through implementation of the Learning, Development and Support Programme for Members, to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed.

4.46 The Council strives to maintain effective arrangements to meet employees' needs in terms of training, development, health and wellbeing through:

- The Inspiring People element of the Inspire Programme, which seeks to invest widely in staff training and development, review the Council's HR policies and procedures, adopt new values and behaviours, empower people to be advocates of change, and identify talent and succession planning.
- Assessing the skills required by officers through personal development plans and making a commitment to develop those skills to enable roles to be carried out effectively.
- Managing the performance and development of employees through an ongoing appraisal process.

- Supporting employees through the Health, Safety and Wellbeing Strategy and the emergency Human Resources Policy. Absence management arrangements and enhanced family and compassionate leave provisions focus on rehabilitation through the Attendance Management Policy with assistance from Occupational Health.
- Supporting employees through change processes with confidential counselling services through the Employee Assistance Programme.
- A Wellbeing Portal provides support and guidance for managers and non-management employees in relation to mental health and wellbeing.

Principle F: Managing risks, data and performance through robust internal control and strong public financial management

Why this is important

- 4.47 The Council needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision-making activities.
- 4.48 A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery, and accountability.
- 4.49 It is also essential that a culture and structure for scrutiny is in place as a key part of accountable decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.

How we meet this principle

4.50 Key governance documents supporting Principle F include:

[Constitution](#) – Councillor Call for Action Procedure (Overview & Scrutiny Procedure Rules); Decision Making; Financial Procedure Rules; Overview and Scrutiny Arrangements.

Other – Capital Strategy; [Council Plan 2022 to 2026](#); [Data Protection Policy](#); [Data Quality Policy](#); Delivering Good Governance in Local Government Framework; [Internal Audit Strategy, Charter and Plan 2022/23](#); [Medium Term Financial Plan](#); [Performance Management Framework](#); [performance reports](#); [Risk Management Policy and Strategy](#); service plans.

Professional Codes – CIPFA * Code on a Prudential Framework for Local Authority Capital Finance; CIPFA Financial Management Code; CIPFA * Statement on the Role of Head of Internal Audit; Code of Practice on Managing the Risk of Fraud and Corruption, 2014; National Audit Office Code of Practice on Value for Money; Public Sector Internal Audit Standards.

* Chartered Institute of Public Finance & Accountancy

F1 Managing risk

4.51 The Council recognises that risk management is an integral part of all activities and decision making as set out in the [Risk Management Policy and Strategy](#), which defines key roles and responsibilities and is reviewed annually, to maintain robust, integrated and effective risk management arrangements. Council-owned companies and joint venture arrangements are provided with strategic and financial guidance and support, and are required to report regularly on performance.

F2 Managing performance

4.52 The Council ensures that service delivery is effectively monitored by:

- Setting out in service plans a detailed schedule of actions, which are assigned to responsible officers and incorporated into, and monitored through, the corporate and service performance management arrangements.
- Monitoring performance and ensuring that effective arrangements are put in place to deal with any failures in service delivery through the Council's Cabinet.
- Providing assurance through quarterly [performance reports](#) to Corporate Management Team, Cabinet and all scrutiny committees by way of senior management performance clinics during the year.
- Undertaking key in-depth evidence-based reviews through the Overview and Scrutiny Committees.
- Overseeing quality assurance developments in Children's Services and maintaining strategic oversight of children's services through a Quality Improvement Board.

- Operating a locally led [performance management framework](#) that links to the [County Durham Vision 2035](#) and the [Council Plan 2022 to 2026](#) and ensures that attention is focused on Council priorities.
- Undertaking benchmarking exercises by comparing performance with that of other Councils using a recognised, online tool.
- Seeking assurance on the quality of services from external, independent sources.
- Providing update reports, on service delivery plans and on progress towards outcome achievement, to Corporate Management Team, Cabinet and Full Council.

4.53 The Council endeavours to make the right decisions for the benefit of its stakeholders by:

- Supporting the Council's decision-making processes with a [Risk Management Policy and Strategy](#).
- Implementing arrangements to ensure that decisions are based on relevant, clear, objective analysis and advice; comply with legal requirements; and take account of the Council's financial, social and environmental position and outlook.
- Including in the Council's stated principles for decision making the giving of reasons for decisions and supporting them with references to legal or other professional advice and stating the potential implications in terms of finance, staffing, risk, human rights and several other factors.
- Maintaining an overview and scrutiny function through which members robustly scrutinise, challenge and debate proposed policies and objectives to make decision-making processes transparent, accountable and inclusive.
- Enabling members to bring matters of local concern to the attention of the Council through the scrutiny process using Councillor Call for Action procedure.

4.54 The Council seeks to ensure consistency between specification stages and post implementation reporting by:

- Developing profiled budgets in the main accounting system in line with the [Medium Term Financial Plan](#) to ensure consistency between specification stages and post implementation reporting.
- Issuing Budgetary Control Statements to senior management, Cabinet and Overview and Scrutiny Committees, comparing actual with planned expenditure and showing forecasted overspends with reasons for variance.
- Maintaining and applying Financial Procedure Rules in the [Constitution](#).

F3 Robust internal control

4.55 The Council seeks to align the risk management strategy and policies on internal control with achieving objectives, as well as evaluating and monitoring risk management and internal control on a regular basis and ensuring that any recommendations for improvement are implemented. This is achieved by:

- Developing, maintaining and delivering an [Internal Audit Strategy, Charter and Plan 2022/23](#).
- Including in strategic risk management reports and internal audit reports the potential implications for achieving the Council's objectives.
- Reporting annually to [Audit Committee](#), through the Chief Internal Auditor and Corporate Fraud Manager, on the adequacy and effectiveness of the Council's internal control environment.
- Undertaking a self-assessment against both the principles of the CIPFA Statement on the Role of Head of Internal Audit and the Public Sector Internal Audit Standards (PSIAS), approved by [Audit Committee](#).
- Undertaking internal annual reviews of the effectiveness of internal audit and an external assessment once every five years as required by the PSIAS.
- Undertaking a review of the effectiveness of the Council's corporate governance arrangements in line with the Delivering Good Governance in Local Government Framework.
- Maintaining an [Audit Committee](#), which is independent of the Executive and accountable to the Full Council, to;
 - provide a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment;
 - advise both the Council and the Cabinet on audit and governance issues in order to provide independent and effective assurance about the adequacy of financial management and reporting, and the management of other processes required to achieve the organisation's corporate and service objectives;
 - make recommendations, which are listened to and acted upon.

4.56 The Council ensures that effective counter fraud and anti-corruption arrangements are in place by maintaining a dedicated Corporate Fraud Team to support its counter fraud arrangements through the [Counter Fraud and Corruption Strategy](#), and working towards compliance with the Code of Practice on Managing the Risk of Fraud and Corruption, 2014.

F4 Managing data

4.57 The Council ensures that effective arrangements are in place for the safe collection, storage, use and sharing of data, including decision making and processes to safeguard personal data. This is achieved by:

- Managing data in accordance with the [Data Protection Policy](#), Data Quality Policy, Records Management Policy and various data sharing protocols, with oversight by the Information Governance Group, to ensure that the arrangements in place are effective.
- Designating the Corporate Director of Resources as the Senior Information Risk Officer to strengthen the Council's arrangements for maintaining good-quality information.

- Holding regular meetings with the designated Data Protection Officer, Head of Digital and Customer Services and the Council's designated Caldicott Guardian.
- Providing mandatory Data Protection Act e-learning training for all relevant employees.
- Maintaining strong data protection arrangements regarding data sharing with other bodies through standardised subject access requests, a privacy impact assessment process, data sharing agreements and a data sharing register.
- Undertaking a rolling programme of audits to check the quality and accuracy of data used in decision making and performance monitoring.

F5 Strong public financial management

4.58 The Council aims to ensure that financial management supports both long term achievement of outcomes and short-term financial and operational performance. This is combined with seeking to ensure that well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls. Investing resources in line with long-term outcomes and priorities as described in the [Council Plan 2022 to 2026](#), which contains a set of actions with proposed outcomes.

- Making the links with priorities and outcomes detailed in the Council's Budget Report.
- Seeking to comply with CIPFA's Code on a Prudential Framework for Local Authority Capital Finance, subject to external audit review.
- Undertaking, through the Council's Internal Audit Team, independent assessments against CIPFA's Financial Management Code.
- Undertaking value for money self-assessments against the National Audit Office Code of Practice, with input from Internal Audit, and review by External Audit.
- Ensuring delivery of transformational change while maintaining service delivery through the [Medium Term Financial Plan](#) process.
- Gaining independent assurance of value for money from the External Auditor.

Principle G: Implementing good practices in transparency, reporting and audit to deliver effective accountability

Why this is important

4.59 Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the Council plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.

How we meet this principle

4.60 Key governance documents supporting Principle G include:

[Annual Governance Statement](#); [Annual Statement of Accounts](#); [Local Code of Corporate Governance](#); [Local Government Transparency Code 2015](#); [Partnership Governance Framework](#); [Transparency and Accountability webpage](#).

G1 Implementing good practice in transparency

4.61 Writing and communicating reports for the public and other stakeholders in a fair, balanced and understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate.

4.62 The Council aims to strike a proper balance between providing the right amount of information in a manner that is transparent and enhances public scrutiny while not being too onerous to provide and which readers can interpret. This is achieved by:

- Maintaining a website that is designed to make it easy for users to find information and includes a [Transparency and Accountability webpage](#) to comply with the [Local Government Transparency Code 2015](#).
- Publishing information on the website about services provided, land and assets owned by the Council, organisational structures and salaries, counter fraud, how money is spent and how services are bought.

G2 Implementing good practices in reporting

4.63 The Council is committed to reporting to stakeholders at least annually on performance, value for money and stewardship of resources in a timely and understandable way, while ensuring members and senior management own the results reported. This is achieved by:

- Developing the [Annual Statement of Accounts](#) incorporating the [Annual Governance Statement](#).
- Publishing the [Annual Statement of Accounts](#) on the website, following approval by [Audit Committee](#), taking account of the views of the External Auditor, in line with the Accounts and Audit Regulations.
- Publishing the [Audit Completion Report](#) and Certification of Claims and Returns Annual Report, which provides assurance on the Council's system of financial management.
- Including with published information, the minutes of meetings approving reports to ensure that members and senior management own the results reported.

4.64 The Council seeks to ensure that robust arrangements are maintained for assessing and reporting on the effectiveness of its own governance arrangements, as well as those of related organisations. This is achieved by:

- Developing and maintaining a Local Code of Corporate Governance, approved by [Audit Committee](#), setting out how the Council will meet the principles of good governance.
- Assessing the Council's corporate governance arrangements against its Local Code of Corporate Governance, led by the Corporate Director of Resources in consultation with the directors and heads of service.
- Ensuring, through the [Partnership Governance Framework](#), that the corporate governance arrangements of partners and jointly managed or shared service organisations are consistent with the Council's Local Code of Corporate Governance.
- Reporting the outcome of the corporate governance review, including planned actions for improvement, in the [Annual Governance Statement](#), approved by the Corporate Management Team and the [Audit Committee](#), and signed by the Leader of the Council and Chief Executive.

4.65 The Council seeks to ensure that it produces financial statements on a consistent and timely basis, in accordance with Financial Reporting Standards, in a way that enables comparison with other, similar organisations.

G3 Assurance and effective accountability

4.66 The Council seeks to provide continuous assurance with regard to its arrangements for governance and internal control by:

- Operating an Internal Audit service, with direct access to members, as a key part of the Council's corporate governance arrangements with the primary aim of supporting the Council to achieve its objectives by helping services to identify, assess, and manage risks, which may prevent or hinder objectives being achieved effectively.
- Ensuring that agreed recommendations made by Internal Audit and External Audit are acted upon by tracking and reporting their progress to [Audit Committee](#).
- Complying with CIPFA's Statement on the Role of the Head of Internal Audit (2019).
- Applying the Public Sector Internal Audit Standards within all of procedures of the Internal Audit Service.

4.67 The Council welcomes peer challenge, independent reviews and inspections from regulatory bodies and seeks to ensure that recommendations are implemented.

