



Standards Committee

Date **Friday 7 June 2024**

Time **9.30 am**

Venue **Committee Room 1A , County Hall, Durham**

Business

Part A

Items which are open to the Public and Press

- 1 Apologies for Absence
- 2 Declarations of Interest, if any
- 3 Minutes of the Meeting held on 7 March 2024 (Pages 3 - 6)
- 4 Publication of Members Addresses (Pages 7 - 26)
- 5 Protocol on Members Use of Resources (Pages 27 - 36)
- 6 National Picture (Pages 37 - 42)
- 7 Code of Conduct Update (Pages 43 - 66)
- 8 Annual Report of the Standards Committee 2023/24 (Pages 67 - 78)
- 9 Committee Work Programme 2024/25 (Pages 79 - 86)
- 10 Local Government Association "Debate Not Hate" Campaign (Pages 87 - 134)
- 11 Civility in Public Life (Pages 135 - 144)
- 12 Such other business as in the opinion of the Chair of the Meeting is of sufficient urgency to warrant consideration

Helen Bradley

Director of Legal and Democratic Services

County Hall
Durham
30 May 2024

To: **The Members of the Standards Committee:**

Councillor K Rooney (Chair)
Councillor T Stubbs (Vice-Chair)

Councillors J Atkinson, L Mavin, J Nicholson, E Peeke, A Savory, G Smith,
T Smith, F Tinsley and C Varty

Town and Parish Council Co-opted Representatives:

Councillors A Doig and C Foote-Wood

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DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 1A , County Hall, Durham on **Thursday 7 March 2024 at 9.30 am**

Present:

Councillor J Nicholson (Chair)

Members of the Committee:

Councillors L Mavin, E Peeke, K Rooney (Vice-Chair), G Smith, T Smith, T Stubbs, F Tinsley and C Varty

Co-opted Members:

Parish Councillors A Doig and C Foote-Wood

Also Present:

Mr C Hugill – Independent Person

Prior to the commencement of the meeting, Members observed a minute's silence for Councillor Isabella Roberts, who sadly passed away recently.

1 Apologies for Absence

Apologies for absence were received from Councillors J Atkinson and A Savory.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The minutes of the meeting held on 4 December 2023 were agreed as a correct record and were signed by the Chair.

4 National Picture

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed Members of the national picture on standards issues affecting local government (for copy see file of minutes).

Resolved: That the report be noted and Officers monitor the progress of the matters referred to and keep the Committee updated.

5 Code of Conduct Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on complaints received by Durham County Council under the Code of Conduct for Members since the last meeting on 4 December 2023 (for copy see file of minutes).

Councillor Stubbs asked if there was a particular issue with complaints from Officers against Members at a county level, and if there was statistics they could look at as most of the complaints were against County Councillors. He then asked if there was a trend and if this was getting worse.

The Senior Lawyer, Commercial & Corporate Governance responded that she did not think that there was a particular issue or upward trend in Officer complaints against Members. It was likely a snapshot of current circumstances which is limited to a small pocket of issues which is skewing the data. As further reports are brought to the Committee once those issues are resolved the figures would likely plateau off and you would see figures more reflective of those seen previously. If it any point, it was considered that there was an upward trend in terms of Officer complaints a report would be brought to this Committee for a discussion.

Councillor Peeke asked if each complaint could be costed as a lot of work goes into complaints and a cost should be allocated. She stated that if the public were aware of the cost, it may dissuade them from bringing a complaint.

The Senior Lawyer, Commercial & Corporate Governance responded that it was a statutory function that the Council has to comply with, and the cost of each complaint was not information that would be in the public domain. The team has worked to pull the data together and this has been presented in a previous report considered by this Committee. They do try to streamline processes as much as they can and indicated that they do reject complaints where they do not engage the code, but they are required to review and consider complaints when received.

In response to a further question from Councillor Peeke the Senior Lawyer, Commercial & Corporate Governance indicated that they could bring a further update to the Committee around the data to ascertain trends if the Committee considered it necessary.

In response to a question from Councillor Tinsley around anonymous complaints the Senior Lawyer, Commercial & Corporate Governance advised Members that they only accept anonymous complaints in exceptional circumstances and the complainant would be advised of the reasons why.

Councillor Mavin referred to the Member who had declined to complete the Code of Conduct training and asked if a record of this was kept for any future allegations and would this be taken into consideration if the member were before a Standards hearing in the future.

The Senior Lawyer, Commercial & Corporate Governance responded that it was captured in the report, and this would stand as the record and indicated that the Committee have no power of compulsion, and they could only make a recommendation, and the failure to comply with previous recommendations would be considered if the Member were in front of a further hearing panel.

Councillor Stubbs referred to habitual complainants and asked how they deal with these complainants.

The Senior Lawyer, Commercial & Corporate Governance responded that there was a habitual complainant's policy that they invoke when the criteria are met. The complainant would be written to and advised why their complaints would not be dealt with and in this case the complainant was advised that the Council would not engage any further in any correspondence.

Resolved: That the contents of the report be noted.

6 Local Government Association "Debate Not Hate" Campaign

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed the Committee of any developments in relation to the Local Government Association (LGA)'s Debate Not Hate campaign (for copy see file of minutes).

The Senior Lawyer, Commercial & Corporate Governance provided Members with an update advising that she would be attending a regional LGA and ANEC event next week with one of the Cabinet Members. The event would be around stability in public health and would be considering how to put in place the zero-tolerance approach in practice and she would report back to the Committee on the outcome of the event.

Councillor Stubbs indicated that home addresses of Members should not be publicised as they had mailboxes in County Hall.

Councillor Tinsley indicated his view that there be a consistent approach on Member addresses.

Resolved: (i) That the contents of the report be noted.

(ii) That a report be brought to the next Standards Committee meeting to consider a draft zero-tolerance of abuse policy.

(iii) That the Head of Legal and Democratic Services circulates the LGA guidance on safe canvassing practices to all Members.



Report of Corporate Management Team

Helen Bradley, Director of Legal & Democratic Services

Electoral division(s) affected:

All

Purpose of the Report

1. To inform the Standards Committee of the outcome of the consultation with all members regarding the Council's approach to publishing Members home addresses on their Register of Interests and consider whether to change the approach.

Executive summary

2. It is a requirement under section 30 of the Localism Act 2011 for Members and Co-opted Members of an authority to disclose any disclosable pecuniary interest to the Monitoring Officer within their register of interests.
3. Section 32 of the Localism Act 2011 makes provision for a disclosable pecuniary interest to be withheld from a member's register of interests if the Member and Monitoring Officer consider the interest to be sensitive.
4. There have been a number of recommendations to and calls for the Government to amend the legislation so that Members are no longer required to publicly declare their home address, but the position remains unchanged.
5. Following an increase in the number of councillors facing abuse and intimidation, the Minister for Local Government wrote to Monitoring Officers urging them to treat requests for an interest to be treated as sensitive sympathetically.
6. Durham County Councillors have recently been consulted on whether to maintain the existing arrangements in relation to the declaration of home addresses or whether to adopt an "opt-in" or "blanket" approach.
7. It was agreed that all County Councillors would be consulted on three options: to maintain the status quo; treat all members home addresses.

This report summarises the consultation responses and makes further recommendations for the Standards Committee to consider.

Recommendation(s)

8. Standards Committee are recommended to:
 - (a) Consider the responses to the Member consultation; and
 - (b) Consider whether to recommend to Council that the approach to the publication of Members home addresses is changed so that all home addresses will be treated as sensitive unless a Member requests that their address is published on the Register.

Background

9. Section 30 of The Localism Act 2011 (“the Act”) sets out the requirement for all members and co-opted members to register any Disclosable Pecuniary Interests (DPIs) with the Monitoring Officer.
10. The Localism Act 2011 is supplemented by The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (“The Regulations”) which set out the interests which constitute DPIs for the purposes of the Act.
11. Under the Regulations, land is defined as
 - (a) “any beneficial interest in land which is within the area of the relevant authority”
12. The most common interest in land, which is required to be registered is a Member’s home address. Unless the interest is considered to be sensitive, the home address (and any other interests in land) will be published on the members register of interests on the Council website.

Sensitive Interests

13. Section 32 of the Act allows a Member, at the discretion of the Monitoring Officer, to have the details of a DPI removed from their register of interests if the interest is considered as “sensitive”.
14. The Act considers an interest to be sensitive if:
 - (a) “the nature of the interest is such that the member or co-opted member, and the authority’s Monitoring Officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation”
15. If an interest is identified as sensitive, the Act require that the register reflects that the member does have an interest under the relevant sections, but details of the interest are withheld. The Act allows for the clarification on the member’s register that their interest is withheld under section 32 of the Act.

Intimidation in Public Life: A Review by the Committee on Standards in Public Life

16. Following a call from evidence by the Committee on Standards in Public Life, the Committee on Standards in Public Life (CSPL) published a report in 2017 which makes a number of recommendations to reflect the scale and intensity of intimidation in public life.

17. The report made two recommendations which concern the publication of member addresses:
 - (a) The government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count.

And;
 - (b) Local Authority Monitoring Officers should ensure that members required to declare pecuniary interests are aware of the sensitive interests provisions in the Localism Act 2011.
18. In a response to the report, the Prime Minister wrote that the Government agree with both recommendations concerning the publication of member addresses.
19. In 2018, the Local Elections (Principal Areas) (England and Wales) Rules 2006 were amended so that candidates are able to request that their home address is not published on the ballot paper.
20. No amendments were made to The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2011. However, when the then Ministry of Housing, Communities & Local Government wrote to local authorities to advise them of the changes to the rules for election candidates, they reminded them of the provision for interests to be treated as sensitive under the Localism Act 2011.

Local Government Ethical Standards, A Review by the Committee on Standards in Public Life

21. In January 2019, the CSPL published a further report, which reviewed the effectiveness of the Standards arrangements in Local Government at the time of publication, particularly due to the changes made by the Localism Act 2011.
22. The review covered all Local Authorities in England and as a result the report made 26 recommendations aimed at the LGA, the Government, Local Authorities and Political Groups.
23. Recommendation 2 in the report concerns the publication of member addresses:
 - (a) **Recommendation 2:** The government should ensure that candidates standing for or accepting public office are not required publicly to disclose their home address. The Relevant Authorities

(Disclosable Pecuniary Interests) Regulations 2012 should be amended to clarify that a councillor does not need to register their home address on an authority's register of interests.

24. The report found, based on evidence gathered, that whilst the intimidation of councillors is less widespread than that of MPs, when it does occur the severity and distressing are equal to that experienced by MPs.
25. The report notes that unlike MPs and Parliamentary Candidates, councillors' addresses are often made public on their register of interests. The report notes that due to the nature of local democracy, local councillors will often live in the local area. Within their call for evidence, there were responses which support the assertion that councillors have a greater fear of being subject to physical intimidation due to their awareness of their high profile in the local community.

Debate Not Hate; The impact of abuse on local democracy.

26. The Local Government Association (LGA)'s Debate Not Hate campaign was launched in 2022 and 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.
27. The campaign is currently a standing item on the agenda of the Council's Standard's Committee allowing them to remain informed of any developments in the campaign and take appropriate action.
28. The Debate Not Hate; The impact of abuse on local democracy report contains the findings from the LGA call for evidence of abuse and intimidation of councillors, and the recommendations of the LGA in response to these findings.
29. The call for evidence found that threats were a consistent theme which ran throughout the responses and these threats were seen as being more serious due to the availability of councillors' addresses online.
30. The report suggests that it may be better for local authorities to move towards an 'opt-in' system which would make the default position for councillors' home addresses to be treated as a sensitive interest and would require councillors to expressly request that their address is published should they wish it to be made public.
31. The report made the following recommendations in response to concerns about the availability of councillors' addresses:

- (a) **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.*

And;

- (b) **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.*

32. Responses gathered during the LGA's call for evidence highlighted significant concerns about the availability of personal information online, and thus how easily online abuse could translate to physical harm.
33. On 18 March 2024, the Minister for Local Government wrote to all Chief Executives in response to recent concerns from elected members about intimidation in public life. The Minister wanted to ensure that all councillors and elected mayors are aware of the sensitive provisions in Section 32 of the Act. He requested that Chief Executives bring the contents of the letter to the attention of all Councillors and the Monitoring Officer. The letter stated that the Government encourages Monitoring Officers to look sympathetically at accommodating requests for withholding home addresses from published versions of the register of interests where there are legitimate concerns of violence or intimidation.
34. On 3 April 2024, the LGA called on the Government to introduce legislation that would allow a council to proactively withhold Councillors' home addresses from the public as soon as is possible. It is understood that the LGA are also requesting that the Government indemnify Monitoring Officers in relation to requests to treat interests as sensitively, which they have considered sympathetically.

Current position for Durham County Council

35. Historically in Durham, there were very few requests for interests to be treated as sensitive and/or instances in which interests were agreed to be sensitive by the Monitoring Officer. However, in recent years there has been a notable increase in the number of requests. This is linked to the increase in abuse and intimidation that Members face.
36. If a Member reports experiencing abuse or intimidation, consideration is given to treating their home address as a sensitive issue as a precaution. All requests to treat interests as sensitive are considered sympathetically by the Monitoring Officer.