4.68 The Council seeks to gain assurance on risks associated with delivering services through third parties by:

- Managing relationships with partners through the [Partnership Governance Framework](#), which seeks to ensure that:
 - members are clear about their roles and responsibilities;
 - there is clarity about the legal status of the partnership;

- representatives both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.

4.69 The Council gives due recognition, through its annual Inspiring People awards, for outstanding achievements by teams and individuals.

5 Monitoring and Review

- 5.1. The [Audit Committee](#) and the [Standards Committee](#) are responsible for monitoring and reviewing the various aspects of the Council's corporate governance arrangements.
- 5.2. The [Audit Committee](#) is responsible for the Council's arrangements relating to:
 - Monitoring and reviewing the risk, control and governance processes, and associated assurance processes to ensure internal control systems are effective and that policies and practices are in compliance with statutory and other regulations and guidance;
 - Approving the Council's Accounts prior to approval by the County Council;
 - Reviewing a draft of this Code of Corporate Governance and recommending any amendments required before it is considered for approval by the Full Council;
 - External audit and internal audit;
 - Risk Management;
 - Making recommendations concerning relevant governance aspects of the [Constitution](#);
 - Reviewing the effectiveness of Internal Audit.
- 5.3. Each year the Council is required to publish a Governance Statement. This process is managed by the Resources Management Team and overseen by the [Audit Committee](#) who is responsible for approving it. The Annual Governance Statement provides an overall assessment of the Council's corporate governance arrangements and an appraisal of the key controls in place to manage the Council's principal governance risks, together with proposed improvements that will be made. This governance review process helps inform any amendments required to this Code of Corporate Governance.
- 5.4. The Annual Governance Statement will be published as part of the Council's Annual Statement of Accounts and will be reviewed by our External Auditors as part of their annual audit process.
- 5.5. The [Standards Committee](#) is responsible for promoting high ethical standards across the Council, overview of the Member and Officer Codes and other relevant protocols.
- 5.6. These two Committees will ensure that the Council's governance arrangements are kept under continual review through;
 - Reports prepared by officers with responsibility for aspects of this Code;
 - The work of Internal Audit;
 - External Audit opinion;
 - Other review agencies and Inspectorates;
 - Opinion from the Council's Statutory Officers.

- 5.7. The Council also has a [Corporate Overview and Scrutiny Management Board](#) and five Overview and Scrutiny Committees who support the work of the Executive and the Council as a whole. They allow a greater involvement in Council business by involving non-councillors from the wider public sector, and voluntary and community groups to help them in their work, and also work with Partners, including the [County Durham Partnership](#). They may also be consulted by the Executive or the Council on forthcoming decisions or the development of policy. The terms of reference of the [Corporate Overview and Scrutiny Management Board](#) and its Committees are described in the [Constitution](#).
- 5.8. Within their terms of reference, the [Corporate Overview and Scrutiny Management Board](#) and Overview and Scrutiny Committees will:
- review and/or scrutinise decisions made, or actions taken in connection with the discharge of any of the Council's functions;
 - make reports and/or recommendations to the full Council and/or the Cabinet in connection with the discharge of any functions; consider any matter affecting the area or its inhabitants;
 - exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive in accordance with the Overview and Scrutiny Procedure Rules;
 - work to ensure that communities are engaged in the scrutiny process; and consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and
 - promote equality and diversity across all of its work and the work of the County Council.

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County Council

25 January 2023

Local Government Boundary Commission
Review



Corporate Management Team

Paul Darby, Corporate Director of Resources

Councillor Amanda Hopgood, Leader of the Council

Councillor Richard Bell, Deputy Leader of the Council and Portfolio Holder for Finance

Electoral Division(s) affected:
Countywide.

Purpose of the Report

- 1 To note the next steps in relation to the Local Government Boundary Commission England (LGBCE) in respect of future electoral divisions.

Executive Summary

- 2 The LGBCE are conducting an Electoral Review of Durham County Council. The Review will consider and determine:
 - The total number of councillors to be elected to the council;
 - The boundaries of future electoral divisions;
 - The number of councillors representing each division; and
 - The name of the electoral divisions
- 3 The principal aim of the review is to deliver electoral equality across the local authority area by ensuring councillors represent a similar number of electorate and that this is consistent with national criteria.
- 4 The review is conducted in two stages. The first stage considered Council size and the second considers warding patterns. On 21 September 2022, the Council considered draft proposals in relation to Council size. This report sets out the next stage of the review in respect of the boundaries of future electoral divisions, the number of councillors representing each division and the name of the divisions.

Recommendation

5 Council is asked to:

- i) note the progress made in relation to the boundaries of future electoral divisions, the number of councillors representing each division and the proposed names of the divisions; and
- ii) note that each political group intend to submit proposals directly to the LGBCE as part of the consultation on warding patterns.

Background

- 6 The last local government boundary review in County Durham took place following the 2008 elections and was implemented to coincide with the local elections in May 2013.
- 7 Local government boundary reviews are conducted to ensure fair representation at local government elections after any significant changes in the distribution of electors and seek to deliver electoral equality for voters in local elections.
- 8 Reviews also look at whether the boundaries of divisions (wards) within a local authority area need to be altered, and will aim to create boundaries that are appropriate, and reflect community ties and identities.
- 9 In October 2021 the Local Government Boundary Commission for England (LGBCE) notified the County Council of their intention to undertake a review of Durham County Council to consider and determine:
 - The total number of councillors to be elected to the council;
 - The boundaries of future electoral divisions;
 - The number of councillors representing each division; and
 - The name of the electoral division.
- 10 The average electorate per Councillor within County Durham is 3,106. Durham meets the Commission's criteria for electoral inequality as one division has a variance outside +/-30% of the average for the authority. Furthermore, 15 (24%) of the 63 divisions have a variance outside +/-10%. Four divisions have a variance outside +/-20%.
- 11 Any changes made to the electoral arrangements following the review will be implemented to coincide with the local elections in 2025.

Progress to date

- 12 In January 2022, representatives from the LGBCE held preliminary discussions with the Leader and Deputy Leader of the Council, Group Leaders, the Chief Executive, and Officers from Legal and Democratic Services to discuss the review process.
- 13 The LGBCE delivered a briefing to all Members on 11 February 2022 which outlined the purpose and process of the review. The LGBCE also prepared a guide for Councillors, which summarises the reasons for the review, the detail of the electoral review process, the stages of the

review, and how to get involved. It included a list of the current divisions and variances, and a map showing the electoral imbalances. This document was provided to all Councillors and is attached at Appendix 2 to the report.

- 14 A Member Working Group comprising all Group Leaders and the Chair of Corporate Overview and Scrutiny Management Board (or their representatives) was established to oversee the preparation of the Council's submissions. The Working Group is supported by Officers from Democratic Services, Research and Intelligence and Planning.

Stage One: Council Size

- 15 On 21 September 2022, Council agreed the submission in relation to Council size and delegated authority to the Head of Legal and Democratic Services in consultation with the Electoral Review Member Working Group to finalise the data and information required. These were submitted to the LGBCR by the deadline of 4 October 2022.
- 16 On 22 November 2022, the LGBCE confirmed that it will be recommending that the Council size should be 98 Councillors. This recommendation may change slightly as the work in relation to boundaries is completed if it is considered that slightly more/slightly fewer Councillors would better achieve the objectives of the review.

Stage Two: Warding Patterns

- 17 Stage two of the review considers the boundaries of future electoral divisions, the number of councillors representing each division and the name of each electoral division. Consultation on these matters opened on 22 November 2022 and will close on 30 January 2023.
- 18 On 28 September 2022 the Electoral Review Member Working Group met to agree its approach in relation to warding patterns. It was originally envisaged that there would be proposed drop-in sessions to enable all Members to participate in the exercise. However, once the Working Group understood the nature of the exercise and the technology used to formulate proposals, it decided that it was more appropriate for groups to nominate representatives to work on proposals on behalf of their groups.
- 19 Members were provided with an analysis of the current electoral register which included a breakdown of all polling districts, existing wards and parishes and the current and forecast electorate figures, to assist them in the formation of proposed new warding arrangements.

- 20 An example warding pattern for 98 Councillors was also provided to demonstrate how the mapping software could create new divisional boundaries.
- 21 Following this officers' have worked with individual members and nominated leads from political groups to create options for divisional patterns.
- 22 The Electoral Review Member Working Group met again on 6 January 2023 to check on progress from the respective political groups. It was clear from discussion that it would be impractical to present multiple proposals for electoral divisions to the Council for consideration with a view to getting a consensus and agreed Council submission.
- 23 On that basis, it was agreed that each political group would make their own submissions to the LGBCE and that there would not be a single agreed Council submission. The submissions made by individual political groups would be in addition to any representations which individual Members may wish to make directly to the LGBCE. The group also recognised the importance of providing narrative with their submission to ensure that the proposal would provide the best balance to meet the statutory criteria.

Next Steps

- 24 At the conclusion of the warding patterns consultation, the LGBCE will propose a new pattern of electoral divisions, division names and electorate, taking into account all of the representations received.
- 25 The LGBCE proposals are then expected to be consulted upon between 25 April 2023 to 3 July 2023. The Council will have one final opportunity to comment on these proposals prior to the publication of the Commission's final recommendations which are expected in September 2023.

Contact: Helen Lynch

Tel: 03000 269 729

Appendix 1: Implications

Legal Implications

The outcome of the review will come into effect at the local elections in 2025.

Finance

Additional tools have been purchased to assist with the second part of the review in looking at divisional / warding arrangements. These build on the election management system to provide mapping with the forecasted electorate to assist the council in proposing re-configured boundaries that meet the criteria set by the LGBCE on elector equality.

Consultation

The Member Working Group and Group representatives have consulted with their groups regarding the proposals put forward.

Equality and Diversity / Public Sector Equality Duty

None specific within this report.

Climate Change

None specific within this report.

Human Rights

None specific within this report.

Crime and Disorder

None specific within this report.

Staffing

Significant Officer time is required to support the review and collate the information required by the LGBCE

Accommodation

None specific within this report.

Risk

None specific within this report.

Procurement

None specific within this report.

Council

25 January 2023

Overview and Scrutiny – Six Monthly Update



Report of Corporate Management Team

Paul Darby, Corporate Director of Resources

Councillor Craig Martin - Chair of Corporate Overview and Scrutiny Management Board

Electoral division(s) affected:

None

Purpose of the Report

- 1 To provide information to County Council on the activity of overview and scrutiny for the six month period to November 2022.

Executive summary

- 2 It has previously been agreed that a six month update on the activity of overview and scrutiny is considered by Council, in addition to the Overview and Scrutiny Annual report which is submitted to Council in July/September each year.
- 3 This update sets out the approach that scrutiny has been taking since the elections in May 2021, regular matters which feature in the committee work programmes and highlights some items which have formed part of more in-depth scrutiny over the six month period to November 2022.

Recommendation(s)

- 4 Council is recommended to note the information on overview and scrutiny activity which has taken place in the six month period to November 2022.

Background

- 5 As a result of statutory guidance on overview and scrutiny arrangements in local authorities published in 2019, the County Council agreed a six-monthly report of overview and scrutiny activity be submitted to council to assist in the communication of scrutiny's role and purpose.
- 6 This update report highlights some of the work scrutiny has undertaken in the six month period to November 2022 and complements the annual report which is submitted to council each year.
- 7 Following the local elections in May 2021, a Joint Administration was established, and a new chair and vice-chair of the Corporate Overview and Scrutiny Management Board (COSMB) were appointed. In their role as the strategic driver of the overview and scrutiny function, they have encouraged an inclusive and transparent approach to carrying out scrutiny.
- 8 Contributing to policy development is a key task for scrutiny and the scrutiny chairs and vice-chairs have a clear ambition to increase activity in this field.
- 9 Overview and scrutiny has continued the practice of meeting with members of the Executive regularly. This approach was recommended in the statutory guidance issued in 2019 and it was acknowledged that Durham County Council has a strong record of sharing information with the Executive.
- 10 The Corporate Overview and Scrutiny Management Board (COSMB) oversees and co-ordinates the work of overview and scrutiny committees. Five thematic overview and scrutiny committees scrutinise the following themes:
 - Adults, Wellbeing and Health
 - Children and Young People
 - Economy and Enterprise
 - Environment and Sustainable Communities
 - Safer and Stronger Communities
- 11 Durham County Council's overview and scrutiny function has embedded the four principles of good scrutiny in all the work it does. These principles, originally developed by the Centre for Governance and Scrutiny, inform and shape scrutiny work. They state that overview and scrutiny should:

- Provide constructive critical friend challenge
 - Amplify the voices and concerns of the public
 - Be led by independent minded people who take responsibility for their role
 - Drive improvement in public services
- 12 Scrutiny committees undertake regular monitoring of budget and performance reports, receive updates on previous reviews and undertake light touch and in depth review activity.
- 13 All scrutiny members have received the corporate induction training following the May 2021 elections. This has been supplemented by bespoke scrutiny training delivered by the Scrutiny team. Overview and scrutiny members have also had the opportunity to take up training provided by the LGA in collaboration with the Centre for Governance and Scrutiny.
- 14 The Chair of COSMB has asked the thematic scrutiny committees to consider options for efficiency savings and income generation opportunities to assist with budget and Medium Term Financial Planning. The work is ongoing and will be reported in the Annual Report.
- 15 Comprehensive work programmes are developed by scrutiny committees each year and this update highlights only some of the work they carry out.

Scrutiny Committee Activity

- 16 Corporate Overview and Scrutiny Management Board (COSMB)

Chair: Councillor Craig Martin,
Vice Chair: Councillor Chris Lines

- a) Medium Term Financial Plan (MTFP 13) 2023/24 – 2026/27

COSMB has a constitutional role in assisting Cabinet in the development of the council's annual budget. The Council is operating in a period of significant financial uncertainty with concerns about the impact of inflation and fuel and energy prices. The Board continues to be updated by the Head of Corporate Finance and Commercial Services and will consider the impact of the local government financial settlement on the council's budget and MTFP forecasts and the Cabinets budget proposals in advance of the annual budget setting meeting in February.

b) Poverty Action Strategy and Plan

The Board have considered a report on the Poverty Strategy and Action Plan. The Strategy and Action Plan have been reviewed to better address the wider issues of inequalities and improve strategic direction and priorities for services and opportunities for residents in County Durham experiencing poverty. COSMB considered the report and agreed to forward their comments to the Secretary of State. The Board will receive an update following the conclusion of consultation and the approval of the refreshed Strategy and Action Plan at Cabinet on 16 November.

c) Final Outturn for the General Fund and Collection Fund 2021/22

The Board added scrutiny of the final outturn for the General Fund and Collection Fund 2021/22 to their work programme this year. The Board were informed about the impact COVID had had on expenditure although with Government support funding this had resulted in an underspend of £3.7million. COSMB were advised that the pandemic still had an ongoing impact on services. Members raised questions about the Council's reserves which the Head of Corporate Finance and Commercial Services responded to.

17 Adults, Wellbeing and Health Overview and Scrutiny Committee (AWH OSC)

Chair: Councillor Patricia Jopling
Vice Chair: Councillor Joanne Howey

a) North East and North Cumbria Integrated Care System

The North East and North Cumbria Integrated Care system was established on 1 July 2022 replacing all Clinical Commissioning Groups in the region including NHS County Durham CCG. The Committee has examined the proposals for structural change in terms of Commissioning arrangements, responsibilities and collaborative working between the NHS and Local Government Social Care as well as considering and commenting on the draft North East and North Cumbria Integrated Care Strategy. Update reports have been considered by the Adults, Wellbeing and Health OSC on 15 July and 21 November 2022.

b) Winter Planning

At its meeting on 21 November 2022, the committee examined the plans put in place across the health and social care system for both surge and cold weather activity and admissions 2022. The plans

demonstrated how the system supports the health and wellbeing of the workforce; embeds infection prevention and control; protects elective surgery; promotes safe and effective discharges from hospital and supports people to remain in the community and avoid hospital admissions.

c) Pharmaceutical Needs Assessment 2022-25

The committee considered and commented on the Health and Wellbeing Board's draft Pharmaceutical Needs Assessment (PNA) 2022-25. Under the Health and Social Care Act 2012, the Health and Wellbeing Board is responsible for the production of a draft PNA which is subject to a statutory 60 day public consultation. The Committee submitted a response as part of the consultation which included the following feedback:

- Public responses to surveys undertaken by County Durham Healthwatch and the Community Champion network showed a high percentage of people having easy access to pharmacy services.
- The lack of pharmacy services in certain areas was a concern particularly the absence of any 100 hour pharmacies, pharmacies with core opening hours after 6p.m. weekdays and any with core opening hours on a Sunday in the Chester-le-Street locality.
- The Committee notes and supports the assessment within the draft PNA that:
 - (a) The provision of all essential and necessary advanced services (New Medicine Service and Community Pharmacist Consultation Service) in County Durham are adequate to meet the current and future needs for pharmaceutical services.
 - (b) The provision of the other relevant advanced service, the Community Pharmacy Seasonal Influenza Vaccination is adequate however a more equitable provision is required across all localities.
 - (c) The widespread provision of the new other relevant advanced services (the Hypertension Case-Finding Service and the Smoking Cessation Service) should be encouraged.

18 Children and Young People Overview and Scrutiny Committee (CYP OSC)

Chair Councillor Anne Reed

Vice Chair Councillor James Cosslett

a) Child Exploitation Workshop

The Committee had requested a workshop on Child Exploitation following considering the Independent Inquiry into Child Sexual Abuse. Members were provided with information that included the four stages of exploitation and signs and symptoms. Members also received information on County Lines and Police powers.

b) Growing up in County Durham draft Strategy

CYP OSC members received a final opportunity to comment on the draft strategy. Members commented on the importance of setting achievable targets and suggested that the use of some wording in the strategy was subjective and referenced the need to increased opportunities and the importance of breaking down barriers. Members suggested a greater emphasis on poverty as a common thread throughout.

c) Ofsted ILACS May 2022

The Committee received a report from the Corporate Director of Children and Young People's Services advising members of the key findings and outcome of the recent Ofsted inspection. The committee learned that the service had received an overall Good judgement. The Corporate Director agreed to members request to come to a future meeting with the action plan and service improvement plan.

19 Economy and Enterprise Overview and Scrutiny Committee (E&E OSC)

Chair Councillor Bill Moist

Vice Chair Councillor Andrew Jackson

a) County Durham Economic Partnership

E&E OSC in invites on an annual basis the chair or vice-chair of the County Durham Economic Partnership to attend a meeting of the committee to discuss their priorities, current activity, and future plans. The vice-chair of the Partnership, Sue Parkinson attended the meeting of the committee held in June where the discussion centred around the role of the partnership in supporting the development and delivery of the County Durham Investment Plan for the UK Shared Prosperity Fund. The committee will receive at its

December an update in relation to the Shared Prosperity Fund Investment Plan and the first round of projects.

b) County Durham Employment Land and Strategic Sites

As part of the 2021/22 work programme the committee had received an overview of key strategic employment sites in the county, and it was felt by members when determining the committees work programme for 2022/23 that the committee should receive a further report detailing progress on delivery of these sites and the availability of commercial and industrial land and premises across the county together with detail of their contribution to job creation. At the October meeting of the committee members were made aware of: the further development of the key strategic employment sites including the number and type of jobs on those sites, other employment locations within the county; the potential for other strategic employment sites; how we attract investment and barriers to investment; availability of land and premises to attract new businesses; how we promote land and premises and how businesses identify available land and premises. The committee will continue to monitor the development of the key strategic employment sites within the county.

c) Inclusive Economic Strategy

The committee has provided comments in relation to feedback from, 'Our Big Econ-versation' the major consultation event launched at the end of January to shape the draft Inclusive Economic Strategy. At its meeting on the 7 November members received the emerging Inclusive Economic Strategy for consideration. The comments made by members at that meeting were formulated into an overview and scrutiny response which was shared with the Service Grouping to help shape the final strategy. In addition, it is proposed that the committee will consider the Delivery Plan for the strategy once it is developed, possibly within the next six months.

20 Environment and Sustainable Communities Overview and Scrutiny Committee (E&S OSC)

Chair Councillor Bev Coult
Vice Chair Councillor Jonathan Elmer

a) Waste Management

The committee considered an update of resources and Waste Management Services in County Durham which discussed the waste tonnages, levels of recycling and contamination and what measures the Council has in place to reduce the current levels of contaminated waste. Members also received information updating them on the Tees Valley Energy from waste project and information on the Environment Act and Resource and Waste Strategy. Members in attendance at the committee had a greater understanding of the challenges faced by the Council, particularly in relation to reducing the level of contamination as they had taken the opportunity to visit Thornley Waste Transfer Station, Biffa Material Recycling Facilities and Suez Energy from Waste plant.

b) Fuel Poverty

The committee received information highlighting the level of fuel poverty in County Durham and the work undertaken by the Council to promote and deliver various programmes to tackle fuel poverty which had resulted in County Durham having the fifth highest take up nationally of fuel poverty grants.

c) DCC Allotment Management and update on recommendations

Members received information on DCC's current allotment management arrangements and a progress update on recommendations made by the committee following their review of DCC 's Management of Allotments undertaken in 2019. The committee made several recommendations that suggested a rental review; reconsideration of the allocation process to take co-workers into account; a review of the allotment portfolio; establishment of area allotment associations; provision of smaller sized plots; offer management of allotments to Town and Parish Councils where there is an appetite to do this; allotments to be managed by one DCC service team and the removal of large animals over a period of time.

21 Safer and Stronger Overview and Scrutiny Committee (SSC OSC)

Chair Councillor Joyce Charlton
Vice Chair Councillor Phil Heaviside

a) Anti-Social Behaviour Draft Strategy

The committee held a focussed briefing session with officers on anti-social behaviour prior to considering the strategy at a special meeting in October as part of the consultation process. At the special

meeting, members welcomed the strategy and were supportive of the proposal to have a single front door approach for reporting anti-social behaviour. They highlighted good communication was key to the success of the strategy. Members stressed the knowledge they have of issues in their local communities and the role they can have as partners within the strategy. The important role of Neighbourhood Wardens in responding to incidents and dealing with issues was discussed. Landlords, the selective licensing scheme and issues with empty properties, both residential and commercial were commented upon. The committee's observations on the draft strategy were reported back to the SDP.

b) Safety of Women at Night (SWaN) and Safer Streets 4 Programme

The Violence Against Women and Girls Strategy was launched in July 2021 and the SWaN fund was established to fund initiatives connected to the strategy. At its meeting in September 2022, SSC OSC received a presentation on the Durham City Safety of Women at Night (SWaN) initiative and the outcome of the fourth round of Safer Streets funding programme. Members were pleased to receive the positive update and learn about the valuable services the SWaN Hub provided to those looking for support in Durham City. Members referred to the sustainability of the scheme and it was hoped longer term funding would be secured.

c) Briefing Sessions

In advance of detailed reports presented to the committee, members requested to hold focused briefing sessions with officers to provide an overview on issues including arson suppression and anti-social behaviour. Held via Microsoft Teams, the sessions have been of value to members and enabled a greater insight to these subject areas.

Background Papers

Reports and minutes (June – November 2022)

- Corporate Overview and Scrutiny Management Board
- Adults, Wellbeing and Health OSC
- Children and Young People OSC
- Economy and Enterprise OSC

- Environment and Sustainable Communities OSC
- Safer and Stronger Communities OSC

Contact: Helen Lynch

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Appendix 1: Implications

Legal Implications

Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities published in May 2019 stated that to maintain the interest of full council in the work of the scrutiny committee, authorities should take steps to ensure full council is informed of the work the scrutiny committee is doing.

The council must have regard to the statutory guidance when determining its scrutiny arrangements and have good reasons for not following any aspects of the guidance

Finance

None

Consultation

The statutory role of some scrutiny committees means that consultations are regularly considered.

Equality and Diversity / Public Sector Equality Duty

All scrutiny reviews are subject to an equality impact assessment

Climate Change

The council has declared a climate emergency and scrutiny committees such as the Environment and Sustainable Communities OSC receive regular reports on the commitment to contribute to reducing the causes of climate change and the implications of responding to and adapting to the inevitable impacts of climate change. Any climate change implications will be included in individual reports to the appropriate scrutiny committee.

Human Rights

None

Crime and Disorder

Any crime and disorder implications will be included in individual reports to the appropriate scrutiny committee.