37. In the last four years, 17 Members (13.5%) have reported incidents of abuse, harassment or intimidation to Member Services. At present, 22 Councillors (17.5%) have interests treated as sensitive, 12 of which (9.5%) relate to home addresses.

Approaches of other Local Authorities

West Sussex County Council

38. In response to the increasing number of members at West Sussex County Council who asked for their home addresses to be withheld on their register of interests, the Council considered alternative arrangements to address these concerns.
39. Prior to the May 2021 elections West Sussex changed their approach from the assumption that addresses should be published, to instead asking members to explicitly opt in or opt out of having their addresses published.
40. West Sussex reported that following this election, 32 members (out of 70) opted to have their addresses published, and 38 chose not to. The members at the Council are able to update their preference at any time, and by November 2021 they noted that the number of members choosing to withhold their address had risen to 39.
41. A further report was put to West Sussex Council's Governance Committee in February 2022, which recommended that no changes be made to the Council's approach to publishing member addresses.
42. However, in response to the report, Members proposed the default position be amended so that members' addresses are not published unless specifically requested. Members proposed this approach due to concerns which they had in light of LGA research demonstrating a growing level of intimidation.
43. At this meeting it was resolved that the default position be amended so that members' addresses are not published unless specifically requested, and that the Council's Member Development Group considers options to include the area in which a member lives for the purpose of transparency.

Trafford Council

44. Following a recommendation of their Standards Committee in December 2021, Trafford Council commenced a consultation period to gather the opinions of their members as to whether member addresses should be publicly available.
45. The consultation results showed support for the removal of members' addresses from their published register of interests. Trafford's Standards Committee recommended that a report should be taken to Council with the recommendation that a blanket policy be applied whereby all Members' addresses are treated as sensitive interests and not made publicly available.
46. The report taken to Council highlighted the Standards Committee's concern that disclosure of the residential property could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
47. At its meeting in October 2022, the Council agreed the recommendation from the Standards Committee not to publish member addresses.

Amber Valley Borough Council

48. In October 2021, following the murder of Sir David Amess MP, and advice given to the Council by the Derbyshire Police Counter Terrorism Advisor, the Monitoring Officer of Amber Valley Borough Council issued a letter regarding Sensitive Pecuniary Interests of Councillors.
49. The Monitoring Officer considered if member addresses should be considered sensitive and decided that all members' home addresses should be removed from their public register of interests, subject to the member confirming that they wished for their address to be removed.
50. The Land section of the members' register reads:
 - (a) "A disclosable pecuniary interest has been registered but is considered sensitive under Section 32 of the Localism Act 2011 and has not been published."

North East Councils

51. Enquiries have also been made with the Councils in the North East but a limited response was received. It is understood that South Tyneside Council apply a blanket approach to treat all home addresses as sensitive. Northumberland's Standards Committee considered the issue following a consultation exercise with all Members and decided

that addresses would continue to be treated as sensitive on a case by case basis.

Options

52. Constitution Working Group considered the issue in January 2024 following which, all Members were consulted on the options set out below:

(a) **Status Quo**

The current arrangements for the publication of member addresses remain unchanged. Members' home addresses will continue to be published as a default position unless they request for their address to be classified as a sensitive interest under section 32 of the Localism Act 2011.

(b) **Treat all members home addresses as sensitive**

Apply a blanket policy where all members' addresses will be treated as a sensitive interest under section 32 of the Localism Act 2011 and will be withheld from their published register of interests.

(c) **Adopt an opt-in approach**

Move to an "opt-in" system whereby all member's addresses will be withheld under section 32 of the Localism Act as the default, but should they wish, a Member can request that their address be published on their register of interests.

53. On 26 February 2024, members were asked to complete the survey, which is attached at Appendix 2 by 17 April. This deadline for completion was extended to 26 April 2024 in order to maximise the number of responses received.

Summary of Responses

54. In total, 109 (86.5%) responses were received. This is believed to be the highest number of responses received to a Member survey, which is perhaps indicative of the strength of views on the issue.

Option	Respondents
Status Quo	22
Treat all members home addresses as sensitive	28
Adopt an opt-in approach	59

Total	109
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55. 22 respondents expressed a preference for option a, to retain the current arrangement (20%).
56. There was limited support option b, with 28 respondents (26%) indicating a preference that all Members' home addresses should be treated as sensitive.
57. Just over half of all respondents (54%) expressed a preference to move to an opt-in system (option c) whereby all member's addresses would be withheld as the default. A Member would be able to request that their home address be published on their register of interests.

Comments

58. Comments were also invited as part of the survey. These are summarised below.

(a) **Status Quo**

- (i) *In the interests of transparency people should know where their elected representatives live. Removal of an address remains an option for those that encounter issues.*
- (ii) *Remaining with the status quo means that all interests are fully declared and transparent.*
- (iii) *In circumstances where a member owns multiple properties it is less transparent to have the information redacted and would make it more difficult for residents to judge whether a conflict of interests exists.*
- (iv) *A lot of members addresses have been published on the ballot paper anyway therefore many local residents will already know where they live.*
- (v) *There are already provisions to have the address and other information redacted with the agreement of the Monitoring Officer- although there is at least one example where this exemption seems to have been applied to every entry on the form - it is difficult for residents to decide whether a conflict may exist when sections such as "bodies of a public nature" or "Bodies directed to a charitable purpose" are redacted.*
- (vi) *no issues with the home address being published.*

- (vii) *any person elected must be contactable and should divulge their address and contact details, or not stand for election.*
 - (viii) *I prefer my constituents to know where I live because I feel this is a deciding factor when voting for a councillor to represent the area. I feel that a local person is better placed to represent the local people. Being knowledgeable about one's own area and knowing the people too is paramount to ensuring the appropriate needs, wishes and wants of the community are identified and actioned.*
 - (ix) *I have no qualms about residents calling at my home address if they feel they have an issue that requires urgent attention - I prefer to be there for my constituents as much as I possibly can be whether contact is made by email, phone, text message or by attending my address.*
 - (x) *If issues came to light whereby there was a problem with publishing my home address, then I would seek advice from others within the organisation.*
- (b) **Treat all members home addresses as sensitive**
- (i) *a blanket policy covers everyone and there can be no argument, or anyone made to feel guilty if it goes against the county councillors wishes.*
 - (ii) *a blanket policy would best protect all members and their families from unwanted harassment - MPs already have this protection, a common sense approach which should be adopted especially given the high rise in harassment of politicians of all parties and levels of governance. An opt in approach could place a burden/ stigma on members that they may be less committed to their ward division if they do not publish information.*
 - (iii) *I think the fairest and safest is to have a blanket approach. The opt in approach is open to members being intimidated by members of the public to show their address. The blanket approach takes it out of the hands of individual members.*
 - (iv) *The current political climate means that security is a priority.*
 - (v) *Given past experiences myself and other members have experienced it should be a blanket policy as you never know when things will happen.*

- (vi) *Let us not make it easy for Councillors to be targeted at home.*
 - (vii) *This is something that was recently discussed at a Standards Committee meeting, and I understand there is a move nationally to prevent addresses of Councillors being published. I personally see no reason for, and no benefits to having private addresses published.*
 - (viii) *From recent personal problems I think all members personal addresses should be withheld.*
 - (ix) *Blanket Policy as we do from time to time get unwanted visitors to our homes.*
 - (x) *My address was published after my election. Seven days afterwards I was subjected to political hate mail in the post sent to myself and my neighbours. Interventions were required by the Police and Special Force and my home added to a watch list. The perpetrator obtained my home address from Durham County Council website. I therefore feel that all members addresses should be withheld from publication for their own safety. I also feel that in the interests of GDPR type legislations, sensitive information such as addresses should not be made public.*
 - (xi) *This provides the only consistent approach. There is potential that with an “opt in” approach Members could feel pressured to opt in if other Members in the Ward have “opted in” This could be despite feeling intimidated. Stating “address within / outside the Division” confirms local connections of Member without proving address.*
 - (xii) *Addresses should not be published and could lead to worry of threats, intimidation and violence.*
 - (xiii) *My interests are classed as sensitive owing to employment by a family member. A blanket removal would stop any perceived prejudice against councillors who are forced to remove their home details.*
- (c) **Opt-in approach**
- (i) *Opt-in approach allows Members’ the choice*
 - (ii) *The default position should be one that looks after the member and we should not assume consent to publish a*

private address. A blanket policy that prevents a member from having a choice would be too far.

- (iii) While not unduly worried myself, my family are conscious that it only takes one individual to do something very dangerous.*
- (iv) This is an increasing worry for Councillors. Increased public unrest and allegations has resulted in fellow Councillors removing their details for the safety of their families. I do not want to increase the risk to my family so agree with the opt in approach.*
- (v) Thank you for consulting this issue.*
- (vi) I do not have my home address advertised for personal reasons and would support the opt-in approach.*
- (vii) I would like my address to be kept private. I would feel safer given the work commitments of my family and the amount of time spent at home on my own.*
- (viii) The professions or former professions of some members can, on occasions, mean they are targeted by groups or individuals. It should be up to the member to publish their address.*
- (ix) opt-in is the best option.*
- (x) I have witnessed an increase in online threats to individual councillors, and on that basis support the default position to withhold our home address from publication.*
- (xi) In small, close-knit communities, a majority of residents know where a Member resides but other family members should not have to accept the default position.*
- (xii) Happy to have my address in the public domain but understand why others wouldn't want it.*
- (xiii) Due to my profession, I am uncomfortable with in disclosing my home address.*
- (xiv) Members should be able to determine whether their home addresses is published.*
- (xv) I had to have my address removed due to serious concerns following a decision made at Committee.*

- (xvi) *All Members face different challenges, both face to face and on social media, some of which can be intimidating. Every Member should be given the personal choice before their home address is shared.*
- (xvii) *I believe residents are entitled to know a home address should they wish to contact us directly but do recognise the benefit of opt in approach should anyone be uncomfortable with wider publication of address. This is becoming more beneficial due to the direct targeting of Cllrs particularly via social media, so having a home address listed in such circumstances could make some more vulnerable. However, in my personal circumstances many residents know where I live due to living in the same place for 35yrs hence mine currently still appearing. We must be mindful of protecting other family members living at the same address who do not chose to be politically motivated.*

- 59. The survey results demonstrate that there are mixed views amongst Members with the majority preferring an opt-in approach. It is notable that those who are supportive of the opt-in or blanket approach reference their own personal experiences and/or concerns.
- 60. Constitution Working Group considered the outcome of the consultation on 10 May 2024. It noted the high number of responses from Members and the clear preference for adopting an “opt-in” approach. The Group considered that the matter should be referred to Standards Committee for consideration.
- 61. Standards Committee are therefore invited to consider the survey responses and whether they wish to make a recommendation to Council to change the approach. If a change of approach were to be recommended, only home addresses would be treated as sensitive. Other interests in land would be published in the usual way unless there are grounds to treat them as sensitive. These would need to be considered separately in accordance with existing arrangements.
- 62. In considering whether to change the approach, the Standards Committee and Council will need to be satisfied that the increase in abuse and intimidation reported by the LGA and by individual Councillors to the Monitoring Officer is sufficient basis to consider that the disclosure of home addresses could lead to members, co-opted Members or persons connected with them, being subject to violence or intimidation.
- 63. If the Council were to change its approach regarding the publication of addresses, it is possible that the Council and/or the Monitoring Officer

could face a legal challenge on the basis that the legislation requires sensitive interests to be considered on a case-by-case basis.

64. However, the Monitoring Officer considers that the evidence presented by the LGA, the individual cases reported locally and the request from the Secretary of State to treat requests sensitively could be used to defend the treatment of all Members home addresses as sensitive.
65. Trafford and Amber Valley Borough Council appear to have introduced the change without legal challenge. Therefore, for the reasons set out the risk of legal challenge is considered to be low.

Background papers

None

Other useful documents

None

Author(s)

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Appendix 1: Implications

Legal Implications

It is a requirement under section 30 of the Localism Act 2011 for a member or co-opted member of an authority to register any disclosable pecuniary interests with the Monitoring Officer.

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 specifies land as a disclosable pecuniary interest. Under these Regulations land is defined as “any beneficial interest in land which is within the area of the relevant authority”, which includes a Member’s home address.

Section 32 of the Localism Act 2011 makes provision for withholding an interest from public inspection on a Member’s Register of Interest at the discretion of the Monitoring Officer should the publication of such interest be considered to place the Member at risk of violence or intimidation.

Finance

None.

Consultation and Engagement

All County Councillors have been consulted in relation to the Council’s approach to publication of Members addresses and the details are summarised in the report.

Equality and Diversity / Public Sector Equality Duty

None

Climate Change

None

Human Rights

None

Crime and Disorder

Ongoing work by the LGA and Committee for Standards in Public Life continues to highlight the increase of intimidation and harassment aimed at Councillors. This abuse is most prevalent online, but there are significant concerns that the availability of public information such as their addresses online places Councillors at an increased risk of physical abuse of violence.