Staffing

None

Accommodation

None

Risk

None

Procurement

None

Council

Local Government Association “Debate Not Hate” Campaign

25 January 2023



Report of Legal and Democratic Services

Helen Lynch, Head of Legal and Democratic Services, Monitoring Officer

Electoral division(s) affected:

None

Purpose of the Report

- 1 To inform Council of the Local Government Association’s “Debate Not Hate: The Impact of Abuse on Local Democracy” report. (“the Report”)

Executive summary

- 2 The LGA’s Debate Not Hate campaign aims to raise public awareness of the role of councillors in their communities, encourage healthy debate and improve the responses and support for local politicians facing abuse and intimidation.
- 3 In October 2021, the LGA launched a “Call for Evidence on Abuse and Intimidation of Councillors”. The key findings from the call for evidence were used to produce the “Debate Not Hate: The Impact of Abuse on Local Democracy” Report.
- 4 In conjunction with the report, the LGA have also produced a “Debate Not Hate” Public Statement which supports their campaign. The LGA are calling for Councillors, MPs, and Organisations to sign the Public Statement to show support for the Debate Not Hate Campaign.
- 5 This report summarises the findings of the call for evidence and the support provided to Durham County Councillors and recommends that the County Council signs the public statement.

Recommendation(s)

6 Council is asked to:

- (a) Note that the Debate Not Hate Campaign has been added to the Standards Committee Work Programme to ensure that the Council remains up to date with the campaign.
- (b) Agree that the Leader of the Council signs the Debate Not Hate Public Statement on behalf of the County Council.

Background

- 7 In October 2021, the LGA launched a Survey entitled 'The LGA's Call for Evidence on Abuse and Intimidation of Councillors.' The Survey aimed to gather data of participants' experiences and concerns regarding public abuse and intimidation.
- 8 The Survey was open to all councillors in the UK both past and serving, to current and previous candidates from previous elections, those who assist or have assisted councillors, or those who have personally witnessed abuse towards councillors.
- 9 The LGA received 419 responses within the first six months of the call for evidence, which were used to inform the Report.

Key findings from The Survey

- 10 The Report was published in June 2022, a copy is attached at Appendix 2. The key findings from the survey are set out below:
 - i. 88% respondents have experienced abuse directed at them with 98% of these councillors having experienced it on multiple occasions.
 - ii. 73% report experiencing abuse via social media with it being the most common way abuse is received.
 - iii. 64% have experienced in person abuse.
 - iv. 59% believe abuse was triggered by a particular event, with 68% of these believing it was a particular decision which triggered the abuse.
 - v. 50% reported that the abuse they receive is ongoing.
 - vi. It was reported that those experiencing abuse viewed the political parties providing the least effective support to help councillors deal with abuse.
 - vii. 72% of respondents take proactive steps to avoid intimidation and abuse.

Themes identified in The Report

11 The report also identifies the following themes:

- i. **Variability** - Support from Councils, Political Parties and the Police varied throughout the country.
- ii. **Targeted Abuse** - Councillors and candidates with protected characteristics more at risk of abuse with misogyny, racism and homophobia highlighted within the responses.
- iii. **Personal and Democratic impacts** - Abuse and intimidation can have an impact on councillors and their families. Many respondents highlighted the impact of such incidents on their mental health. Respondents have reported that such incidents also have an impact on their willingness to stand for re-election.
- iv. **Vulnerability of councillors** – Councillors are vulnerable to physical abuse and intimidation due to them being visible and accessible in the local community. Similarly, factors such as their home addresses being available online increases their risk of receiving abuse.
- v. **Normalisation** – The attitude that abuse, particularly online abuse should be something that Councillors should be expected to deal with is becoming more common.

Recommendations made by The Report

12 The LGA have made the following recommendations:

Recommendation 1 Councils and relevant partners should take more responsibility to ensure the safety and wellbeing of councillors. Proactive steps should be taken to prevent abuse and intimidation towards councillors and take similar steps to handling cases. Councils should work with agencies to support councillors' mental health and address risks and threats directed at councillors.

Recommendation 2 LGA should continue to consider what measures can be put in place to prevent abuse and intimidation through the civility in public life programme.

Recommendation 3 Police forces should be more consistent in their response to abuse and threats towards councillors. Risk based approaches should be taken in a similar way which they are for MPs. Similar procedures should be implemented nationally.

Recommendation 4 Legislation should be passed to entitle councillors can withhold their home address.

Recommendation 5 LGA should work with parties, election and democratic officers and organisations responsible for guidance to promote practice of withholding home addresses.

Recommendation 6 Social media companies should provide better methods to deal with abuse reported by councillors.

Recommendation 7 In partnership with LGA a working group should be formed by the relevant Government department to address issues around abuse and intimidation of councillors.

Local Picture

- 13 The Report does not attribute responses to individual Councillors, authorities, or regions. However, in the last five years the Head of Legal & Democratic Services has noticed an increase in requests for disclosable pecuniary interests to be treated as sensitive and advice in relation to abuse and intimidation experienced by Councillors online and in person.
- 14 In September 2019, an individual was found guilty of harassing a Councillor who had objected to a planning application. A restraining order was imposed, and the defendant was ordered to pay a fine.
- 15 More recently, an individual was convicted of harassment towards a Councillor in their private capacity. They were sentenced to a community order and a restraining order was put in place. The Council was not involved in these proceedings. However, the individual has made Member Code of Conduct complaints in relation to the Councillor connected to the dispute. No further action has been taken in respect of those complaints as the Councillor was not acting in an official capacity.
- 16 The Council takes all incidents of abuse and intimidation towards Councillors very seriously. It has provided all Councillors with advice in relation to personal security. It has developed the Social Media Toolkit, which advises Councillors on how to stay safe online and what to do if they are subject to abuse and intimidation.
- 17 Councillors are advised to report all incidents of abuse and intimidation to Members Support and the Police so that a record can be kept. Even if the conduct complained of does not reach a threshold for immediate action, it may become part of a pattern of behaviour.
- 18 Legal and Democratic Services work closely with the Health & Safety team to conduct risk assessments and provide specific advice and guidance where appropriate and take steps to mitigate any potential risks to Councillors. Where appropriate, the Council will consider taking legal action to protect.

- 19 Councillors are reminded that they are able to access the health and well-being support available under the Council's Employee Assistance Scheme.
- 20 The Council also has a very good relationship with Durham Constabulary who are responsive when concerns are raised with them.
- 21 The above support provided to Councillors is generally well-received. However, in light of the LGA's first recommendation it is appropriate for the Council to consider what else it could do to tackle abuse and intimidation and support Councillors.

The Debate Not Hate public statement

- 22 In relation to recommendation seven, the LGA are asking all Councillors and MPs across the country to sign a public statement to support their work and act as a call for action for the relevant government department to form a working group to bring together relevant agencies and partners to produce an action plan.
- 23 To date, over 400 Councillors have signed up to the public statement in June 2022.
- 24 At its meeting on 5 December 2022, the Standards Committee considered a report in relation to the Debate Not Hate Campaign. It resolved to recommend to Council that the Leader of the Council sign the public statement on behalf of the Council. It also noted that Councillors may wish to sign the statement individually as well.

The Debate Not Hate Campaign

- 25 The Standards Committee have added the campaign to their work programme and will continue to monitor campaign activity so that it can continue to promote the campaign and identify opportunities for the Council to participate. It is understood that the LGA will also be seeking further information from Councillors and Councils regarding the challenges, solutions, and examples of good practice.
- 26 The Standards Committee also noted that a toolkit has been published by Breakthrough Communications which has been approved for use by the National Association of Local Councils and Society of Local Council Clerks. The Standards Committee has requested that Officers review this toolkit against its own Social Media Toolkit to see if it needs to be amended. The outcome of this review will be reported to the Standards Committee meeting in March 2023.

Conclusion

- 27 Given the LGA's findings in relation to abuse and intimidation and the increase in issues locally, it is important to raise awareness of the support available to Members and to support and promote the Debate not Hate Campaign.

Background papers

- The LGA's Call for evidence quantitative data
<https://www.local.gov.uk/publications/lgas-call-evidencequantitative-data>

Other useful documents

- LGA Debate Not Hate Public Statement
<https://www.local.gov.uk/about/campaigns/debate-nothate/debate-not-hate-sign-our-public-statement>

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Appendix 1: Implications

Legal Implications

There are no specific legal implications arising from this report. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct.

Finance

There are no financial implications.

Consultation

Constitution Working Group considered the report at its meeting on 24 November 2022 and were supportive of the proposals. Standards Committee resolved ittee at its meeting on 5th December 2022 to recommend that the Council sign the Debate Not Hate Public Statement.

Equality and Diversity / Public Sector Equality Duty

No Implications

Climate Change

No Implications

Human Rights

There are no direct Human Rights implications arising out of the report. However, when considering allegations of abuse and intimidation, it is necessary to consider a balance between protecting Councillor's from harassment and complying with Article 10 – Freedom of Expression of the European Convention of Human Rights.

Crime and Disorder

Incidents of abuse and intimidation may amount to criminal behaviour. The Debate Not Hate Campaign is intended to reduce incidents of abuse and intimidation and therefore have a positive impact on crime and disorder.

Staffing

No Implications

Accommodation

No Implications

Risk

No Implications

Procurement

No Implications

Appendix 2: Appendix A - Debate Not Hate The impact of abuse on local democracy.pdf (Local.gov.uk)



[Home](#) > [Publications](#)

Debate Not Hate: The impact of abuse on local democracy



Our call for evidence of abuse and intimidation of councillors was launched in October 2021. This report sets out the findings and recommendations for the future of local democracy.

[Communities](#)

28 Jun 2022

Executive summary and background

Councillors are at the centre of local democracy. Elected from amongst their local community and forming a vital link between councils and residents, it is a privilege and responsibility to be elected to public office. However, increasing levels of abuse and intimidation in political and public discourse are negatively impacting politicians and democracy at local and national levels.

Rights to object and constructive challenge are both key components of democracy, but abuse and intimidation cross the line into unacceptable behaviour and serve to silence democratic voices and deter people from engaging with politics.

There is a considerable volume of evidence of the impact of abuse, intimidation, and aggression at a national level, including extreme incidents such as the murder of Jo Cox MP and Sir David Amess MP.

To understand the impacts on local government and councillors, the LGA launched a call for evidence of abuse and intimidation of councillors in October 2021. This report summarises the findings from the first six months of the call for evidence. It sets out

what more could be done to improve support and responses to abuse and intimidation of councillors and reverse national trends around abuse and intimidation that are harmful to democracy.

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Key findings

Respondents to the call for evidence were asked to share their personal experiences of abuse and intimidation as councillors or candidates or abuse of councillors they had witnessed. This included **quantitative questions**

[\[https://www.local.gov.uk/publications/lgas-call-evidence-quantitative-data\]](https://www.local.gov.uk/publications/lgas-call-evidence-quantitative-data)

looking at frequency, location and circumstances of abuse. In addition, respondents were asking for details about triggers of abuse, impacts of abuse personally and more widely, and reflections on support and responses from relevant agencies.

The following themes were identified in the responses to the call for evidence:

- **Variability of support** – The support offered by councils, political parties, and the police varied across the country. In particular, respondents identified a lack of proactive support from some councils and responses from some police forces to threats made against councillors and their families.
- **Targeted abuse** – Evidence from the qualitative responses indicated that councillors and candidates with protected characteristics were more likely to receive personalised abuse. Misogyny, racism, and homophobia were particularly highlighted in the responses.
- **Personal and democratic impacts** – Abuse and intimidation can significantly impact councillors and their families, and the wider community. Several respondents described the negative impacts of ongoing abuse on their mental health and wellbeing. In addition, respondents supported the idea that abuse can impact councillors' willingness to stand for re-election or deter others from considering standing for public office.
- **Vulnerability of councillors** – Many respondents highlighted the visibility and accessibility of councillors in their local community, particularly when councillors' home addresses are available online. Councillors are therefore vulnerable to physical abuse, particularly compared to national politicians who may have greater protections and access to specialist police support.
- **Normalisation** – There is a growing feeling that abuse and intimidation, particularly online, are becoming normalised. Attitudes around councillors expecting abuse and being expected to manage abuse with little support were prevalent in the responses.