Staffing

None

Accommodation

None

Risk

Any change in approach to the publication of Members addresses would be intended to minimise the risk of members being subject to such behaviour at their home addresses.

There is a risk that the Council/Monitoring Officer could be challenged in relation to a change in approach. However, for the reasons set out in the report, this risk is considered to be low.

Procurement

None.

Appendix 2: Survey



Member Consultation

Publication of Members' Home Addresses on the Register of Interests

* Required

Options

The Monitoring Officer proposes that the Council adopt one of the following options:

Status Quo

The current arrangements for the publication of members' home addresses remain unchanged. Members' home addresses will continue to be published as a default position **unless** they request for their address to be classified as a sensitive interest under Section 32 Localism Act 2011.

Blanket Policy

Apply a blanket policy where all members' home addresses will be treated as a sensitive interest under section 32 Localism Act 2011 and be withheld from their published register of interests.

Opt-in approach

Move to an "opt-in" system whereby all members' home addresses be withheld under section 32 of the Localism Act 2011 as the default, but should they wish, a Member can request that their home address be published on their register of interests. This is the approach suggested to be most effective by the Debate Not Hate; The impact of abuse on local demo-

1. Please provide your name (Responses will not be attributed to individual Councillors) *

2. Response *

- Status Quo** - Continue to publish all Members' home addresses as the default position.
- Blanket Policy** - All Members' home addresses to be treated as a sensitive interest and withheld from publication.
- Opt-in approach** - All Members' home addresses to be treated as a sensitive interest and withheld from publication **unless** a member requests their address be published.

3. Comments

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Report of Corporate Management Team

Helen Bradley, Director of Legal & Democratic Services

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

Electoral division(s) affected:

None

Purpose of the Report

- 1 To present Standards Committee with a draft Protocol on Members Use of Council Resources.

Executive summary

- 2 The Council's Code of Conduct for Members requires Members to comply with all Council Policies and Procedures including in relation to the use of Council resources. However, the Council does not have a policy, which deals specifically with Members use of Council resources.
- 3 In preparation of the elections in May 2025 and advance of a new cohort of Members, it is proposed to introduce a Protocol for Members, which sets out what Council resources can and cannot be used for.
- 4 This report presents the draft Protocol for consideration and comment by Standards Committee. It is proposed that the Protocol will be presented to Council for adoption.

Recommendation(s)

- 5 Standards Committee is recommended to:
 - i) consider and comment on the draft Protocol on Members Use of Council Resources and
 - ii) recommend it to Council for adoption.

Background

- 6 Under section 2 of the Local Government Act 1986, local authorities are prohibited from publish, or arrange to be published any material, which in whole or in part, appears designed to affect public support for a political party. Publicity is defined as “communication in whatever form, addressed to the public at large or a section of the public.”
- 7 Local authorities are also prohibited from providing financial or other assistance to a person for the publication of material, which the authority is prohibited from publishing themselves.
- 8 The Council provides a range of resources to Members to assist them in the discharge of the duties of Councillor. However, it is important that these resources are used for Council business rather than political purposes.
- 9 The Code of Conduct for Members requires Members to behave in accordance with all legal obligations, alongside any requirements contained within the Council’s policies, protocols and procedures, including on the use of the Council’s resources. However, the Council does not have any policies in relation to Members Use of Resources.
- 10 Since the election in May 2021, queries have arisen from time to time in relation to the use of Council’s resources. These have related to the inclusion of political logos and/or links to political blogs in Council email signatures, use of Council letterhead, emails for political purposes and filming of meetings of the authority.
- 11 In preparation for the elections in May 2025 and the anticipated new cohort of Members, it is proposed to introduce a Protocol, which sets out the Council resources available to Members in the discharge of their duties and the expectations as to how they will be used.
- 12 The introduction of the Protocol will provide Members with clarity as to what is permitted and make it easier for Officers dealing with queries in relation to the appropriate use of resources. A copy of the draft Protocol is attached at Appendix 2 to the report.
- 13 The Protocol summarises the resources provided to Members, sets out what constitutes Council business and the principles for using Council Resources. Rules in relation to the use of specific resources (e.g. Council email, letterhead etc) are set out in a Schedule to the Protocol.
- 14 Once adopted, failure to comply with the Protocol may constitute a breach of the Code on Member Conduct. Standards Committee are therefore invited to consider the draft Protocol and provide

comments/feedback on it with a view to recommending it to Council for adoption.

Background papers

- List any papers required by law / None

Other useful documents

- Previous reports / None

Author(s)

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Appendix 1: Implications

Legal Implications

The relevant legal provisions are set out in the main body of the report. Adoption of the Protocol will help the Council to discharge its duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct.

Finance

None

Consultation

Constitution Working Group were consulted on the draft Protocol on 10 May 2024 and were supportive of it being presented to Standards Committee.

Equality and Diversity / Public Sector Equality Duty

None

Climate Change

None

Human Rights

None

Crime and Disorder

None

Staffing

None

Accommodation

None

Risk

Adoption of a Protocol on Members use of Council resources will minimise the risk of inappropriate use of Council resources and potential breaches of the Code of Member Conduct.

Procurement

None.

Protocol for Members Use of Council Resources

1. Introduction

- 1.1 This protocol governs the use of Council resources in relation to your role as a Councillor.
- 1.2 The Council provides a range of support services and facilities to enable you to carry your duties as a Councillor.
- 1.3 It is a requirement of the Council's Member Code of Conduct that you comply with this Protocol on the Use of Council Resources.
- 1.4 Council resources should be used exclusively for the purpose of Council business or to enable Councillors to carry out their role as Councillor. Use of Council resources for political purposes may be a breach of the Members Code of Conduct.
- 1.5 Council resources include:
 - Accommodation
 - Council email
 - Council logo
 - ICT
 - Photocopiers
 - Postage or use of the Council's postal system
 - Staff time
 - Stationery (paper, headed paper, business cards etc.)
 - Telephones (including mobiles)
 - Transport
- 1.6 The rules regarding the use of these resources are set out in the Schedule attached to this Protocol.

2. Council Business

- 2.1 You may use Council resources in connection with the following Council business:
 - Matters relating to the decision-making process of the Council, e.g. Council, Cabinet and Committee meetings;
 - Representing the Council on an outside body;
 - Holding Electoral Division surgeries;
 - Meeting, communicating with and dealing with correspondence from residents, other Councillors, Officers, Government Officials, Members of Parliament etc. in connection with Council business; and
 - Matters for discussion by a political group of the Council, so long as it relates mainly to the work of the Council (e.g. briefings on decisions to be taken by the Cabinet) and not your political party or group.

3. Principles for the Use of Council Resources

- 3.1 You must always seek to conduct the business of the Council/your duties as Councillor in the most cost-effective way.
- 3.2 You must have regard to the need to ensure prudent and reasonable use of resources and value for money.
- 3.3 Use of Council resources for the purpose of representing individual or small groups of residents is acceptable. However, high volume use of resources such as sending out circulars and conducting wide-scale consultation exercises is not acceptable, even if these relate to Council business.
- 3.4 In the interests of economy and the environment, you are requested to use e-mail instead of post where possible.
- 3.5 You must not use Council resources for party political activity or campaigning. This includes using the Council's address as a digital imprint on election campaign material. The Council is prohibited by law from publishing any material which, in whole or in part, appears to be designed to affect public support for a political party or an individual Councillor.
- 3.6 Failure to comply with this Protocol on use of Council resources may amount to a breach of the Member Code of Conduct. Accordingly, any allegations that a Councillor has used Council resources inappropriately will be dealt with in accordance with the Council's Procedure for Complaints against Members. Allegations in relation to political campaign material are matters for the Electoral Commission and/or the Police to deal with.

Schedule to the Protocol on Use of Council Resources

1. ICT Equipment

- 1.1 You will be provided with appropriate equipment for the duration of your term of office including a tablet and/or laptop. Other peripherals and computer aids may be issued on occasion. On receipt of equipment, you are required to confirm that you have read the [Durham County Council Mobile Device Policy](#).
- 1.2 Support for technical matters is supplied by Members ICT Support.
- 1.3 User training is provided as part of the Member Induction, on the roll-out of new equipment/systems and ongoing training and support is always available on request.
- 1.4 You are required to return all Council supplied ICT equipment if you cease to be a Councillor or at the end of your term of office. The Council reserves the right to commence recovery action in relation to any ICT equipment, which is not returned.

2. The Council's Website

- 2.1 You will have a page on the Council's website, which includes your photograph, contact details, committee memberships, attendance records, appointments to outside bodies on behalf of the Council and your register of interests.

3. Security Pass

- 3.1 You will be issued with a photo security pass which must be worn at all times when you are in Council offices.
- 3.2 Your pass is programmed to provide access to particular areas in the Council offices depending on your political affiliation and roles of special responsibility.
- 3.3 Your card is also programmed to enable you to scan, copy and print from the multi-function devices situated around the Council's offices.

4. Arrangements for incoming mail

- 4.1 Written correspondence will be scanned and emailed to you by Member Services unless alternative arrangements have been made. Magazines or parcels will be placed within your locker within the relevant Group Room or within the Members Resource Centre. If you do not have a locker this information will be retained for you by Member Services until this is collected from the office.
- 4.2 If you do not expect to attend the Council offices for an extended period of time, you should discuss your specific requirements with Member Services.

5. Arrangements of outgoing mail

- 5.1 You are encouraged to use email or hand-deliver outgoing post where possible.
- 5.2 If you wish to send outgoing mail by post, you should take this to the Member Services Team who will make the necessary arrangements. No Political correspondence can be sent via Member Services.
- 5.3 You must use the Council's pre-printed envelopes for mail to be processed in accordance with the Council's contractual arrangements with Royal Mail.
- 5.4 Unless there are exceptional circumstances, mail will be sent by way of second-class post.

6. Stationery

- 6.1 A limited range of stationery is available from Members Services.
- 6.2 Stationery provided by the Council must not be adapted to include political logos.
- 6.3 The multi-function devices are regularly re-stocked with printer paper. You should contact Member Services to re-stock if necessary, rather than taking paper from other locations in the building.
- 6.4 Electronic versions of Councillor letterheads are available via Members Services.

7. Use of Council letterhead, email and email signatures

- 7.1 Your Council letterhead and email signature may state your name, any position of responsibility (e.g. Cabinet Member or Committee Member) the electoral division you represent and if you have been elected on behalf of a political group¹.
- 7.2 You must not include any party-political logos or links to party political websites or blogs on Council letterhead or in emails.
- 7.3 You must use the Council email in accordance with the Council's acceptable usage policy, and never for political purposes. Members should be aware that use of the Council email system to conduct personal business may be misinterpreted as a Councillor seeking to misuse their position. In these circumstances, members should either use a personal email address or remove reference in email signatures to their role as Councillor and make it clear they are acting in a personal capacity.
- 7.4 The Council's "all member" email address must not be used to raise concerns regarding the conduct of Officers or Members. Such concerns should be raised in accordance with the relevant Council Procedures.
- 7.5 When sending an email to the "all Member" email address, Members are encouraged it using the "bcc" function so that only the sender of the email receives any replies.
- 7.6 Please contact Member Services for advice on the appropriate use of Council letterhead.

¹ It is acceptable to include a factual reference that you have been elected to represent a particular political party and/or that you are a member of a political group on the Council.

8. Business Cards

- 8.1 You can request a supply of business cards via Members Services.
- 8.2 Business cards may contain the same information as your email signature but cannot include political logos.

9. Printing

- 9.1 You can use your photo security pass to print, scan and photocopy from the multi-function devices located around the Council offices.
- 9.2 You should be economical with your use of printing facilities and seek to be “paper-light” as much as possible.
- 9.3 You should always print/copy in black and white unless colour is required to enable the document to be understood.

10. Room Hire for Electoral Division Surgeries

- 10.1 You should seek to use meeting rooms that do not incur a charge to the Council if you wish to hold ward surgeries. These can include community facilities and some Council premises.
- 10.2 If no suitable premises are available free of charge an application for the cost of hiring an alternative venue will need to be claimed in accordance with the Members’ Allowances Scheme.

11. Clothing

- 11.1 You may occasionally be required to wear Council clothing such as Council branded coats, high visibility items or other protective clothing when attending events or outside locations. In these circumstances, appropriate clothing will be supplied by the relevant Officers and must be returned immediately after the event.

12. Council Logo

- 12.1 You must not use the Durham County Council logo other than on stationery/business cards in accordance with this Protocol. ²

13. Council Staff

- 13.1 It is the role of Council Officers, and in particular Members Services to provide support for all Councillors to assist them in carrying out their Council duties. The level of support provided will depend on the needs of individual councillors and the varying demands of different roles and responsibilities.

² Note there is a distinction between the Durham County Council logo and the County Durham Coat of Arms, which Councillors may use.

13.2 You must not ask Officers to deal with personal or political matters, this relates to all members regardless of whether you hold a position of special responsibility. Such requests will be politely refused and referred to the relevant Head of Service.

14. Recording of meetings of the authority

14.1 You must not use Council equipment to record meetings of the authority or use Council recordings of meetings for use for political purposes (e.g. on social media).