Recommendations

In considering these findings, it is possible to set out some initial recommendations to improve the environment for current and prospective councillors. These recommendations range from relatively simple legislative changes to protect

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councillors' privacy to creating a longer-term culture change which seeks to denormalisation of abuse of politicians and other high-profile individuals.

Recommendation 1: Councils and other relevant partners should take greater responsibility for the safety and wellbeing of councillors and take a proactive approach to preventing and handling abuse and intimidation against councillors. This should include addressing the impacts of abuse on councillors' mental health and wellbeing and working in partnership with other agencies and councils to ensure that threats and risks to councillors' safety, and that of their families, are taken seriously.

Recommendation 2: The LGA should continue to gather and disseminate good practice from across the sector, consider what more can be done to prevent abuse and intimidation of councillors through the Civility in public life programme, and support councils and councillors when these incidents occur.

Recommendation 3: Police forces should work to improve the consistency of responses to abuse of and threats made against councillors and take a riskbased approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, such as MPs. This should include identifying best practice in relation to councillor support and safety and sharing it across the country.

Recommendation 4: The Government should prioritise legislation to put it beyond doubt that councillors can withhold their home address from the public register of pecuniary interests.

Recommendation 5: The LGA should work with political parties, election and democratic officers, and organisations responsible for guidance to raise awareness of the options currently available and promote the practice of keeping home addresses private during the election process and once elected.

Recommendation 6: Social media companies and internet service providers should acknowledge the democratic significance of local politicians and provide better and faster routes for councillors reporting abuse and misinformation online.

Recommendation 7: The relevant **Government department should convene a working group** [<https://www.local.gov.uk/debate-not-hate-signour-public-statement>],

in partnership with the LGA, to bring together **Print** Page 2 of 3 **Top** relevant agencies to develop and implement an action plan to address the issue of abuse of local politicians and their safety.

Introduction

Councillors are at the centre of local democracy. Elected by residents in their neighbourhood and tasked with making decisions that affect the whole community, they are as much a part of the community as those they represent and form a vital and direct link between the council and residents.

It is a key democratic principle which all councillors champion, that local government should be open and transparent and that decisions made by elected councillors should be open to scrutiny and challenge. Residents who are unhappy with decisions made by the council or services that the council provides have every right to object and have their voices heard. This is a civil liberty that must be maintained and protected.

However, the growing levels of abuse, intimidation and harassment against elected politicians are a real threat to representative democracy. Comments and actions that cross the line from honest and respectful debate to abuse and intimidation are designed to silence democratic expression, constructive challenge, and free speech.

There is evidence that increasing levels of toxicity of debate and abuse against public figures are having an impact on our country's democratic processes at a national and local level. In 2017, the Committee for Standards in Public Life published a report on **Intimidation in public life**

[<https://epjdatascience.springeropen.com/articles/10.1140/epjds/s13688-02000236-9>] in which the Committee suggested that “the scale and intensity of intimidation is now shaping public life”. Since then, research into abuse toward parliamentary candidates has supported anecdotal concerns that levels of abuse are

increasing and that women, ethnic minority and LGBTQIA+ politicians receive more discriminatory abuse related to their personal characteristics [\[1\]](#) [\[# ftn1\]](#). During the general election in 2019, concerns were raised over a number of female MPs who retired from politics and cited abuse they faced as a key factor in their decisionmaking [\[2\]](#) [\[# ftn2\]](#).

Beyond abuse that may dissuade prospective politicians from standing for election, there are significant concerns about the risks to politicians' personal safety. Although rare, serious incidents do occur as shown by the murder of Jo Cox MP in 2016 and Sir David Amess MP in 2021.

The ability to debate and disagree well, as set out in the Committee for Standards in Public Life 2017 report, is all the more important when there is significant division in viewpoints and politicians grapple with difficult decisions about how to manage complex local issues.

Councillors represent and serve their local communities and the majority do so without being negatively impacted by abuse and intimidation. Recent councillor census data shows that a large majority of councillors (79 per cent) would recommend being a councillor to others and 65 per cent intended to stand for re-election; almost a third said they had never experienced abuse or intimidation linked to their councillor role and 72 per cent said they had never felt at risk in their role.

Nevertheless, some councillors do experience significant abuse and intimidation and the intensification of these harmful behaviours are unacceptable and represent a real risk to democracy at all levels.

Work of the LGA Civility in public life programme

Following the publication of the Committee for Standards in Public Life reports into Intimidation in public life and Local government ethical standards, the LGA established the Civility in public life programme. The purpose of the programme is to address intimidation, standards of public and political discourse and behaviour in public office and provide support and advice to councils and councillors.

Since 2019, the LGA has developed a Model Councillors Code of Conduct and supportive guidance such as Digital citizenship guidance, Guidance for handling intimidation and abuse for councillors and case-studies on council support for councillors dealing with abuse and personal safety issues and run a series of evidence on councillor safety (grant-funded by the UK Government). The LGA launched this Call for evidence of abuse and intimidation of councillors to formally record the experiences of councillors impacted by abuse and intimidation and develop a greater understanding of what could be done to improve civility in public life.

Work of the UK Government

In response to the Committee for Standards in Public Life's reports and national events, the Government established the Defending Democracy programme, a cross-

Whitehall initiative focusing on four priorities including strengthening the integrity of

Page 25 **Top** UK elections, protecting democratic processes and institutions, empowering British citizens and respecting open debate, and tackling disinformation. Under this programme, the Government has passed legislation to address intimidation of electoral candidates and campaigners and introduced legislation to create new offences related to threatening and harmful online communication and false information online.

We welcome progress in these areas, however, evidence gathered by the LGA indicates that greater attention needs to be paid to prevention to stop abuse and intimidation of elected politicians happening in the first place and reverse the impacts of an increasingly toxic political environment on current and prospective politicians.

About this report

In October 2021, the LGA launched an open call for evidence of abuse and intimidation of councillors by the public. The aim of the survey was to capture elected and prospective councillors' experiences and concerns about public abuse and intimidation and what the impacts of abuse are on them, those around them and democracy more generally. The survey was open to councillors, candidates and individuals who support candidates and councillors and might have witnessed relevant abuse. The Call for evidence remains open for submissions to capture experience of newly elected councillors.

In the first six months of the Call for evidence, 419 responses were received in relation to principal councils [3] [3] and these responses formed the basis of this analysis and recommendations. This report uses the lived experience of councillors to fill a data gap around the abuse that councillors receive while fulfilling their elected role, the impacts of abuse on people in public life and local government, and what more needs to be done to improve the state of public discourse.

[1] [1] Gorrell et al., **Online abuse toward candidates during General Election 2019: Working Paper** [<https://arxiv.org/pdf/2001.08686.pdf>], Jan 2020

[2] [2] Gorrell et al, **Which politicians receive abuse? Four factors illuminated in the UK general election 2019** [<https://epjdatascience.springeropen.com/articles/10.1140/epjds/s13688-02000236-9>], July 2020

[3] [3] A principal council is a local government authority as defined under the

Local Government Act, section 270. Here it is used to mean any council across the UK which is not a parish and town council or combined authority, i.e. district, county,

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unitary, London borough, metropolitan etc.

Key facts and figures

The **call for evidence of abuse and intimidation**

[\[https://www.local.gov.uk/publications/lgas-call-evidence-quantitative-data\]](https://www.local.gov.uk/publications/lgas-call-evidence-quantitative-data) was an open survey targeted at candidates, councillors and officers who have witnessed abuse of councillors. Four hundred and nineteen respondents from principal councils responded to the Call for evidence in the first six months. A summary of the key statistics from the survey is set out below:

- 88 per cent of respondents said they had experienced abuse and/or intimidation, directed at them personally in relation to their role as a councillor or because they were a political candidate
- 98 per cent of respondents who said they had experienced abuse and/or intimidation said they had experienced such incidents on multiple occasions
- Most abuse was received via social media, with 73 per cent of respondents with multiple experiences said they received abuse by social media
- 64 per cent of respondents had been abused and/or intimidated in person
- 50 per cent of respondents said the abuse was ongoing
- 72 per cent of respondents said they had taken actions themselves to avoid intimidation and/or abuse, or to protect themselves
- 60 per cent of respondents said they were aware of others being unwilling to stand or re-stand for election, or take on leadership roles, due to anticipated abuse.
- 42 per cent of respondents said they would be standing for re-election at the next election.

- 27 per cent of respondents said they would not stand for the next election and 31 per cent were undecided, of those respondents 68 per cent said abuse and intimidation had influenced their position on whether to stand again.

The **2022 LGA Councillor census**

[\[https://www.local.gov.uk/publications/national-census-local-](https://www.local.gov.uk/publications/national-census-local-authoritycouncillors-2022)

[authoritycouncillors-2022\]](https://www.local.gov.uk/publications/national-census-local-authoritycouncillors-2022) was a time-limited survey directed at all councillors in England

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which took place between January and February 2022. The survey covered a range of areas including representation, councillor views and councillors' work. 5055 respondents responded to the survey which is response rate of 30 per cent. A summary of the key statistics relating to the experiences and impacts of abuse and intimidation of councillors from the survey is set out below:

- 70 per cent of respondents thought that the council had effective arrangements for dealing with inappropriate behaviour by council officers, 57 per cent by councillors and 55 per cent by members of the public
- 28 per cent of respondents had either frequently or occasionally felt at risk personally in their role as a councillor, 45 per cent felt at risk rarely and only 26 per cent never felt at risk
- 65 per cent of respondents thought that council arrangements for protecting councillors personally were either very or fairly effective
- 7 in 10 respondents experienced abuse or intimidation in last twelve months; 10 per cent experienced it frequently, 29 per cent occasionally, 33 per cent rarely. Only 27 per cent had never had any such experiences
- 63 per cent of respondents felt that the arrangements in place for protecting councillors personally were effective
- 79 per cent of respondents would recommend the role of councillor to others
- 65 per cent of respondents intended to stand for re-election

Detailed examination of the responses to the call to evidence

According to the recent LGA Councillor census ^[1] [\[# ftn1\]](#), which gathers key demographic data and perceptions from serving councillors 10 per cent of councillors have experienced abuse and intimidation frequently, with a further 29 per cent experiencing it occasionally. Only 27 per cent said they have never had any such experiences. To get a clearer understanding of how abuse against councillors usually presents, what kinds of abuse councillors experience and why people abuse councillors, councillors and those around them were asked to share their experiences of abuse and intimidation of councillors by the public.

Experiences of abuse

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Respondents were from across the political spectrum, from different council types, and geographical areas, including submissions from England, Wales, Scotland and Northern Ireland. 88 per cent of respondents had experienced abuse and/or intimidation directed against them personally due to their role, with the majority receiving both; 76 per cent had witnessed abuse and/or intimidation of this nature. Respondents to the survey were from a range of demographic groups in terms of age, sex and other protected characteristics; although it was not possible to do further statistical analysis to look for particularly at prevalent groups in the data due to the sample size. Together this could suggest that all councillors may be at risk of experiencing abuse and intimidation during their political career and that some councillors both experience and witness abuse. However, there is evidence from the qualitative responses to the survey that councillors with protected characteristics are more likely to experience personal attacks and abuse. Later in the report we will consider in more depth whether some councillors are targeted with different kinds of abuse.

The abuse described by respondents was multi-faceted and took place in both the online and in-person spaces. Death threats, abusive and discriminatory language, character assassination and intimidatory behaviour, such as encroaching on personal spaces, were common forms of abuse. Destruction of property, physical assault and serious ongoing harassment like stalking or sexual harassment were reported, but these forms of abuse were rarer and more likely to result in some form of police involvement.

Overall, when the reports of abuse were grouped as either offline abuse (in-person or via telephone or post) or online abuse (social media, virtual meetings, or other online communication) they were equal, showing that online abuse happens just as much as

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[?](#) **Print** [?](#) **Top**

offline abuse. However, 73 per cent of respondents said that multiple incidents of abuse they experienced took place on social media, making it the most common place for abuse to occur. Respondents were much more likely to report that abuse had occurred on multiple occasions and involved multiple perpetrators, than multiple incidents by one person or a single incident. This was particularly the case with online communication and on social media, referred to as “the Wild West” by one respondent.

Respondents felt that the increased use of unregulated social media platforms had increased the likelihood of abuse and hurtful comments. Respondents mentioned ‘pile-on’ abuse which is when a number of different individuals sending harassing communication to one victim in a public (social media platform) or semi-public space (messaging service like WhatsApp). Significant amounts of abuse can accumulate very quickly in this way through individual posts, which can be difficult to remove from ▢ Page 29 **Top** the platform but nevertheless have a cumulative harmful effect. The immediacy and 24-hour nature of social media and the reach into personal spaces was also cited as an area of concern, with councillors feeling targeted within their own homes and unable to disengage from abuse being directed at them online. Respondents also suggested that the anonymity of social media emboldened perpetrators to be more extreme on social media and allowed them to set up multiple accounts for the purpose of abusing or ‘Trolling’ others with impunity.

Whilst the Government’s Online Safety Bill may help to address some forms of serious harmful online communication by introducing new communication offences and by introducing a duty to protect adults from harmful content, most online abuse would probably not meet the threshold for criminal prosecution or might fall below the scope of what content should be removed under this duty. We therefore have concerns that these provisions will not have the intended impact and more is needed to address non-criminal but nonetheless harmful online abuse and misinformation.

Councillors have many in-person interactions with residents. Respondents report that single incidents were more likely to happen in person than online and even single incidents had a significant impact on victims. Respondents repeatedly highlighted how visible and locally accessible councillors are to the public, particularly compared to national politicians. In their formal role, councillors attend clearly advertised council events like council meetings and make decisions about highly emotive local issues like planning, licensing and service provision that affect a lot of residents. Council meetings are rightly open to the public, but there is generally little or no security or police presence to handle incidents when they occur. This is often down to the level of resource available, and some respondents indicated that even when the police

accepted there were heightened risks at certain council meetings, they often could not guarantee police support due to resourcing issues. As a consequence, some reported council meetings being adjourned or postponed due to safety concerns.

By comparison members of parliament conduct their official parliamentary role in the highly secure Houses of Parliament and often have formal offices and staff to support their local role and surgeries in their constituency. Members of parliament have a high local and national profile, representing thousands of constituents and are at significant risk of abuse and serious threats. It is therefore right that they have the appropriate facilities and protection to keep them safe as they fulfil their elected role. However, councillors, particularly those with special responsibilities, make decisions affecting hundreds of thousands of people and may experience similar levels of abuse and threats as MPs. Councillors should therefore receive support appropriate to the level of risk associated with their role and their particular situation, just as MPs do. Page 30

Councillors also engage less formally with their local community by holding ward surgeries, door-knocking and visiting residents in their homes. Advice from political parties and the LGA is that these activities are not carried out alone, but responses from the survey indicated that many had done so before an incident occurred, and many rely on volunteers to support these activities. Respondents highlighted that inperson abuse takes place in both formal and informal settings and includes verbal abuse such as threats and discriminatory language and other physical abuse amounting to criminal incidents. Spitting was a common and upsetting form of physical abuse, but respondents also reported more serious physical assaults.

Threats were a consistent theme throughout the responses and ranged from threats to smear a councillor's reputation to threats to the physical person, family or property of the councillor. These threats were seen to be more serious due to the public availability of councillors' personal information, such as home addresses on council websites, making councillors more vulnerable to serious incidents and high-profile incidents over the past few years.

“I have been abused on the street and threatened by being told, I know where you live...and I've been told to watch my back.” *Anonymous respondent*

In addition, some felt this accessibility of information increased the risks of threats being made online translating into real violence. One respondent gave an example of a death threat being made online where multiple individuals suggested councillors should be shot, one social media user posted that they would be willing to 'pull the trigger, just tell me where they live', while another signposted to councillors' home addresses on the council website. In another case, threats were implied by leaving a

live bullet on the doorstep of a councillor's house. This is a rare example, however, many respondents had less extreme examples of online communications leading to real world threats, such as multiple 'poison pen' letters being delivered to councillors homes and orchestrated demonstrations outside a councillors home.

Normalisation

Respondents who said they had experienced multiple incidents were asked to describe how often they received abuse from more than once a day through to less than once a month. The responses indicated that a high frequency of abuse was common. For example, one in ten respondents said they experienced abuse due to their role once a day or more than once a day and 36 per cent of those who experienced multiple incidents of abuse, said they experienced abuse once a week or more frequently. Almost half the respondents who experienced multiple incidents said the abuse was ongoing and many described it as constant. A third said the abuse was not ongoing and some said described abuse not as regular but as directly linked to

Page 31 **Top** specific engagement activities, such as posting online. Nevertheless, there was a clear theme that a certain level of abuse and intimidation is a feature of political life which is both expected and accepted by councillors and those around them.

Normalisation of abusive behaviour towards councillors was also evident in the qualitative responses councillors gave to the call for evidence. Some respondents said that although they were initially shocked by the prevalence and level of abuse when they were elected, the accepting attitude of their councillor colleagues, council staff and political officers quickly led to a shift in their expectations and norms. Consequently, respondents expressed a perception that councillors ought to be able to manage the majority of abuse themselves and that when they struggled to cope, they were concerned people would judge them or say they were not cut out for politics. This might partly explain why 37 per cent of respondent did not seek support in relation to their experiences. A few challenged this perception, recognising that councillors should not have to suffer personal attacks to represent their communities.

All organisations could take it more seriously; being robust enough to handle personal attacks should not be a pre-requisite for public office. Anonymous respondent.

In relation to council staff or political officers, responses showed this normalisation playing out in two distinct and opposing ways. One approach accepted that abuse of councillors by the public is expected and normalised such that very little individual support was offered; abuse is so every day and constant that trying to address it would be a huge and never-ending effort without much benefit. The second approach to increased abuse by the public was for councils to put in place varying levels of support for councillors including specific training, guidance, support, and policies to deal with abuse from the public and bespoke risk assessments of councillors' personal safety. There is a similar divergence of experience in relation to police response to abuse and intimidation of councillors. In some cases, normalisation of abuse of elected members has led to some poor practices where genuinely criminal or threatening behaviour has not been investigated or addressed because of the victim's role as a councillor.

“I think there is an element of not being believed, that you are exaggerating, that you have to put up with it, and that if you do not like it, you can change your role and give to someone else.” *Anonymous respondent*

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Normalisation of abuse by councillors themselves may also have led to some councillors not reporting serious abuse or threats when they occurred. Some respondents were clearly self-categorising abuse as tolerable or serious enough to report to the police, with little in between. In addition, some councillors said that their more experienced councillor colleagues seemed more resilient to abuse and described being told they would get used to abuse after a while. In some cases, this high tolerance had led to councillors not reporting serious incidents, which the police later advised were criminal, should have been reported, and may have put the councillor at risk of harm.

The idea that councillors and other people in high profile public roles should expect and grow used to abuse, that they learn to cope with threats and intimidation, and that there is little to be done to curb abuse is a pervasive narrative at local and national levels. In the aftermath of the murder of Sir David Amess MP, the Government rightly reviewed arrangements for MP's security to assess the provision available and bring consistency across different areas of the country. The LGA welcomed this prioritisation of elected members security, however, the Government chose not to widen the scope of the review to include councillors and other local politicians, despite repeated calls from them to do so. In addition, all police forces were instructed to make direct contact with MPs in their area to discuss their safety and provide advice and support. By comparison councils coordinated support for councillors locally; police input relied on existing relationships rather than a national directive and therefore varied across different areas.

Finally, councillors are leaders of their local community and often act as role models for future leaders; most are striving in good faith to exemplify high levels of discourse and respect debate. However, some respondents commented that rising level of general abuse and disrespectful debate at the national level was coarsening debate in the council chamber. Others said they felt abuse from fellow councillors and political party members was on the rise, despite there being common and well understood standards of behaviour and conduct based on the Nolan principles and principles of respect.

Large scale reviews of standards in local government, such as the Committee for Standards in Public Life 2019 report, have found little evidence of a widespread standards problem. However, there was evidence of misconduct by some councillors related to bullying and harassment. The LGA is committed to maintaining high standards of conduct and creating a consistency of approach by councils when dealing with councillor standards and behaviour. In 2020, the LGA developed a Model

Councillor Code of Conduct in consultation with the sector to set out a common standard of behaviour and support councillors to role model positive behaviours, and respectful conduct.

The normalisation of abuse and intimidation of people in public life has had a negative impact for many, including councillors. If this normalisation of abuse is symptomatic of a wider toxification of society and public discourse, further consideration will need to be given to solutions that will address this within the sphere of local government and in wider society.

Targeted abuse towards councillors with protected characteristics

Targeted abuse towards councillors with protected characteristics was a recurring theme in the responses to the call for evidence, whether through first-hand experience or as a witness. The qualitative evidence from the survey indicated that councillors with protected characteristics may experience more personal attacks, compared to others who experience more general abuse.

Some respondents suggested that councillors with protected characteristics were more likely to experience more extreme and a higher volume of abuse; due to the number of responses and style of the survey it has not been possible to confirm this claim through statistical analysis of these results. However, this would follow trends seen at national levels. For example, in a 2020 study looking at ‘Which politicians receive abuse?’ in the run up to the 2019 UK general election, Gorrell et al. found that women received more sexist abuse, whereas men received more general and political abuse.

Misogyny, racism and homophobia were all mentioned by respondents, although misogyny and reference to women’s personal characteristics or making threats designed to specifically impact women were particularly common.

“Initially when I became a councillor, I was told by a colleague that I should never hold a surgery alone as I was at risk... I was told that with me being disabled, I would be the target of negative treatment by people.” *Anonymous female respondent*

Many councils, political parties and organisations, like the LGA, are working hard to increase the diversity of representation in local government and this requires a greater

variety of candidates to stand at local election. So, it's important to note here that many respondents directly linked abuse associated with personal characteristics with Page 34

reluctance to stand for election or re-election; some described women choosing to take on back-office roles in the local party rather than run for office because of concerns about what abuse they would face.

Some argue that this kind of targeted abuse is symptomatic of wider inequality and discrimination in society and the solution in the long run is to tackle the root cause. Personal and discriminatory abuse of candidates and councillors with protected characteristics undoubtedly hampers efforts to improve local representation and if it continues may have a negative impact on the limited diversity we currently have in local government. So, in the meantime, actions to address those symptoms and reduce the excessive amount and severity of abuse women and other people with protected characteristics receive could help reverse the trend of underrepresentation of these groups in local and national politics.

Triggers of abuse

To better understand the reasons why perpetrators direct abuse at councillors, respondents were asked to comment on whether they felt there were triggers that acted as catalysts of abuse and what those triggers might be. This covered specific to non-specific events and processes and picked up where abuse was not triggered but appeared to be generalised.

59 per cent of respondents believed the abuse was triggered by specific events. Others were not sure or felt there was not a specific trigger event except being in public life. These triggers can broadly be categorised into abuse related to decisions of the council, abuse linked to political party or individual political stances, abuse aggravated by other factors, like perceived poor performance of the council or a misunderstanding of the role of councils and councillors, and abuse linked to the councillor's role in public life. Abuse, triggered by a specific event or otherwise, could also be aggravated by certain myths and perceptions about councillors.

The most common and easy to identify trigger was contentious council decisions; respondents highlighted abuse related to unsuccessful planning and licensing applications and objections to general planning and parking decisions as common triggers. Planning and licensing are an integral part of council business and can be very emotive issues as these decisions can have an impact on individuals and the whole community. Councillors appointed to committees dealing with these issues will

generally receive training on the technicalities of planning and licensing and making these decisions before they take up the role. However, there is no strengthened level of support for councillors sitting on these committees, or training for planning staff who support councillors, to help them deal with abuse linked to the types of decisions they

make.

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Another trigger for abuse was wider council policy on topical issues and in some cases, these were associated with certain types of councils, for example **Low Traffic Neighbourhood issues**

[\[https://www.local.gov.uk/publications/stakeholderengagement-emergency-lessons-low-traffic-neighbourhoods\]](https://www.local.gov.uk/publications/stakeholderengagement-emergency-lessons-low-traffic-neighbourhoods) were clearly associated with urban rather than rural councils. However, there were many triggers, like Covid-19 vaccinations and climate change, that traversed geography across all types of councils.