14.2 If you record meetings of the authority, you will be the data controller in relation to recorded material.

**Report of Helen Bradley, Director of Legal and Democratic Services
and Monitoring Officer**

Electoral division(s) affected:

None

Purpose of the Report

- 1 To inform Members of the national picture on standards issues affecting Local Government.

Executive summary

- 2 This report is for information to update the Committee on national developments and cases which relate to the work of the Committee since the last meeting on 7 March 2024.

Recommendation(s)

- 3 The Standards Committee is recommended to:
 - (a) note the report and request that Officers monitor the progress of the matters referred to and keep the Committee updated; and
 - (b) consider any recommendations it wishes to make arising out of the contents of the report.

Background

- 4 As agreed by the Committee on 10 June 2023, as part of the Annual Work Programme, this is a standing agenda item with a quarterly update to the Committee.

Police launch investigation over “incident” at Arun District Council planning committee

- 5 The police are investigating an incident which involved a member of the public approaching a councillor of Arun District Council at a planning committee on 20 March 2024 and allegedly making ‘verbal threats’ towards them.
- 6 The incident is said to be “*related to plans to build a 47-home development on land north-east of Kingston Lane, East Preston.*” The planning application which was approved during the meeting is said to be controversial and has been opposed by Kingston Parish Council who believe that the application conflicts with the Kingston parish Neighbourhood Plan, the district council’s local plan and certain policies in the National Planning Policy Framework.
- 7 In response to the incident, the Council has stated that it does not tolerate threatening behaviour or language towards Councillors, Officers or Members of the public or them being made to feel unsafe or in fear. This case is another example of the abuse and intimidation, which is increasingly faced by Councillors and Officers. The proposed Zero Tolerance of Abuse Policy, which the Committee has asked to be prepared, will set out the County Council’s position in relation to such incidents and how it will respond to them.

The Government rejects Thurrock Council’s request for a public inquiry

- 8 At the Standards Committee meeting in December 2023, it was reported that a second commissioner’s report was issued on Thurrock Council following the Council issuing of a Section 114 notice in December 2022. The second commissioner’s report followed a ‘Best Value Inspection’ by Essex County Council which referred to a “*dereliction in political and managerial leadership*”.
- 9 Since the second commissioner’s report, Councillors of Thurrock Council unanimously voted for a public inquiry into the Council’s finances following the Council receiving a petition of 1,500 signatures.
- 10 The minister for local government stated that notwithstanding the strength of feeling in the local community regarding the Council’s financial

and commercial risks, the government have rejected the request for an inquiry.

- 11 It is understood that the government do not consider that an inquiry would provide anything additional or further understanding to the best value inspection, the Commissioners intervention and the on-going investigation by the Financial Reporting Council.

External auditors have called for improved member-officer relations at Teignbridge District Council for second year running

- 12 In April 2024, Teignbridge Council considered their annual audit report from Grant Thornton.
- 13 The report highlighted that member-officer relations still needed to be improved, a recommendation which had been made from the previous year. It also noted that there was too much officer time being taken up trying to *“manage relationships and responding to last minute requests or changes of plan”*.
- 14 Grant Thornton also considered the procedures for investigating code of conduct complaints following their previous year’s recommendation to the Council to review them. The auditors acknowledged that Teignbridge had adopted a procedure in March 2022, and it was therefore reported that there was no evidence of a departure from the key regulatory and statutory requirements or professional standards. Members may recall that it was reported to the Committee in March 2023 that the Ombudsman for Local Government and Social Care found that an investigation conducted by Teignbridge District Council into an alleged Member Code of Conduct complaint was flawed.

Consultation on the Code of Practice on Good Governance for Statutory Officers

- 15 In March 2024, Lawyers in Local Government (LLG), the Chartered Institute of Public Finance Accounting (CIPFA) and Solace produced a draft ‘Code of Practice on Good Governance for Local Authority Statutory Officers’ for consultation.
- 16 The Chief Executive, the Chief Financial Officers and Monitoring Officer are three statutory officers of a local authority and are often referred to as ‘the Golden Triangle’. The draft Code confirms that like other public office holders, the Nolan Principles apply to these roles. It also sets out the expectations of these officers as well what is required for the statutory officers to work effectively together and deliver good governance.
- 17 It is expected that the Code will be launched in early June 2024. A copy of the Code will be presented to a future meeting of the Committee.

Investigation finds Monitoring Officer was undermined and bullied by former council leader

- 18 The former council leader of South Tyneside Metropolitan Borough Council Iain Malcolm has been found to have undermined and bullied the council's monitoring officer along with the Corporate Director, Business and Resources (s151 officer).
- 19 The two officers submitted a code of conduct complaint against the former leader alleging that he exhibited controlling and bullying behaviour. The complaints resulted in an investigation by an external investigator at Anthony Collins Solicitors.
- 20 The officers concerned, complained that the former Member's behaviour towards them was hostile, threatening and aggressive. The Member is alleged to have said , *"I am telling you what to do. When I give an instruction to Officers, I will not be undermined"* in a manner which the officers considered to be aggressive and intimidating. The incidents are alleged to have occurred during meetings held in 2020.
- 21 The former leader categorically denied the allegations of bullying and intimidation however, accepted that he could have handled the conversation with the complainants on 6th July 2020 better and that he can unintentionally raise his voice, due to having a severe hearing impairment.
- 22 The investigating officers report concluded that the Member had breached the code of conduct by failing to treat the complainants with respect and through conduct that amounted to bullying.
- 23 The investigation report was referred to a Standards Committee hearing which took place on 20 March 2024. The Committee accepted that the delay in bringing the complaints to a hearing were outside of the control of either the Member, the complainants or the Council.
- 24 Whilst the Committee noted that there were mitigating factors for the former leader's behaviour, including extensive evidence of abuse which he was facing from a number of sources, the Committee found that in no way excused the behaviour of the Subject Member.
- 25 As the former leader was no longer a serving Councillor the Committee recognised it had no power or authority to impose any sanctions and therefore did not recommend any. However, the Committee considered that the breaches found were serious and would have wanted an equally serious response in terms of sanctions.

Background papers

[Police launch investigation over “incident” at planning committee \(localgovernmentlawyer.co.uk\)](#)

[Government rejects Thurrock Council public inquiry \(bbc.co.uk/news\)](#)

[Government rejects Thurrocks bid for public inquiry into financial collapse \(LGCplus.com\)](#)

[Auditors call for improved member-officer relations at council for second year running \(localgovernmentlawyer.co.uk\)](#)

[Teignbridge District Council Full Council Meeting 23 April 2024 \(democracy.teignbridge.gov.uk\)](#)

[Consultation on the Code of Practice on Good Governance for Statutory Officers \(LLG.org.uk\)](#)

[Monitoring officer was undermined and bullied by former council leader, investigation finds \(localgovernmentlawyer.co.uk\)](#)

[South Tyneside Standards Committee 20/03/2024 \(southtyneside.gov.uk\)](#)

Other useful documents

None.

Author(s)

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Appendix 1: Implications

Legal Implications

The Council has a duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its Members and to adopt a code of conduct that is consistent with the Nolan Principles. Ensuring that the Standards Committee is kept up to date with national Standards issues is expected to facilitate compliance with this duty.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

Standards Committee

7th June 2024

Code of Conduct Update



**Report of Helen Bradley, Director of Legal and Democratic Services
and Monitoring Officer**

Electoral division(s) affected:

None

Purpose of the Report

- 1 To provide Members of the Standards Committee with an update on complaints received by Durham County Council under the Code of Conduct for Members since the Committee's last meeting on 7 March 2024.

Executive summary

- 2 The report provides an update on the complaints of alleged breaches of the Code of Conduct currently being assessed and those which have been completed. Complaints are considered in accordance with the Council's Procedure for Member Code of Conduct Complaints.

Recommendation

- 3 The Standards Committee is asked to:
 - a) Note the contents of the report.

Background

- 4 The Council has a duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and co-opted members and to adopt a Code of Conduct that is consistent with the Nolan Principles addressing the conduct that is expected of members when they are acting in their official capacity as a councillor and/or representative of the Council.
- 5 The Council must also have in place arrangements to consider allegations about breaches of the Codes of Conduct for Members by the Council's own members and of members of the town and parish councils for which the Council is the principal authority.
- 6 Expected standards of behaviour should also be embedded through effective member induction and ongoing training.
- 7 Members' failure to comply with the Code can be an issue of concern to local communities and result in a perception of poor governance. This could affect the reputation of the Council. The Council therefore maintains an open and transparent process for making complaints against members. Information and guidance on the process for making such complaints is clearly signposted and accessible on the Council's website.
- 8 These arrangements include provision for the Monitoring Officer to provide local solutions to resolve complaints without formal investigations.
- 9 The responsibility for standards activity, including the monitoring of the operation of the Code, falls within the jurisdiction of the Standards Committee. Regular oversight of complaints received enables the Standards Committee to identify particular trends or issues which might need further consideration by the Committee and/or wider training needs.
- 10 Details of complaints activity during the period between 2 February and 20 May 2024 is set out in Appendix 2. An analysis of those matters is set out below.

Complaints received since 24 February 2024

How many complaints were received?

- 11 There have been 18 formal complaints received between 24 February 2023 and 20 May 2024, of which:
- 4 are subject of a final Decision Notice;
 - 8 are ongoing matters;
 - 6 have been rejected.

Who were the Complaints from?

- 12 Of the 18 formal complaints received during the last period:
- 12 were from members of the public; and
 - 3 were from a member against another member; and
 - 1 was from a Parish Council Clerk.

Who were the Complaints about?

- 13 Of the 18 formal complaints received during the last period:
- 10 were about Town or Parish Councillors; and
 - 7 were about County Councillors; and
 - 1 was about a Dual Hatted Member

Which provisions of the Members' Code of Conduct were alleged to have been breached?

- 14 Of the 18 formal complaints received during the last period, the principal provisions of the Members' Code of Conduct engaged were:
- Respect: 6
 - Behaving in accordance with policy or legal obligations: 7

What were the outcomes?

- 15 Of the 4 formal complaints received during the last period which have been subject to final Decision Notices:
- No further action was taken in relation to 3 matters and;
 - Local resolution was deemed appropriate for 1 matter.
- 16 Local resolution included a recommendation that the Member complete training in relation to Equality and Diversity Training and that the member publish an apology. The training is in the process of being arranged. It is understood that the Member published an apology, but the Complainant has indicated he considers the apology to be unsatisfactory.
- 17 Of the complaints that have not progressed or have been rejected:
- One Complainant failed to provide sufficient information for their complaint to be dealt with anonymously. The Complainant only wanted to proceed on an anonymous basis.
 - One complaint was rejected as a similar complaint concerning the member had recently been dealt with by way of a decision notice and they had recently completed training.
 - Two complaints were older than 3 months old relating to incidents that occurred in 2023 and provided no good reason for delay.
 - Two Complainants failed to provide sufficient information in order to progress their complaints.
- 18 In respect of ongoing complaints, it would not be appropriate to comment on matters that are currently being assessed or investigated but Decision Notices will be available for inspection once the decision has been communicated to the relevant Subject Member and Complainant.

Complaints received prior to 23 February 2024

- 19 During the last period, there has been ongoing activity relating to a further 2 complaints, which were received prior to 23 February 2024 but remained ongoing at that date. Details of these also appear in Appendix 2. An analysis of those matters is set out below.
- 20 Of the 11 complaints which remained active at the date of the last meeting of the Standards Committee on 7 March 2024:
- 5 are now the subject of final Decision Notices; and
 - 3 remain ongoing; and

- 4 have been rejected.

Who were the Complaints from?

- 21 Of the 11 complaints which remained active at the date of the last meeting of the Standards Committee on 7 March 2024:
- 6 were from members of the public;
 - 4 were from a member against another member; and
 - 1 was from a Complainant who wished to be anonymous.

Who were the Complaints about?

- 22 Of the 11 complaints which remained active at the date of the last meeting of the Standards Committee on 7 March 2024:
- 9 were about Town or Parish Councillors; and
 - 2 were about County Councillors.

Which provisions of the Members' Code of Conduct were alleged to have been breached?

- 23 The principal provisions of the Members' Code of Conduct engaged were:
- All aspects of the Code engaged: 9
 - Respect: 6
 - Behave in accordance with all legal obligations: 5
- 24 Members will note that a small number of complaints remained outstanding as of 7 March 2024 concerned all aspects of the Code of Conduct.

What were the outcomes?

- 25 Of the 11 complaints received prior to 7 March 2024, which have been subject of a final Decision Notice during the last period:
- No further action was taken in relation to 4 matters;
 - Local resolution was deemed appropriate for 1 matter;
- 26 Local resolution included member training in relation to the Annual Governance and Accountability Return reporting requirements.

Why have some complaints taken longer to resolve?

- 27 Complaints have taken longer due to staffing levels and workload. Some complaints are also subject to investigation.

Conclusion

28 This report provides a summary of the Code of Conduct Complaints handled over the last 3 months and is intended to provide an overview of complaints handling to assist the Standards Committee to fulfil their role in promoting and maintaining high standards of conduct.

Background papers

- Code of Conduct for Councillors.
- Procedure for Member Code of Conduct Complaints.

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Appendix 1: Implications

Legal Implications

The Council has a duty under s.27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a Code of Conduct that is consistent with the Nolan Principles. It must also have in place arrangements to consider allegations about breaches of the Code of Conduct for Members by the Council's own members and by members of parish/town councils for which the Council is the principal authority.

Finance

There are no financial implications.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

There are no equality and diversity implications arising out of the report.

Climate Change

There are no climate change implications arising out of the report.

Human Rights

None.

Crime and Disorder

There are no Crime and Disorder implications arising out of the report.

Staffing

There are no staffing implications arising out of this report other than those mentioned in paragraph 26 above.

Accommodation

There are no accommodation implications.

Risk

Risks	Uncontrolled Risk	Controls	Controlled Risk
Poor governance and decision-making outcomes.	High – legal challenges and/or a complaint of maladministration could be made.	Low – Members and key staff are appropriately trained and have a good understanding of	Adherence with the Code, Constitution, and Procedures.

Reputational damage.	The Council could be ordered to pay compensation and/or suffer reputational damage.	the Code requirements. This is a continuous requirement.	Staff and Member training.
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Procurement

There are no procurement implications.

Appendix 2: Code of Conduct Complaints Activity

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Appendix 2: Code of Conduct Complaints Activity

24 February 2024 – 20 May 2024

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
COM 393 COM 397	5-April-22 19-April-22	Town	Officer Member	That the Subject Member has, in emails and on social media, been disrespectful towards fellow Councillors and an Officer of the Council.	- Respect - Bullying - Failing to follow procedure / policy (member officer protocol)	28-Sep-23	Standards Committee Hearing Panel Outcomes: <ul style="list-style-type: none"> • Censure - Completed • Training on Member/ Officer relations – Completed
FS-Case-479253074	18-Jan-23	Parish	Member	Members have given false statements during a Parish Council Meeting. Members have approved a contract on behalf of a landowner.	- All aspects of the Code of Conduct	25-Oct-23	Dealt with under a collective decision notice 13 complaints in total in which 4 were NFA. Complaints; FS-Case-479253074, FS-Case-479484178, FS-Case-479665269, FS-Case-480006325, FS-Case-480451746, FS-Case-482384231, COM 414, FS-Case-511652546 and FS-Case-527404494 Referred for Investigation.
FS-Case-479484178	18-Jan-23	Parish	Member				
FS-Case-480006325	18-Jan-23	Parish	Member				
FS-Case-479665269	18-Jan-23	Parish	Public				
FS-Case-480451746	19-Jan-23	Parish	Public				
FS-Case-482384231	30-Jan-23	Parish	Member				
COM 414	8-Feb-23	Parish	Member				

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-520404494	28-Jun-23	Parish	Public				
FS-Case-511652546	29-Apr-23	Parish	Member				
FS-Case-485616401	09-Feb-23	County	Officer	The complainant alleges that the Subject Member posted confidential information on social media.	<ul style="list-style-type: none"> - Disclosing Confidential Information - Bringing the Role of Member or Local Authority into disrepute. 	16-Mar-23	Local Resolution – Code of Conduct training focussing on the confidentiality requirement. – Member has declined training.
COM 415	15-Mar-23	Parish	Officer	Accusations of bullying	<ul style="list-style-type: none"> - Respect - Bullying and Harassment - Value colleagues 	17-May-23	No further action due to Cllrs resigning.
FS-Case-505549532	05-April-23	County	Officer	The complaint raises concern about the subject member's alleged ill treatment of staff and bullying and harassment of Council Officers. The complaint also details concerns about your alleged use of social media and the Press to unfairly criticise officers and make inaccurate and inflammatory statements about the Council, Officers of the Council and the Council's Area Action Partnerships. Additionally, the complaint includes the alleged failure to adhere to the Member-Officer Relations Protocol	<ul style="list-style-type: none"> - Failure to act in accordance with Member-Officer Relations Protocol - Respect - Bullying 	12-Oct-23	Referred for Investigation.

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-511445732	28-Apr-23	County	Officer	The complaint relates to comments made by the two Subject Members in an Article published in the Northern Echo. The Subject Members criticised the Council and Council Officers, with the article stating the Subject Members “have launched a scathing attack on non-elected officers at Durham County Council”.	<ul style="list-style-type: none"> - Act in accordance with Member Officer Relations Protocol - Respect - Acting in accordance with legal obligations 	12-Oct-23	<p>Linked to FS-Case-505549532.</p> <p>One Member Referred for Investigation and No Further Action in respect of the other Member.</p>
COM 418	24-Apr-23	County	Public	The complaint alleges that the subject member has been using his position as a Councillor to interfere with a member of the public’s business. The subject member is being accused of using his position as a Councillor to bully and harass a member of the public and their partner. The Subject Member video called the member of the public to intimidate her into speaking to her husband about an ongoing conflict between him and the subject member.	<ul style="list-style-type: none"> - Respect - Acting in accordance with legal obligations - Bullying and Harassment - Seeking to confer an advantage/disadvantage. 	27-July-23	<p>Standards Committee Hearing Panel</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Censure - Completed • Code of Conduct training into the role and remit of a Parish & Town Councillor - Member has declined to attend training. • Written apology – Member has apologised but not provided a copy to the Monitoring Officer as this was not a requirement of the hearing panel.
COM 420	28-Apr-23	Town	Officer	Accusations of bullying	<ul style="list-style-type: none"> - Bullying - Respect - Conferring an advantage or disadvantage 	20-Oct-23	Completed – Local Resolution Mediation - to be arranged.
FS-Case-514139036	09-May-23	County	Member	The Subject Member has made comments of a discriminatory nature on a Facebook group.	<ul style="list-style-type: none"> - Respect - Bringing the Role of Member or Local Authority into disrepute. - Acting in accordance with legal obligations 	25-May-23	<p>Standards Committee Hearing Panel.</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Censure - Completed • Training on Member/ Officer relations – Completed

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
Page 56							
COM 421	10-May-23	Parish	Clerk on behalf of the PC	The Subject Member has disclosed a potential data breach as a non-member of the Parish Council manages his email account for him.	<ul style="list-style-type: none"> - Disclosing Confidential Information - Bullying and harassment - Respect 		Ongoing
COM 422	22-May-23	Parish	Member	The Subject Member is alleged to have been spreading malicious rumours	<ul style="list-style-type: none"> - Respect - Value Colleagues and staff - Bullying and Harassment - Bringing the role of Member into disrepute 	18.1.2024	No Further Action following resignation of Member.
FS-Case-529322214	05-Jul-23	County	Public	The Subject Member has made disrespectful comments aimed towards another Member on social media.	<ul style="list-style-type: none"> - Respect - Value colleagues - Not to bring the role of the member/authority into disrepute 		Ongoing.
COM 423	01-Aug-23	Parish	Member	This complaint is linked to COM 422 as the Subject Member is alleged to have been spreading malicious rumours.	<ul style="list-style-type: none"> - Respect - Value Colleagues and staff - Bullying and Harassment - Bringing the role of Member into disrepute 	18-Jan-24	No Further Action following resignation of Member.
COM 425	07-Aug-23	Parish	Public	The Subject Members are accused of speaking disrespectfully towards other Members of the Parish Council and the Complainant.	<ul style="list-style-type: none"> - Value Colleagues and staff - Respect - Bullying and Harassment 	18-Jan-24	No Further Action following resignations of Members.

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-539664142	16-Aug-23	County	Officer	The Subject Member is accused of distributing information in an attempt to discredit the Complainant.	<ul style="list-style-type: none"> - Accountable for decisions and cooperate when scrutinised - Behave in accordance with legal obligations - Value Colleagues and staff - Respect - Not disclose information given to them in confidence - Not to bring the role of the member/authority into disrepute 		Ongoing
FS-Case-544614411	05-Sep-23	Town	Public	The Subject Members are alleged to have accepted a gift contrary to the Gifts and Hospitality Policy.	<ul style="list-style-type: none"> - Not allowing pressures to deter them from pursuing the interests of the Council - Exercise independent judgment and not compromise their position - Behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies 	7-Nov-23	Local Resolution Training – Training agreed to be arranged once a revised Gifts and Hospitality Policy has been adopted by the Town Council.
FS-Case-546254817 Page 57	11-Sep-23	County	Officer	The Subject Member is alleged to have failed to treat Officers with respect.	<ul style="list-style-type: none"> - Act in accordance with legal obligations - Value Colleagues and staff - Respect - Bullying and Harassment 		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
Page 58					- Not to bring the role of the member/authority into disrepute		
FS-Case-551594852	03-Oct-23	Town	Public	The Subject Member is accused of not being independent.	- Listen to the interests of all parties		Completed – Not progressed due to a failure to provide further info upon request.
FS-Case-556862472	24-Oct-23	Parish	Public	The Subject Member is alleged to have spoken to the Complainant disrespectfully at a site meeting.	- Deal with representations or enquiries fairly, appropriately and impartially - Listen to the interests of all parties - Respect	17-Jan-24	Completed. No Further Action
FS-Case-561159527	10-Nov-23	County	Member	The Subject Member is alleged to have brought the reputation of the Council into disrepute by spreading false information.	- Value colleagues and staff - Not to bring the role of the member/authority into disrepute - To hold the local authority and fellow Members to account		Completed. No Further Action
FS-Case-562390041	15-Nov-23	Parish	Public	The complainant alleges that the Subject Member disclosed personal information about them at a Parish Council meeting.	- Not disclose information given to them in confidence.		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-562494788	16-Nov-23	Parish	Member	The complainant alleges that the Subject Member has breached the respect provision of the Code of Conduct following a post on social media.	<ul style="list-style-type: none"> - Value colleagues and staff - Respect 	23-Jan-24	Completed. Local Resolution – written apology - Completed.
FS-Case-562593888	16-Nov-23	Parish	Officer	The complainant alleges that the Subject Members have failed to work constructively with them and have harassed them by acting in an intimidating way.	<ul style="list-style-type: none"> - Value colleagues and staff - Respect 	19-Dec-23	Completed. No Further Action.
FS-Case-563802819	21-Nov-23	Town	Public	The Subject Member is accused of making defamatory statements on social media.	<ul style="list-style-type: none"> - Respect 		Ongoing.
FS-Case-564885887	26-Nov-23	Town	Member	The Subject Member is to have alleged to have breached GDPR protocols by posting personal details of a former officer of the Council.	<ul style="list-style-type: none"> - Behave in accordance with legal obligations - Respect - Not disclose info given to them in confidence 	12-Dec-23	Completed. No Further Action.
FS-Case-56611405	3-Dec-23	County	Public	The Subject Member is alleged to have acted in her own interests by parking her car on the highway.	<ul style="list-style-type: none"> - Champion the needs of residents. - Behave in accordance with legal obligations - Not to bring the role of Member into disrepute 	17-Jan-2024	Completed. No Further Action.
FS-Case-568223510 Page 59	7-Dec-23	Parish	Public	One Subject Member is alleged to have spoken to the Complainant disrespectfully during a Parish Council meeting and the other Subject Member is alleged to have	<ul style="list-style-type: none"> - Respect. 		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
Page 60				not intervened as Chair during the alleged incident.			
FS-Case-568052101	8-Dec-23	Town	Public	The Subject Member is alleged to have not responded to the Complainant in a timely manner.	<ul style="list-style-type: none"> - Listen to the interests of all parties - Be accountable for decisions and cooperate when scrutinised internally and externally incl by local residents 	23-Nov-23	Completed. No Further Action.
FS-Case-568081299	8-Dec-23	Parish	Public	The Subject Member is accused of a series of misleading and inaccurate information regarding the Parish Council's Annual Governance and Accountability Return.	<ul style="list-style-type: none"> - Be accountable for decisions and cooperate when scrutinised internally and externally incl by local residents - Open and Transparent - Behave in accordance with legal obligations - Value Colleagues and Staff 		Completed. Local Resolution in relation to training on the AGAR. – Training has been arranged by the Parish Council in March for all Members.
FS-Case-570323203	18-Dec-23	County	Public	The Subject Member is accused of informing residents of confidential information.	<ul style="list-style-type: none"> - Behave in accordance with legal obligations - Respect 		Completed. Complainant did not proceed with complaint.