Here it is useful to examine the different kinds of behaviours respondents said residents displayed and clarify the distinction between appropriate objections to council decisions and policy or complaint about council services. Respondents reported a range of behaviours from continuous and repeated complaints and objections to personalised verbal abuse and intimidatory comments and physical aggression intended to inappropriately influence individual councillors and local decision-making. Residents have a right to object to policies they are unhappy with; these civil liberties are a vital democratic principle and must be maintained. Further to this, the LGA actively encourages residents to engage with their local council and the decisions that affect their communities. However, actions that amount to harassment and devolve into personal attacks or are intended to intimidate a councillor into changing their position or actions are not acceptable and this is happening far too often.

Campaigning and canvassing in the community were also highlighted as high-risk activities by respondents. One respondent labelled door-knocking as “particularly harrowing”, with some councillors saying they had concerns about their own safety and wellbeing, as well as their volunteers while campaigning. Many respondents stated that this abuse was connected to the policy positions of their political party or their own views on particularly divisive issues, such as leaving the European Union. Respondents described how disagreement and opposing views were then reflected in the form of aggression, threats, and personal abuse. Some commented that this has become steadily worse in recent years and that personalised abuse between national and local politicians had set a precedent that has filtered down into conversations with members of the public.

Responses to the questionnaire indicate that it is sometimes possible to anticipate what events or activities might trigger abuse and aggression towards councillors. Consequently, it may be possible to put in place measures to prevent abuse from taking place or mitigate the impacts of abuse. Council officers often work with their councillors ahead of contentious or high-profile decisions to ensure that they are handled sensitively and that councillors know how to respond to online abuse. For

example, councils can remove the option for comments on social media posts for a set period of time and advise councillors to do the same. Allowing time before opening up for comments can reduce ‘knee-jerk’ reactions and allow time for consideration, while still allowing people to have their say at a later point.

Aggravating factors

There was a clear theme running through the qualitative responses about factors that served to aggravate and intensify abuse. These were chiefly based on preconceptions about the role and powers of the councillors, levels of council performance and the public’s right to abuse people in public office.

Respondents commented that it was common for abuse to be rooted in a misunderstanding of the role of the council and councillors, particularly where councils are required to implement government policy. Confusion about responsibility and functions of different levels of government was compounded by residents’ incorrect assumption that councillors have the power to immediately influence national policy and change local policy independently of the rest of the council. Respondents also commented that councillors are more accessible and available to residents than members of parliament and therefore were often the first port of call for disgruntled residents.

“Council is always seen as the bearer of bad news whilst MP’s who are often responsible for setting the policy are deemed as a hero.” *Anonymous respondent*

Change, reduction or closing of local discretionary services was a common theme in responses, this was linked to these services being vulnerable to reduction in central funding from Government and often being highly visible physical infrastructure in the community, such as library services. Respondents commented that it was sometimes difficult to control the narratives around service changes and even positive changes, such as transferring library services to local community groups, was sometimes seen as an abdication of responsibility.

21 per cent of respondents felt that the abuse they experienced was not triggered by a specific event. Many of those felt that abuse was related solely to being a figure in public life and that abusing politicians was seen as fair game.

The problem is that abuse often starts as low level...
 This creates a sense that local councillors are easy
 game for abuse. Anonymous respondent

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They particularly highlighted running for election, being elected and taking on additional responsibilities as points where abuse started or intensified. This is supported by the fact that 72 per cent of respondents said they had additional responsibilities as a councillor. A further 19 per cent of respondents were not sure whether abuse was related to specific events or not and some said it was a combination of ongoing abuse and events that exacerbated abuse, such as engaging with resident online or at ward surgeries.

Councils and political parties have a role in supporting candidates and councillors representing them. The evidence suggests abuse is becoming more common, consistent and normalised in the eyes of the public, councillors and public organisations; one in five respondents to the survey said the abuse or intimidation was ongoing. To ensure this trend does not continue, organisations that support councillors should be proactive in handling serious abuse and referring incidents to the police where necessary, as well as actively supporting councillors to handle abuse that falls below the criminal level.

Personal impacts of abuse and intimidation of councillors

A critical part of the call for evidence asked respondents to share what the impacts of abuse and intimidation had been on them and other councillors. Evidence from these responses shows that abuse and intimidation of councillors has a significant impact on individual councillors and those around them.

Three broad categories of impacts emerged; impacts on the individual, impacts on the individual's family and friends, and impacts on local democracy and the community. These categories were influenced by how public the abuse was, who the councillor shared their experiences with and how the abuse influenced the councillors' choices.

Many respondents described how their experiences of abuse had negatively impacted their mental health and their ability to function in their councillor or other professional and personal roles. Depression and anxiety were commonly reported and some even reported being suicidal due to the levels of abuse. Some had to seek medical advice to deal with the physiological impacts of stress, and in extreme cases respondents

described being so scared of verbal and physical abuse that they stopped going out or would only leave the house if accompanied by someone else.

Due to the public or threatening nature of the abuse, many respondents were concerned for their loved ones. These concerns ranged from family members being distressed by the amount of public abuse directed towards the councillor to fears for their safety or the safety of the family home.

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“[Threats have] made me more aware of both mine and others safety and [the] importance of protecting myself and my family home...we all have to be careful.” *Anonymous respondent*

Respondents commented that in small communities it is very easy to identify a councillor’s family members and friends and sometimes they encounter abuse because of this association. These included grandchildren being bullied by other children at school, family members being ostracised from community spaces, and family businesses losing custom. Family members also worried about the councillor’s safety and asked them not to stand for election again.

“My stress affects my family and I fear that they will be tainted too by the accusations levelled at me. Anonymous respondent

Democratic impacts of abuse and intimidation of councillors

To understand the full implications of abuse and intimidation of councillors, it is important consider impacts beyond the immediate and personal to the knock-on impacts on democracy and local representation.

Respondents were asked to indicate whether they would stand for election again and 42 per cent said they would stand again and 27 per cent were not decided. 43 per cent of respondents went on to answer a question about whether the possibility of abuse and intimidation had influenced their position on whether to stand again and over two-thirds said it had.

Many respondents added their comments saying that the impact of abuse and intimidation on them personally and their family had directly influenced their decision

on whether to stand at the next local election. Some described the lack of structural support for councillors or way to challenge poor behaviour as a contributing factor.

“I could not run in another election ...I would not want to put my family through the stress and anxiety...”

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Unfortunately in politics it is perceived by some that councillors are ‘fair game’ and should have a thick skin.

Even a thick skin can be penetrated. Anonymous respondent

Further to this, respondents said that some councillors were resigning before their term had finished and potential candidates were being discouraged from running for election by the levels of abuse. 60 per cent of respondents said they knew others who were unwilling to run for election or take on leadership roles due to anticipated abuse. Elections are naturally highly stressful, but some respondents said that the line between political competition and personal attacks had been crossed.

On the other hand, a few respondents said they found that abuse had spurred them on to “fight harder”, particularly when the abuse related to personal characteristics rather than objections to their policies or decisions. In general, these cases should be taken as the exception not the rule and certainly not an expectation of the majority of councillors. It is therefore still vital that abuse against councillors is treated seriously, and that councils and police challenge the normalisation of this kind of abuse.

Support from relevant agencies and self-protection

As part of the call for evidence respondents described whether and how they sought support for abuse and how relevant agencies, such as the police, council officers and political parties, responded when they ask for help or reported an incident. This helped clarify the range of opinions, approaches and responses that councillors experience when they seek support to handle abuse and intimidation and in particular brought out the variety of provision at different councils.

63 per cent of respondents sought support in relation to the abuse they experienced, and many received support from multiple sources. However, out of those who sought support almost a third sought informal support from councillor peers, friends and family and by employing a barrister or solicitor to give legal advice. Respondents were most likely to seek support from their peers but many went to multiple agencies, such as their own political party, council officers or the police over the abuse they experienced. Some looked for support from other sources, including national organisations like the LGA, the Suzy Lamplugh Trust, the Local Government Ombudsman, and social media companies. Some also described handling these issues alone and managing their own personal safety.

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When asked how helpful different types of support were, respondents said that support from friends and family was by far the most helpful, followed by peer support. This is particularly challenging finding as friends and family are likely to be the least well equipped to provide effective solutions to public abuse, apart from compassion and empathy. The police and the council were similarly ranked but respondents said they were not as helpful as family and peers. Support from political parties was ranked lowest out of all the options.

There were significant inconsistencies in the level and efficacy of responses to abuse of councillors from relevant agencies. Councillors themselves take a mixture of different approaches to dealing with these issues and responses from relevant agencies were equally mixed. In some cases, respondents reported an excellent experience, with prompt and effective action for those involved.

“Officer and member colleagues were very helpful and supportive. The police were fantastic – took a statement, gave me advice and helped me enhance security at my home, put me on an emergency call list.” *Anonymous respondent*

However, this was not universally the case and a common theme from respondents was a lack of coordination and partnership working between the council and political parties. Some councillors felt they were falling through the gaps between different agencies, with no one taking responsibility for councillor safety and wellbeing.

“Both officers listened and offered me moral support. However, neither have been able to stop the residents’ abuse. The council would not take legal action on my behalf against the worst abuser and advised me against taking a personal case against the individual. The police have seemed powerless to

help me. My party haven't really been of any help... Some members of my family have given me lots of moral support.” *Anonymous respondent*

In general, councillors sought support from their council in relation to misinformation online, abusive communications and physical safety or to request that their personal information, such as home addresses, be removed from the public domain. The response from councils was variable with no one set way of doing things. Some councils focused on equipping councillors to handle abuse and intimidation themselves with training and guidance, while others took a more involved approach, treating councillors similarly to employees and offering lone worker equipment and 24/7 support. Some councils had developed a successful collaborative approach working with political parties and the police to offer support and triage risk to councillors and offering bespoke risk assessments for ward surgery venues and private homes.

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“This [incident] happened over a weekend, the chief executive rang me, in fact my phone never stopped ringing, messages of support from the police and senior officers... I felt truly supported by county staff and councillor colleagues.” *Anonymous respondent*

Support for councillors needs to be flexible to the specific situation and context, therefore it is expected that this offer will look different in different places. However, respondents also shared examples where they received little or no support at all and in particular, highlighted the lack of pastoral care available to councillors. It is becoming more common for political parties to actively record and deal with abuse against their members and some councils now allow their councillor to access staff wellbeing and counselling offers. However, many respondents said that council officers told them to ignore abuse and were apathetic towards addressing these incidents, particularly when they took place online.

There was a similar theme around the police classifying abuse against councillors as political or free speech and refusing to get involved as they would with other citizens. Threats against councillors' safety was generally, although not consistently, treated seriously by the police with some form of action being taken. However, this did not always result in a cessation of the threats and abuse or a warning or prosecution and so perpetrators continue with impunity.

A consistent theme from respondent's experiences was that the police often do not consider online abuse as their responsibility and believe that councillors who willingly stand for office should “expect to receive more abuse than a member of the public”

Due to this perception, respondents described not being taken seriously by the police, struggling to get their complaint investigated and consequently no action being taken against the perpetrators. Councillors do expect more abuse than members of the general public and often have very high tolerances for abuse, however, this does not mean abuse should be treated as acceptable or that councillors should not expect police to investigate crimes committed against them. In time, new offences in the Online Safety Bill may improve the police and prosecution response. The bar for criminal sanction has rightly been set very high to ensure legitimate free speech is protected, nevertheless the new offences may act as a deterrent to perpetrators and encourage police to investigate reports of online harm or misinformation more thoroughly.

37 per cent of respondents did not seek support for the abuse they experienced. Some respondents said this was due to the abuse being a “one-off” event or the abuse being at a tolerable level, such that seeking formal support felt

disproportionate. This description adds to the argument that abuse against politicians has become normalised; while abuse may be tolerated, it is still not acceptable.

However, there were some more extreme examples of abuse, intimidation and threats where respondents still did not seek formal support. This was mainly due to a perception that the onus was on them as the victim to protect themselves from abuse and poor behaviour and that there are few or no structural mechanisms in place to protect them from abuse. This feeling was summarised well by a response who said that councillors are “very much left to provide their own security.”

Further to this, some said they had little faith that the council could help them deal with the abuse affecting them. This is borne out to an extent by the 2022 councillor census data, where 45 per cent of councillors did not feel that their council had effective arrangements in place to deal with inappropriate behaviour by the public or didn't know what those arrangements were and 37 per cent did not feel that the arrangements their council had in place to protect them personally were effective.