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
					<ul style="list-style-type: none"> - Not disclose info given to them in confidence 		
COM 426	8-Jan-24	Parish	Anonymous	The Subject Member is accused of posting a racial post on social media.	<ul style="list-style-type: none"> - Behave in accordance with legal obligations - Not to bring the role of Member into disrepute - Respect 	08-Jan-24	Completed. Complaint not proceeded with due to it being anonymous and no way of obtaining further info.
FS-Case-577721473	15-Jan-24	Parish	Member	The Subject Member is alleged to have bullied the Clerk during a Parish Council meeting.	<ul style="list-style-type: none"> - Respect - Value colleagues & Staff - Bullying & Harassment 		Ongoing – Linked to FS-Case-578378695
FS-Case-578210543	17-Jan-24	Town	Public	Historical complaints of the Town Council.	<ul style="list-style-type: none"> - N/A 	30-Jan-24	Rejected - Habitual and vexatious complainant.
FS-Case-578378695	17-Jan-24	Parish	Member	The Subject Member is alleged to have bullied the Clerk during a Parish Council meeting.	<ul style="list-style-type: none"> - Respect - Value colleagues & Staff - Bullying & Harassment 		Ongoing – Linked to FS-Case-577721473
FS-Case-585268567	08-Feb-24	Parish	Member	Subject Members are accused of bullying and harassment of a member of the public.	<ul style="list-style-type: none"> - Respect - Value colleagues & Staff - Bullying & Harassment 		Rejected

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
Page 6 FS-Case-592685081	05-Mar-24	Town	Member	The Subject Member is alleged to have spoken rudely to a resident on Social Media	<ul style="list-style-type: none"> - Respect - Not to bring the role of Member into disrepute 	08-Mar-24	Completed – No Further Action
FS-Case-592382997	04-Mar-24	Town	Public	The Subject Member is alleged to have harassed the Complainant	<ul style="list-style-type: none"> - Bullying and Harassment 	18-Mar-24	Rejected - anonymous Complaint insufficient information provided
FS-Case-592404143	04-Mar-24	Town	Public	The Subject Member is alleged to have falsely claimed to have been a member of a housing association, misrepresented themselves, disseminated false information and falsely claimed to have planning permission	<ul style="list-style-type: none"> - Respect - Not disclose information given in confidence - Not to bring the role of Member into disrepute 	17-Apr-24	Completed – No Further Action
FS-Case-593665964	08-Mar-24	County	Public	The Subject Member is alleged to have reacted inappropriately to a social media post	<ul style="list-style-type: none"> - Respect - Not to bring the role of Member into disrepute 		Ongoing
FS-Case-600251725	27-Mar-24	Parish	Public	The Subject Member is alleged to have behaved inappropriately at a PACT meeting	<ul style="list-style-type: none"> - Listen to the interests of all parties - Respect - Value Colleagues and Staff - Bullying and Harassment - Not to bring the role of Member into disrepute 		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-602175314	03-Apr-24	County	Public	The Subject Member is alleged to have acted as a member of the public and not declared themselves as a County Councillor during a meeting about the Highways Committee, which the Complainant alleges the Subject Member is a member of	- N/A		Rejected – insufficient information provided
FS-Case-602260733	04-Apr-24	Town	Public	The Subject Member is alleged to have restricted a member of the public's access to a social media group, in turn bullying the member of the public.	- Bullying and Harassment		Rejected – insufficient information provided
FS-Case-604646607	10-Apr-24	Town	Public	The Subject Member is alleged to have been disrespectful during a public meeting to a member of the public	- Respect	16-May-24	Completed – no further action
FS-Case-604844404	11-Apr-24	County	Member	The Subject Member is accused of posting a racial post on social media.	- Respect - Not to bring the role of Member into disrepute	01-May-24	Completed – local resolution, equality and diversity training to be complete
FS-Case-604959765	11-Apr-24	County	Public	The Subject Member is alleged to have misled the public	- Deal with representations fairly - Be accountable for decisions - Not to bring the role of Member into disrepute		Ongoing
COM 427	10-Apr-24	Parish	Public	The Subject Member is accused of being unwilling to cooperate when scrutinised	- Behave in accordance with legal obligations - Respect - Bullying or Harassment		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
Page 64					- Not to bring the role of Member into disrepute		
FS-Case-606189724	16-Apr-24	County	Public	The Subject Member is accused of responding aggressively to a complaint	- Respect - Not to bring the role of Member into disrepute		Ongoing
FS-Case-610184010	29-Apr-24	Town	Public	The Subject Member is accused of creating an inappropriate social media post	- N/A		Rejected – Complaint made about social media posts made in 2023
FS-Case-609295909	26-Apr-24	Town	Public	The Subject Members are accused of pretending to be an employee of a housing association and blocking free speech	- N/A		Rejected – Dealt with by earlier Decision Notice and
FS-Case-611093168	02-May-24	Parish	Clerk	The Subject Member is alleged to have made statements about the Complainant which are damaging to their reputation.	- N/A		Ongoing
FS-Case-612659798	08-May-24	Town	Member	The Subject Member is accused of posting a racial post on social media.	- N/A		Rejected – the complaint related to an incident dated 16.08.2023
FS-Case-612868811	08-May-24	Parish	Public	The Subject Member is alleged to have broken GDPR regulations	- Respect - Not disclose information given in confidence		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-613015846	09-May-24	County	Member	The Subject Member is alleged to have contributed to political publication and provided false information	<ul style="list-style-type: none"> - Value Colleagues - Not to bring the role of Member into disrepute 		Ongoing
FS-Case-616124628	20-May-24	Town	Public	The Subject is accused of not behaving appropriately during a public meeting	<ul style="list-style-type: none"> - Respect - Not to bring the role of Member into disrepute 		Ongoing

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**Report of Helen Bradley, Director of Legal and Democratic Service
and Monitoring Officer**

Electoral division(s) affected:

None.

Purpose of the Report

- 1 To provide an overview of the work of the Standards Committee during 2023/24 and to set out the future direction which the Committee intends to take during 2024/25.

Executive summary

- 2 The Standards Committee has continued to promote the principles and values of good governance within the Council and across the County. The Members of the Standards Committee are committed and dedicated to ensuring that high standards of conduct are maintained by all local elected Members.
- 3 This report sets out the progress made by the Standards Committee in 2023/24 in respect of the code of conduct issues for the elected Members within County Durham.
- 4 The report also refers to the training provided to Members as well as the annual work programme of the Standards Committee, which helps it to achieve the objective of promoting and maintaining high standards.

Recommendations

- 5 The Standards Committee is asked to:
 - (a) Note the report.
 - (b) Agree the report to be presented to the Council on 26 June 2024.

Background

- 6 There is no legislative requirement for Standards Committees to produce an Annual Report. However, doing so is recognised as good practice. The report summarises the work undertaken by the Committee to assist the Council in discharging its duty to promote and maintain high standards of conduct.
- 7 The report also helps to publicise the work of the Committee generally and it is also a means for the Authority itself to monitor the Committee's work.

Membership of the Standards Committee 2023/24

- 8 For the period 2023/24, the Standards Committee comprised of 11 County Council Members and 2 Parish/Town Council Members as follows:

County Councillors

- Councillor Joan Nicholson - Chair
- Councillor Kathryn Rooney - Vice Chair
- Councillor Jim Atkinson, Councillor Lesley Mavin, Councillor Elaine Peake, Councillor Anita Savoury, Councillor George Smith, Councillor Tracie Smith, Councillor Tony Stubbs, Councillor Fraser Tinsley and Councillor Chris Varty.

Parish and Town Council Representatives

- Councillors Alan Doig (City of Durham Parish Council) and Chris Foote-Wood (Dene Valley Parish Council) were appointed as the new Parish co-opted members of the Committee by full Council on 29 March 2023.

Independent Persons

- 9 For the period of 2023/24 the Independent Persons were as follows:
 - Alan Fletcher
 - Chris Hughill
 - Steve Winder
 - David Rogers

Role of the Standards Committee

- 10 The Terms of Reference for the Committee are set out in the Constitution as follows:
 - (a) promoting and maintaining high standards of conduct by Members and Co-opted Members of the Council and Parish and Town Council Members;

(b) assisting Members and Co-opted Members of the Council and Parish and Town Council Members to observe the Members' Code of Conduct and where appropriate, the Planning Code of Practice;

(c) advising the Council on the adoption or revision of the Members' Code of Conduct and the Planning Code of Practice;

(d) monitoring the operation of the Members' Code of Conduct and the Planning Code of Practice;

(e) advising, training or arranging to train Members and Co-opted Members of the Council and Parish and Town Council Members on matters relating to the Members' Code of Conduct and Planning Code of Practice;

(f) granting dispensations to Members and Co-opted Members of the Council from requirements relating to interests set out in the Members' Code of Conduct and Planning Code of Practice in circumstances where this function has not been delegated to the Monitoring Officer;

(g) to approve the arrangements under which allegations of a failure to comply with Council's Code of Conduct for Members can be investigated and decisions on allegations can be made, pursuant to section 28(6) of the Localism Act 2011.

(h) To approve the appointment of at least one independent person to discharge the functions set out in section 28(7) of the Localism Act 2011.

(i) the assessment and/or referral for investigation of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members, if requested to undertake this function by the Monitoring Officer;

(j) the determination of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members;

(k) dealing with any alleged breach by a Member of a Council Protocol, in accordance with procedures approved by the Committee;

(l) overview of the Officers' Code of Conduct;

(m) overview of the Protocol on Member / Officer Relations.

- 11 Each year the Standards Committee agrees a work programme, which reflects the Terms of Reference set out above.

Work for the Standards Committee during 2023/24

- 12 During 2023/24 the Standards Committee met on four occasions and considered items contained within the work programme shown at Appendix 2.
- 13 The Committee has continued to receive regular reports in relation to standards and governance issues nationally. The Committee is also kept up to date with progress and developments in relation to the Local Governments Association's Debate Not Hate Campaign.
- 14 In addition to the standing items, the Committee also approved the Procedure for Member Code of Conduct Complaints and recommended that Officers produce a Zero-Tolerance Approach to Abuse Policy in response to recommendations from the Local Government Association. This Policy will be presented to the Standards Committee in 2024/25 for consideration.
- 15 The work programme is intended to be flexible, and items can be added during the course of the year.

Recruitment of Independent Persons

- 16 Under the Localism Act 2011, the Council is required to appoint one or more Independent Persons to assist in the Standards process.
- 17 The Independent Persons:
 - a) Must be consulted by the Authority before it makes a finding as to whether a Member has failed to comply with the Code of Conduct or decide on action to be taken in respect of that Member.
 - b) May be consulted by the Authority in respect of a Standards complaint at any other stage and they may be consulted by a Member or a co-opted member.
- 18 Following the annual meeting of Council on 24 May 2023, the Standards Committee is now responsible for the appointment of the Independent Persons. As such, at its meeting on 8 June 2023, the Standards Committee appointed Chris Hughill, David Rogers and Steven Winder as the new Independent Persons.

19 At its meeting on 8 September 2023, the Committee agreed to extend the term of Alan Fletcher for an additional 2 years with effect from 22 September 2023.

Code of Conduct Complaints

20 In 2012, following the implementation of the Localism Act 2011 and associated changes to the Standards regime, the Monitoring Officer was appointed as the ‘Proper Officer’ to receive complaints of failure to comply with the Code of Conduct.

21 The Monitoring Officer has delegated authority, after consultation with the Independent Person, if appropriate, to determine whether a complaint requires formal investigation. Wherever practicable, the Monitoring Officer seeks resolution of complaints without formal investigation, and she has discretion to refer decisions to a Standards Hearing where she feels that it is inappropriate for her to make the decision. The Standards Committee receives a quarterly report on the discharge of this function.

22 During 2023/24 the number of breakdown of complaints regarding breaches of the Code of Conduct was as follows:

Year	1 April 2022 to 31 March 2023	1 April 2023 to 31 March 2024
Total no. of complaints received	71	55
Source of Complaints	Councillors	30
	Public	34
	Parish/Town Council Employee	6
	Anonymous	1
	County Council Employee	4
	Anonymous	1
		15
		31
		3
		4
		1
		1

Year	1 April 2022 to 31 March 2023	1 April 2023 to 31 March 2024
Complaints against including withdrawn and rejected	County Councillors 20 Town/ Parish Councillors 48 Dual-hatted 3	County Councillors 11 Town/ Parish Councillors 36 Dual-hatted 7 Other Authority 1
Independent Persons Involved	The Independent Person was consulted in 11 complaints by the Subject Members and consulted once by the Monitoring Officer or her representative.	The Independent Person was consulted in 5 complaints by the Subject Members and consulted in 11 complaints by the Monitoring Officer or her representative.
Outcomes	No Further Action 30 Local Resolution 12 Investigation 3 Standards Committee Hearing Panel 0 Withdrawn/Rejected 16 Ongoing 1	No Further Action 24 Local Resolution 6 Investigation 9 Standards Committee Hearing Panel 2 Withdrawn/Rejected 13 Ongoing 7

23 Fewer complaints were received in 2023/24 than in the previous year. There was also a decrease in the number of complaints where local resolution was recommended on the previous year and a similar trend was observed in respect of the complaints where the recommendation was no

further action. However, the number of complaints referred to investigation was higher than in the previous year.

- 24 Members will recall that at the Committee meeting in September 2023, it was requested that a breakdown of costs of the Code of Conduct complaints be presented. A part year comparison was completed and presented at the Committee in December 2023. A full year comparison has been provided below.

Year	1 April 2022 – 31 March 2023	1 April 2023 – 31 March 2024
No. of hours spent on handling complaints		
County Councillors	155.03	20.28
Parish/Town Councillors	404.54	15036.34
Internal costs of incurred		
County Councillors	£15,557.74	£1192.32
Parish/Town Councillors	£44,495,35	£44,163,92
External costs incurred		
County Councillors	£0.00	£2000 ¹
Parish Councillors	£8,312	

Training

- 25 On 6 July 2023, the Independent Person's attended an induction which was delivered by the Senior Lawyer for Commercial and Corporate Governance and the Governance Legal Officer.
- 26 Lawyers in Local Government (LLG) delivered training on the role of the Independent Person. Three out of four of the Independent Person's attended the training session held on 13 November 2023 and 16 February 2024.
- 27 On 8 December 2023 the deputy Monitoring Officer delivered training on the Member/Officer Protocol to a Town Councillor following a decision notice of the Standards Hearing Committee Panel.
- 28 The Monitoring Officer delivered induction training to two new Councillors elected in by-elections during the course of the year.

¹ This is currently an estimated figure pending the work being completed.

Future work plan

- 29 The Standards Committee is asked to agree its work programme for 2024/25 which is shown at Appendix 3. In addition to the standing items, the Committee will be asked to consider items related to the Debate Not Hate Campaign such as the Zero-Tolerance to abuse policy and civility in public life. The Committee will also be asked to consider a draft Protocol on Member's use of Council Resources, the Council's approach to the publication of Members home addresses and a review of the Procedure for Member Code of Conduct complaints. As in previous years, the work programme will remain flexible to include any additional items which may arise during the course of the year.

Background Papers

None

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Appendix 1: Implications

Legal Implications

The Council has a duty under section 28 of the Localism Act 2011 to ensure that arrangements are in place under which allegations relating to the Code of Conduct can be investigated and decisions can be made. The Procedure for Member Code of Conduct Complaints ensures that this is complied with.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

The Council has a legal obligation to ensure that documents which are published on its website are accessible in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. The Procedure for Member Code of Conduct Complaints ensures compliance with this obligation.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

Appendix 2: Work Programme 2023/24

8 June 2023	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Annual Report.• Procedure for Member Code of Conduct Complaints• Appointment of Independent Persons to the Standards Committee
8 September 2023	<ul style="list-style-type: none">• Review of national standards picture.• Debate Not Hate Campaign.• Complaints update.• Extension of the Term of the Independent Person
4 December 2023	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.
7 March 2024	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Review of work programme 2023/24 and future work programme – deferred to June 2024

Appendix 3: Work Programme 2024/25

6 June 2024	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Civility in Public Life• Protocol on Members Use of Council Resources• Publication of Member Addresses• Review of work programme 2023/24 and future work programme• Annual Report.
6 September 2024	<ul style="list-style-type: none">• Review of national standards picture.• Debate Not Hate Campaign.• Zero Tolerance Approach to Abuse Policy.• Complaints update.
4 December 2024	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Review of the 'Procedure for Member Code of Conduct Complaints'.
6 March 2025	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Review of work programme 2024/25 and future work programme.

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Report of Helen Bradley, Director of Legal and Democratic Service and Monitoring Officer

Electoral division(s) affected:

None.

Purpose of the Report

- 1 To agree the Work Programme for 2024/25.

Executive summary

- 2 There is no requirement for the Committee to have a work programme. However, it is considered good practice to have one as it helps demonstrate the work done by the Committee in promoting and maintaining high standards of ethical conduct throughout the year.
- 3 On 8 June 2023, the Committee approved a work programme in relation to the roles and functions of the Committee for the municipal year 2023/24.

Recommendations

- 4 The Standards Committee is recommended to:
 - (a) note the progress against the work programme approved on 08 June 2023 for 2023/24.
 - (b) Comment on the draft work programme for 2024/25 shown at Appendix 3 of the report.
 - (c) Agree the work programme for 2024/25.

Background

- 5 The terms of reference of the Standards Committee are set out in Article 7 of the Constitution. They are as follows:
- (a) promoting and maintaining high standards of conduct by Members and Co-opted Members of the Council and Parish and Town Council Members;
 - (b) assisting Members and Co-opted Members of the Council and Parish and Town Council Members to observe the Members' Code of Conduct and where appropriate, the Planning Code of Practice;
 - (c) advising the Council on the adoption or revision of the Members' Code of Conduct and the Planning Code of Practice;
 - (d) monitoring the operation of the Members' Code of Conduct and the Planning Code of Practice;
 - (e) advising, training or arranging to train Members and Co-opted Members of the Council and Parish and Town Council Members on matters relating to the Members' Code of Conduct and Planning Code of Practice;
 - (f) granting dispensations to Members and Co-opted Members of the Council from requirements relating to interests set out in the Members' Code of Conduct and Planning Code of Practice in circumstances where this function has not been delegated to the Monitoring Officer;
 - (g) to approve the arrangements under which allegations of a failure to comply with Council's Code of Conduct for Members can be investigated and decisions on allegations can be made, pursuant to section 28(6) of the Localism Act 2011.
 - (h) To approve the appointment of at least one independent person to discharge the functions set out in section 28(7) of the Localism Act 2011.
 - (i) the assessment and/or referral for investigation of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members, if requested to undertake this function by the Monitoring Officer;
 - (j) the determination of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members;
 - (k) dealing with any alleged breach by a Member of a Council Protocol, in accordance with procedures approved by the Committee;

- (l) overview of the Officers' Code of Conduct;
- (m) overview of the Protocol on Member / Officer Relations.

Work Programme 2023/24

- 6 The Committee reviewed the progress against the work programme for 2022/23 at its meeting on 08 June 2023. A copy of the work programme with the details of when the items were considered is shown at Appendix 2 of this report for information.
- 7 The majority of the items on the work programme were completed with the exception of the approval of the work programme for 2024/25 which was deferred to the Committee's meeting in June 2024.
- 8 The Committee also considered further items (shown in red in Appendix 2) including the approval of the Procedure for Member Code of Conduct Complaints, the recruitment of the Independent Persons and agreed to extend the term of one of the Independent Persons for a further 2 years.

Work Programme 2024/25

- 9 The Committee is asked to agree the work programme for the municipal year. A copy of the draft work programme for 2023/24 is shown at Appendix 3.
- 10 The work programme provides the Committee with a number of key items to be reviewed throughout the year as well as standing agenda items.
- 11 The Committee agreed at its meeting in December 2022 to add the Debate Not Hate Campaign as a standing item. The Debate Not Hate Campaign is an important campaign, and it is proposed that the Debate Not Hate Campaign remains as a standing item on the work programme but with the caveat that it is dependent on information being available to report to the Committee.
- 12 The work programme includes items related to the Debate Not Hate Campaign such as the Zero-tolerance to abuse policy and civility in public life. The Committee will also be asked to review key governance documents which are being reviewed/prepared in anticipation of the County Council elections in May 2025.
- 13 It is proposed that a review takes place in September 2024 of the 'Procedure for Member Code of Conduct Complaints' which was last reviewed by the Committee at its meeting in March 2023. The review will ensure that the Procedure remains fit for purpose, legally compliant and consistent with best practice.

14 It is recognised that there is flexibility in the work programme to include any other issues which arise throughout the year.

Background papers

- None.

Other useful documents

- None.

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Appendix 1: Implications

Legal Implications

The Council has a duty under s. 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a code of conduct that is consistent with the Nolan Principles. It is anticipated that a planned work programme to deal with the specific roles and functions of the Committee, as set out in the Constitution, will assist compliance with this duty.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

Appendix 2: Work Programme 2023/24

8 June 2023	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Annual Report.• Procedure for Member Code of Conduct Complaints• Appointment of Independent Persons to the Standards Committee
8 September 2023	<ul style="list-style-type: none">• Review of national standards picture.• Debate Not Hate Campaign.• Complaints update.• Extension of the Term of the Independent Person
4 December 2023	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.
7 March 2024	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Review of work programme 2023/24 and future work programme – Deferred until 7 June 2024

Appendix 3: Draft Work Programme 2023/24

7 June 2024	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Civility in Public Life• Protocol on Members Use of Council Resources• Publication of Member Addresses.• Review of work programme 2023/2024 and future work programme.• Annual Report.
6 September 2024	<ul style="list-style-type: none">• Review of national standards picture.• Debate Not Hate Campaign.• Zero Tolerance to Abuse Policy.• Complaints update.
4 December 2024	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Review of the 'Procedure for Member Code of Conduct Complaints'.
6 March 2025	<ul style="list-style-type: none">• Review of national standards picture.• Complaints update.• Debate Not Hate Campaign.• Review of work programme 2024/25 and future work programme

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Local Government Association “Debate Not Hate” Campaign

7th June 2024



Report of Legal and Democratic Services

**Helen Bradley, Director of Legal and Democratic Services,
Monitoring Officer**

Electoral division(s) affected:

None

Purpose of the Report

- 1 To inform Members of any developments of the Local Government Association (LGA)'s Debate Not Hate campaign.

Executive summary

- 2 The report provides an update on any developments of the LGA's Debate Not Hate campaign, which 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 The report also sets out a proposed Zero-Tolerance Approach to Abuse Policy following a request from the Standards Committee in September 2023

Recommendation(s)

- 4 Standards Committee is recommended to:
 - (a) Note the report;
 - (b) Request that the Director of Legal and Democratic Services sends all Members the information to the LGA's webinar on 20 June 2024 and the LGA's Digital Citizenship tools.

Background

- 5 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.
- 6 At the meeting of the Standards Committee in December 2022 it was agreed that the Debate Not Hate Campaign would be added to the Committee's work programme as a standing item, allowing the Committee to remain informed of any developments.
- 7 Following a recommendation from the Committee a report was presented to Full Council on 25 January 2023, where it was agreed that the Leader of the Council would sign the public Debate Not Hate statement on behalf of the County Council.
- 8 A report was presented to Members at the Standards Committee in September 2023 detailing the LGA's published report titled, "Debate Not Hate: Ending abuse in public life for councillors". The report outlined how Councils can better support Councillors to prevent and handle abuse. A copy of the report is attached at Appendix 2.
- 9 The report also contained the following five guiding principles to assist Council's to deal with abuse effectively:
 - (i) **Zero-tolerance approach to abuse:** Establish and enforce a strict policy which clearly outlines expectations for interactions and promotes respectful debate.
 - (ii) **Clarity of process and responsibility:** Clearly define the process for raising concerns and assign responsible individuals within the Council to provide support to Councillors.
 - (iii) **Relationships with local police:** Proactively develop strong relationships with the police to enhance coordination and foster mutual understanding of abuse affecting Councillors and the role of police in addressing it.
 - (iv) **Tailored risk assessments:** Consider individual Councillors' needs and proactively identify risks through dynamic and periodic risk assessments.
 - (v) **Prioritise Councillor wellbeing:** Recognise and consider how your Council can support Councillor wellbeing and address the negative impacts of personal attacks and hurtful commentaries.

- 10 It was noted at the Standards Committee in September 2023 that Durham County Council currently have procedures and resources in place which implement four of the five recommendations made by the LGA.
- 11 In order to meet all of the LGA's recommendations, Members requested that officers look to implement a document which sets out a zero-tolerance approach to abuse.

Zero-Tolerance Approach to Abuse Policy

- 12 The purpose of the zero-tolerance policy document will be to serve as a reminder of the Council's commitment to a zero-tolerance approach to abuse and to set out the Council's expectations for interactions between our elected members, employees, and members of the public. It is also intended that the policy will complement existing policies and procedures.
- 13 A draft document has been prepared and is being consulted on with colleagues in customer, member and HR and employee services to ensure that it is consistent with other Council policy and procedures. Constitution Working Group will also be consulted on the policy before it is presented to the Standards Committee in September 2024.
- 14 The policy is broken down into the following six headings:
 - (i) **Introduction:** An introduction explaining the policy and our commitment to a zero-tolerance approach to abuse.
 - (ii) **Expectations of Behaviour:** An explanation of how we expect our members, employees and members of the public to engage with each other.
 - (iii) **Examples of Unacceptable Behaviour:** A definition of what abuse can be and a list of examples of behaviour that will not be tolerated.
 - (iv) **Reporting Abusive Behaviour:** An outline of the established process in which elected members and employees should follow when needing to raise any concerns that they may have.
 - (v) **Our Response to Abusive Behaviour:** A list of actions that may be taken against perpetrator(s) of abuse and detailing the support and training we offer to our elected members and employees.
 - (vi) **Other Documents and Resources:** Sign posting via hyperlinks to existing policies and wellbeing support on the internet and our internal intranet.

Local Government Minister urges Monitoring Officer's to "look sympathetically" at accommodating requests from Councillors for their home addresses to be withheld

- 15 The Minister for Local Government Simon Hoare wrote a letter to all Chief Executives of local authorities in England on 18 March 2024 in a response to "*recent concerns from elected members about intimidation in public life*".
- 16 The letter brings attention to the sensitive provisions contained within Section 32 of the Localism Act 2011 which allow for a registered interest to be withheld from publicly available versions of Register of Interests where a member and monitoring officer agree that the disclosure of that interest could lead to violence or intimidation of them or their family.
- 17 The letter also states that the Government "*encourages monitoring officers to look sympathetically at accommodating requests for the withholding of home address from published versions of the register of interests where there are legitimate concerns of violence or intimidation.*" The Minister concludes that he is "*grateful to all those who serve their communities as local council members.*"
- 18 The Committee will be aware that all County Councillors have been consulted on the Council's approach to the publication of members addresses.