Finally, some councillors commented that some perpetrators were known to have mental health problems and were known to council services and the police. Respondents mentioned that social care teams could be helpful in risk assessing and facilitating interactions between councillors and residents with additional needs to ensure those residents are able to access their elected representative. However, respondents also expressed frustrations that action was often not taken against some perpetrators because of their mental health problems. While a person's mental state

may influence their behaviour, this does not lessen the impact abuse has on the victim or threats made by people with mental health problems should be taken as seriously as any other threat.

Councillor safety

Abuse and intimidation form part of a spectrum of abuse which can include very serious assaults and evidence suggests abuse is to be shifting towards the more extreme end of this spectrum. In the recent councillor census less than a third of respondents said that they had never felt at personal risk when fulfilling their role as councillor. Respondents to the call for evidence commented that it felt like abuse was getting worse and risks of running for office were increasing.

“Local politics is a far more dangerous place now than it ever was in the past.” Anonymous respondent

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72 per cent of respondents to the survey had taken some action to avoid intimidation and abuse. These actions were usually around moderating or managing planned and unplanned engagement with the public, specifically using the options on social media to block abusive accounts, holding wards surgeries in public buildings, never working alone, and installing home security equipment. Some respondents commented that their approach had been to disengage from social media entirely and move to holding appointment only surgeries or “walking surgeries” held outside.

Over the last few years, high profile incidents like the murder of Jo Cox MP and Sir David Amess MP outside their respective ward surgeries have highlighted the vulnerability of elected politicians to serious assaults. This has rightly reignited concerns about the safety of councillors, mayors and police and crime commissioner and some historic practices that could put them at additional risk, such as the publication of politicians’ home addresses.

As mentioned earlier, there was a centrally coordinated programme of support for MPs following the death of Sir David Amess MP. This was a high-risk period for MPs and there were real concerns for their safety; a direct police response was a reasonable expectation from MPs. However, there was no expectation from central government that police would contact councillors in the same way. Instead, councils worked with their local police forces to reinforce their approaches to councillor safety. This was light touch in some cases, updating and reissuing councillor safety guidance

or rerunning training designed to help councillors keep themselves safe. However, others recognised that councillors cannot control everything around them and that other agencies have a clear role in enhancing personal safety councillors are as safe as possible while going about their day-to-day council business.

Leeds City Council, for example, took the step of risk assessing all venues that councillors use as ward surgeries whether or not they were council-owned and worked with the councillors and venue providers to mitigate any risks identified. Many councils now provide personal alarms or systems for councillors to use when they are out in the community, in a person's home and at their ward surgeries. These alarms vary in functionality, but usually they can provide a way to alert council officers to an incident taking place. Officers can then respond appropriately, starting with a welfare check and escalating to calling the police to attend the councillor's location if necessary. Some alarm systems can also audio-record what is going on for evidence or have a mechanism to allow the councillor to silently alert the police that they need help.

In the past councils have routinely displayed councillor home addresses on their websites and until March 2019 councillors were required to publicly declare their home address on the ballot paper when they ran for election. Election practice has changed in line with recommendations made by the Committee for Standards in Public life 2017 and 2019 reports into **Intimidation in public life** [<https://www.gov.uk/government/publications/intimidation-in-public-life-a-review-by-the-committee-on-standards-in-public-life>] and **Local government ethical standards** [<https://www.gov.uk/government/publications/local-government-ethical-standards-report>] that making councillors' home addresses public was unnecessary and put them at risk of incidents in their home. Evidence from respondents suggests that just the idea of having to publish a home address can also put people off standing for election and this is out of step with the way we treat personal data in every other sphere of life.

The practice of putting councillor addresses on council websites has reduced as councillors' attitudes have changed. However, councillors may still be required to publicise their home addresses as part of declaring their pecuniary interests on the public register of interests. Councillors may apply for a dispensation from their monitoring officer if they feel disclosing their address would put them or a member of their household at risk of violence. However, the monitoring officer has the discretion to decide whether this test has been met and this has led to inconsistent approaches in different councils. Some monitoring officers have taken the proactive view that all councillors are at risk of violence due to their public role and allow all councillors a dispensation, while others require a specific reason or incident to occur before they will remove an address. Effectively this means that someone could run for election without declaring their address and within 21 days of being elected be required to put it on a public document. Clarity that dispensation may be applied without a specific incident taking place would help create consistency of approach across different councils and reassure prospective councillors that they will have this protection if they are elected. In the view of the LGA, legislative change is required to put this beyond doubt.

Changes to allow councillors to withhold their home addresses from the public register of interests would be in line with changes rules on publishing home addresses for candidates running in elections. Prior to 2018, candidates in local elections were required to declare their home address on the ballot paper; now candidates may choose to opt out of sharing their address. Some councillors still choose to declare their home address. However, feedback from members and safety experts is

increasingly moving towards the idea that candidates and councillors' personal information should be protected and that they should have to opt-in to sharing information like homes addresses as is the case with private citizens. Page 45 [Top](#) In recognition of the concerns in the sector and the real risk to councillors, the LGA ran three 'Personal safety for councillors' events for over 500 attendees between December 2021 and March 2022, updated the Councillor guide to handling intimidation, and produced case studies outlining how councils can support councillors with their safety and wellbeing.

Beyond the role of councils, political parties and individual councillors to manage councillor safety, there is a wider issue about how violence and threats against councillors are dealt with by the police. Earlier we mentioned some examples of councillors having excellent experiences where the council and the police worked together to mitigate risks to councillor safety. However, the overwhelming feedback was that concerns raised by councillors were not taken seriously enough or were outright dismissed by police as part and parcel of political life.

Councillors have the same legal rights and protections as any other member of the public and some would argue councillors have an enhanced risk profile when it comes to physical abuse which should be considered when they report abuse, threat and intimidation. Despite this, some believe that the bar for police to investigate and act when a crime is reported appears to have been set higher for councillors.

This should be considered in relation to other elected politicians, such as members of parliament. Members of parliament have a dedicated team based in the Metropolitan Police called the Parliamentary Liaison and Investigations Team to handle crime on the parliamentary estate in Westminster and liaise with Single Points of Contact (SPoC) in local constabularies to deal with crime and security of members of parliament in their home constituencies. This can include doing specialist risk assessments of MPs homes and offices and handling improved security measures like the installation of better locks and lighting and digital doorbells or CCTV.

By comparison there is no single team or functionality in police forces that are equipped with the specialist knowledge required to triage and handle crimes committed against local politicians because of their role as an elected official. In addition, although informal relationships may exist between councils and police in relation to councillor safety this does not always translate into a coordinated approach to addressing crimes against councillors. For example, some police forces will not accept a report of a crime from the council on the councillor's behalf but insist on a report from the councillor as a citizen. This risks taking the complaint out of context and can lead to an incorrect assessment

of the associated risks to the complainant. On the other hand, some councils have proactively established partnerships and collaborative forums to ensure there are strong links between local emergency services in case of incidents or emergencies. One council, for example, holds regular Page 46

collaborative meetings with the Neighbourhood Safety Team, local police, local fire and rescue service and Police Community Support Team where they share latest intelligence and resources and complete a joint risk assessment for an individual councillor's activities. This can help prevent incidents taking place, but can also support councillors if an incident does occur.

Councils and police services have a duty to work together to formulate and implement strategies to tackle local crime and disorder under the Crime and Disorder Act 1998. This is usually facilitated through a Community Safety Partnership. So, relationships should already exist that could help to manage crime against councillors. However, this does not always seem to be working. One respondent shared that the only reason their complaint was dealt with was because they mentioned it in passing to the police and crime commissioner and chief constable of the local police force.

Actions to abuse or intimidate councillors stifle democracy and the voice of elected leaders and threats to councillors' personal safety is a crime. We recognise that there is significant pressure on the police and the Crown Prosecution Service and that it is not always appropriate to pursue prosecution for all crime. However, as with MPs, councillors should expect to have their complaints are taken seriously, and for police to use all available and appropriate tools at their disposal against perpetrators.

[1] [\[# ftnref1\] LGA 2022 Councillor census data](#)
[\[https://www.local.gov.uk/publications/national-census-local-authoritycouncillors-2022\]](https://www.local.gov.uk/publications/national-census-local-authoritycouncillors-2022)

Summary and recommendations

The call for evidence has revealed an ongoing issue with abuse and intimidation of councillors and concerns about the safety of local politicians that are having an impact on councillors and local democracy more widely. It is important that we address these issues to ensure that they do not have a detrimental impact on councillors, councils and local democracy in the future.

There are clear gaps and inconsistencies in the support and response mechanisms available to councillors to deal with these issues, including council support, support from political parties and preventative support from local police. There is also evidence of a normalisation and acceptance of abuse of councillors that should be challenged. However, there is some evidence of good practice around risk assessing

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ward surgery venues and home locations for councillors, building partnerships with local police, wellbeing support and having clear policies for dealing with communications from abusive residents.

Recommendation 1: Councils and other relevant partners should take greater responsibility for the safety and wellbeing of councillors and take a proactive approach to preventing and handling abuse and intimidation against councillors. This should include addressing the impacts of abuse on councillors' mental health and wellbeing and working in partnership with other agencies and councils to ensure that threats and risks to councillors' safety, and that of their families, are taken seriously.

Recommendation 2: The LGA should continue to gather and disseminate good practice from across the sector, consider what more can be done to prevent abuse and intimidation of councillors through the Civility in public life programme, and support councils and councillors when these incidents occur.

There is evidence of inconsistency in the response of the police to incidents of abuse, intimidation and aggression towards councillors and a normalisation of unacceptable conduct against politicians. There is also a perception that in some cases the threshold for intervention has been set higher for councillors than other members of the public. However, there were examples of good practices by police who took a proactive and coordinated approach to councillor harassment and safety. This worked best when police took a risk-based approach, took the public nature of the councillor role into account, and used all the powers at their disposal to disrupt abusive behaviour before it became more serious.

Police could consider replicating successful approaches taken with MPs or candidates during elections and providing a specialist Single Point of Contact for councillors in the local police force. Another approach would be having a Safety Liaison Officer as is provided for journalists across many forces in England; SLOs oversee cases related to crime against journalists and intervene only when necessary. Page 48

Recommendation 3: Police forces should work to improve the consistency of responses to abuse of and threats made against councillors and take a risk-based approach that factors in the specific risks that councillors face, as they do with other high-risk individuals, such as MPs. This should include identifying best practice in relation to councillor support and safety and sharing it across the country.

The availability of councillors' personal information can make them vulnerable in their own homes and the current legislation lacks clarity in relation to when home addresses can be withheld from the public register of interests. There is also an ongoing presumption that councillors should share their home address, and this can put people off from standing for election. Instead, it may be better for the sector to move towards a presumption that councillors do not share their home addresses publicly and councillors should have to actively 'opt-in' to having this information shared as with private individuals and their personal information.

Recommendation 4: The Government should prioritise legislation to put it beyond doubt that councillors can withhold their home address from the public register of pecuniary interests.

Recommendation 5: The LGA should work with political parties, election and democratic officers, and organisations responsible for guidance to raise awareness of the options currently available and promote the practice of keeping home addresses private during the election process and once elected.

It is clear in the responses from the call for evidence that councillors experience a lot of abuse online and that social media can be a fertile ground for abuse and intimidation. There were significant concerns about the availability of personal information online and how easily online abuse can translate into physical harm. Common concerns were about the cumulative impact of 'pile-on' abuse and how online abuse can transcend traditional boundaries into personal spaces 24 hours a day. The Online Safety Bill currently going through Parliament will aim to better

Page 49 **Top** regulate online spaces through protecting users from illegal and harmful content. The LGA welcome the Bill and will work to ensure it can protect users from harmful abuse and misinformation that might otherwise fall below the criminal level as currently written.

Recommendation 6: Social media companies and internet service providers should acknowledge the democratic significance of local politicians and provide better and faster routes for councillors reporting abuse and misinformation online.

There is currently no clear offer of support or leadership from the Government in relation to the safety of local councillors, despite serious incidents taking place in the last year and concerns about the vulnerability of councillors and the impact of abuse on local democracy. This is in contrast to the centrally coordinated support provided to MPs in relation to abuse, harassment and personal safety.

Recommendation 7: The relevant Government department should convene a working group, in partnership with the LGA, to bring together relevant agencies to develop and implement an action plan to address the issue of abuse of local politicians and their safety.

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