LGA joins forces with the Electoral Commission and the Jo Cox Foundation to call for no abuse towards candidates in local elections

- 19 The LGA, the Electoral Commission and the Jo Cox Foundation called for no abuse towards candidates at the local elections in May 2024 "*amid concern about the growing levels of abuse and intimidation aimed towards local councillors which can become heightened during election campaigns.*"
- 20 The LGA stated "*the organisations have urged voters to treat candidates in the upcoming local elections with dignity and respect and to not engage in behaviour that may constitute harassment or intimidation.*"
- 21 The LGA warned that the levels of abuse towards local politicians is rising, with "*82 per cent of councillors feeling personally at risk in 2023, up 9 per cent from the year before*". They further stated that the levels of abuse are a threat to democracy which "*is potentially putting off good talented people from becoming councillors.*"
- 22 Whilst the LGA recognises that "*the majority of abuse is at a low level a growing number of councillors have experienced more severe abuse,*

including stalking and threats of violence, some of which has resulted in criminal prosecutions.”

- 23 At the Standards Committee in March 2024, it was reported that the LGA published guidance in relation to ‘Safe Canvassing Practices’. The guidance has since been circulated to all Members following a request from the Committee.

LGA launches Digital Citizenship: support and resources for councillors

- 24 To support councillors and candidates in their online communications, the LGA has stated it is developing a range of guidance and tools. Whilst the LGA recognises the importance of social media for councillors to *“share political information and engage with other councillors, support officers and residents.”* It also recognises that *“it also opens the door for abuse, harassment and intimidation.”*

- 25 As part of the ‘Digital Citizenship’ the LGA have issued the following infographics which can be downloaded and saved by members or candidates or pinned to their social media profiles:

- **Rules of engagement:** Outlining the ways in which to communicate activities as a councillor or as a candidate. The LGA notes that the *“rules are designed to give all users a clear ‘code’ by which they should operate, with a clear statement that users can be blocked, or posts deleted, if they fail to participate in a civil manner.”*
- **Handling online abuse:** A quick reference guide which helps to guide councillors to *“understand the steps they can take to protect themselves online, how to respond to abusive messages, and encourages councillors to seek support where needed.”*
- **Mis and disinformation:** Five steps to assist councillors in avoiding or spreading mis and disinformation. The LGA notes that the *“steps should help councillors be confident in what they are posting, sharing and liking online.”*

- 26 The LGA has also referenced ‘Glitch’ a UK charity founded by a former politician, Seyi Akiwowo in 2017 after receiving a large volume of abuse following a speech in the European Parliament. The charity, which is working to end online abuse against women and marginalised people through training, research and workshops.

- 27 It is hoped that the LGA’s guide will provide advice and resources to Members. The Committee will be kept up to date on the progress of this work.

Handling online abuse and intimidation for newly elected councillors

- 28 The LGA have arranged a webinar aimed at new and recently elected councillors to brief them on how to handle online abuse and intimidation.
- 29 The LGA has stated that the webinar is a practical programme and aims to raise an awareness around the steps which can be taken to handle online abuse. The webinar will also provide guidance on how to be safe online.
- 30 The webinar is free to all councils and will take place on 20 June 2024. Members can access the link to the webinar via the background papers of this report. However, it is suggested that the Director of Legal and Democratic Services circulates the link to all Councillors.

Background papers

- [LGA: Debate Not Hate Public Statement](#)
- [Simon Hoare letter to Chief Executives of Local Authorities in England](#)
- [LGA: Calls for respect in local elections amid rising levels of abuse](#)
- [Digital citizenship: support and resources for councillors](#)
- [Handling online abuse and intimidation for newly elected councillors](#)

Author(s)

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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

No implications.

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 Councillors 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: Debate Not Hate The impact of abuse on local
democracy.pdf**



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.

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.

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>)** 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 councillors' privacy to creating a longer-term culture change which seeks to de-normalisation 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 risk-based 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-sign-our-public-statement>)**, 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.

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/s13688-020-00236-9>) 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]. 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 decision-making [2].

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

[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/s13688-020-00236-9>), July 2020

[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, 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>) 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-authority-councillors-2022>) was a time-limited survey directed at all councillors in England 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], 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

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 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 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.

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 in-person 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 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

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 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 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.

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/stakeholder-engagement-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*

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.

“[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...



Unfortunately in politics it is perceived by some that councillor 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.

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.

“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 that it ever was in the past. *Anonymous respondent*

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 ward 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.

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 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 taken seriously, and for police to use all available and appropriate tools at their disposal against perpetrators.

[1] LGA 2022 Councillor census data (<https://www.local.gov.uk/publications/national-census-local-authority-councillors-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 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.

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 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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Report of Helen Bradley, Director of Legal and Democratic Services and Monitoring Officer

Electoral division(s) affected:

None

Purpose of the Report

- 1 To provide an update to Members on suggested recommendations following the Civility in Public Life Workshop delivered by the Local Government Association's (LGA) and the Association of North East Councils (ANEC) and;
- 2 To inform Members of a recommendation following the Civility in Public Life webinar delivered by the Centre for Governance and Scrutiny (CfGS).

Executive summary

- 3 On 12 March 2024 the LGA and ANEC delivered a workshop on the Civility in Public Life. The Senior Lawyer for Commercial and Corporate Governance attended the workshop along with the Portfolio Holder for Children and Young People and other senior officers and elected members from the North East region. The focus of the workshop was to share good practice and to discuss opportunities to tackle the abuse and intimidation of councillors.
- 4 As part of the workshop following the round table activities, the Senior Lawyer for Commercial and Corporate Governance and the Portfolio Holder for Children and Young People discussed proposals which could be considered by the Council to further tackle abuse and intimidation of councillors.
- 5 In addition, on 18 March 2024 the CfGS delivered a webinar on the topic of Civility in Public Life which was also attended by the Senior Lawyer for Commercial and Corporate Governance.

Recommendation(s)

- 6 The Standards Committee are asked to:
 - a) Note the report;

- b) Request that the Director of Legal and Democratic Services reviews the data in relation to Member's use of the Potentially Violent Persons Register and considers how to raise awareness of the Register amongst Members.
- c) Request that the Director of Legal and Democratic Services circulate the resources recommended by the Civility in Public Life workshop to all Members;
- d) Request that the Director of Legal and Democratic Services consult the Group Leaders in relation to the proposal that they attend Standards Committee on an annual basis to discuss the steps they are taking to ensure high standards of conduct amongst their groups.

Background

- 7 At the last Standards Committee on 7 March 2024, Members were advised by the Senior Lawyer for Commercial and Corporate Governance that she would be attending the workshop on the Civility in Public Life and, that she would update the Committee Members of any outcomes following that workshop.

Civility in Public Life Workshop delivered by the LGA and ANAC

- 8 The LGA and ANEC invited one member and one officer from each North East council to participate in an in person workshop on 12 March 2024 which shared challenges, good practice and discussed opportunities to tackle abuse and intimidation of councillors.

- 9 The workshop included roundtable sessions and group work focussing on three key parts. The three topics which were discussed are summarised as follows:

a) Opportunities directly within local authority influence.

- Ideas around prevention and support, incident management and aftercare and resilience were discussed. A number of suggestions were also made such as engagement with local police, ensuring clear processes are in place when issues arise and offering counselling support to elected members.

b) Areas local authorities are seeking to influence.

- Partnerships – Including influencing public perception of councillors and the tone of acceptable engagement, working with social media companies to address the current issues, and working with the police to reach a shared understanding on ‘Operation Bridger’.
- Political Groups – Looking at the role of political groups and supporting election candidates and councillors during induction, providing welfare and mentors, securing agreement that attendance to training sessions is mandatory and a commitment to ‘role model behaviours’.
- Legislative Change – To lobby for changes to the standards regime such as sanctions and suspension periods.
- LGA - To create resources for councils to support them in self-assessing councillor safety and wellbeing, including good practice from across the sector.

c) Existing support, resources and good practice.

- Signposting to existing support.

- 10 A full list of the existing support and resources available to all Members can be found in Appendix 2. The Committee is recommended to request that the Director of Legal and Democratic Services circulate the list to all Members.
- 11 As part of the session, it was recommended that the officer and member who attended, agree some immediate actions to implement following the workshop.
- 12 The following recommendations were discussed as options for consideration:
- Officers to undertake a review of the corporate member training programme to identify what is done as part of the induction and what refresher training is carried out with a view to review and identify any training gaps/ improvements that can be made ahead of the 2025 local elections.
 - Work with Group Leaders to suggest implementation of a peer support programme following the 2025 local elections and any by-elections.
 - Consider offering a refresher training on all matters every 18 months.
 - Undertake work with the senior officer for Health and Safety to obtain data on member access/use of the Potentially Violent Persons Register and consider whether, if numbers are low, additional signposting is needed or a briefing session offered to members on the system and how/when to use it.
 - Following member induction, a proactive approach to be taken by member services to make checks on Councillors on any areas they feel they need additional support on.
- 13 The Council's Member Development Programme is under review in preparation for the elections in May 2025 and Member Services are in regular contact with Members and are able to identify and address Members support needs. It is suggested that the Director of Legal and Democratic Services reviews the data in relation to the Potentially Violent Persons Register and consider appropriate actions to raise awareness of it amongst Members.

CfGS Civility in Public Life Webinar

- 14 The CfGS delivered a webinar on the Civility in Public Life on 18 March 2024 which was attended by the Senior Lawyer for Commercial and Corporate Governance.
- 15 The webinar, which was supported by the LGA, reviewed the management of behaviour and conduct in formal council meetings with the aim to tackle how positive and negative behaviours can have an impact on council meetings.
- 16 During the webinar a suggestion was proposed by the LGA that Group Leaders of Political Parties attend the Standards Committee of their relevant authorities quarterly, to discuss the actions they are taking within their groups regarding party discipline and civility.
- 17 If this recommendation was implemented, the Group Leaders would be required to attend every meeting of the Committee. However, the Committee may wish to consider whether to invite the Group Leaders on an annual basis. If the Committee is minded to consider this approach, it is suggested that the Director of Legal and Democratic Services consults the Group Leaders in relation to the proposal.

Background papers

- None

Other useful documents

- None

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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

No Implications.

Consultation

No Implications.

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 proposals within the report may 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: Civility in Public Life: Signposting Support, Resources and Good Practice

LGA Resources:

- [Debate Not Hate: Ending abuse in public life](#) (July 2023): this report provides good practice advice and guidance relating to how councils can approach the issues of abuse of councillors by the public. This report has several good practice case studies attached.
- [Debate Not Hate: Campaign toolkit](#) (November 2022): this toolkit provides resources for councillors and councils, including assets and templates, template letters, and the DNH model motion.
- [LGA Civility training offer](#): the LGA is grant funded by DLUHC to provide national events and local workshops on issues including personal safety, online safety, managing aggression and managing conflict in meetings for councillors in England. You can access more information on the website and email Jo.Kibble@local.gov.uk to access this offer for the 2024/25 period.
- [LGA Councillor standards support](#): the LGA provides a range of resources around councillor conduct and standards, including our Model councillor code of conduct, code of conduct guidance, and guidance for MOs conducting complaints processes. We are shortly due to complete a project setting out guidance for standards (or equivalent) committee members and a complementary training packages, which will also sit on this page.
- [LGA Handling abuse and intimidation councillor support](#): the LGA Handling abuse and intimidation hub provides advice and resources to councillors, including our Seven principles for safer canvassing guide, Councillors guide to handling harassment, abuse and intimidation, Digital citizenship guide, Social media guidance for councillors and Councillor workbook on conflict resolution.

Other Resources:

- [The Suzy Lamplugh Trust](#) has a website with useful and practical guidance on issues such as transport safety, dealing with aggression, internet safety, personal alarms, running safety and safety at home.

- [The National Stalking Helpline](#): Practical advice and information to anyone who is currently or previously has been affected by harassment or stalking.
- [Paladin](#): Strategic advocacy to high-risk victims of stalking and establish a network of victims who have endured stalking, providing mutual support and empowerment.
- [Protection Against Stalking](#) works jointly with relevant agencies to increase awareness of stalking and harassment to ensure victims receive protection and help to rebuild their lives and live free of fear.
- [Fix the Glitch](#): this charity focuses on ending online abuse and championing digital citizenship. They focus on Black women and marginalised people through awareness, advocacy, action and anchoring. They have free resources on being an Online Active Bystander, Documenting Online Abuse, Dealing with digital threats to democracy, and toolkits on address online gender-based violence.
- [Full fact](#): this charity focuses on challenging false and misleading claims online. They provide fact checking of high profile stories and research around high quality information.
- [Joint Guidance for candidates in Elections](#): this is a joint guidance from the NPCC, The Electoral Commission, the CPS and College of Policing, it is due for an updated to include up to date examples and reference to new legislation.

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