

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 1A , County Hall, Durham on **Monday 5 December 2022 at 9.30 am**

Present:

Councillor J Nicholson (Chair)

Members of the Committee:

Councillors M Abley, J Atkinson, A Savory, G Smith, T Smith, T Stubbs and C Varty

Prior to the commencement of the meeting the Chair reported with regret the death of Town Councillor Terry Batson. Members stood for a moment's silence out of respect to Councillor Batson.

1 Apologies for Absence

Apologies for absence were received from Councillors Liz Maddison, Fraser Tinsley and Parish Councillor Ralph Harrison.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The minutes of the meeting held on 2 September 2022 were agreed as a correct record and were signed by the Chair.

4 Parish Council Co-opted Member of the Standards Committee

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed the Committee of a vacancy arising for a Parish Council co-opted Member, following the sad death of Councillor Terry Batson. The report also sought to revise the arrangements for appointing such representatives (for copy see file of Minutes).

At its meeting on 12 March 2022 the Committee agreed a process to formalise the arrangements for the nomination and appointment of co-opted Parish Council members, details of which were set out in the report.

The County Durham Association of Local Authorities (CDALC) had since advised that where there were more expressions of interest than vacancies, it was not feasible to ballot the whole membership. It had therefore requested that the arrangements be amended to reflect that the CDALC Executive determines the nominations in the event that there were more expressions of interest than vacancies. This was how nominations had been determined historically and was in line with CDALC's other arrangements for choosing its representatives.

RESOLVED:

That

- a) Town Councillor Terry Batson's service to the Committee be acknowledged, and the Committee's condolences be recorded;
- b) the procedure for appointing co-opted Parish Councillors be amended as set out in paragraph 11 of the report;
- c) the Head of Legal and Democratic Services invite CDALC to seek expressions of interest for the vacancy of co-opted Parish Council member.

5 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 the Local Government Association's (LGA) 'Debate Not Hate: The Impact of Abuse on Local Democracy' (the Report) (for copy see file of Minutes).

The campaign aimed 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.

The Report was informed by the findings from the national LGA survey 'The LGA's Call for Evidence on Abuse and Intimidation of Councillors'. The key findings were included in paragraph 10 of the report, together with seven recommendations made by the LGA as a result.

Locally the Head of Legal and Democratic Services had noticed an increase in requests for disclosable pecuniary interests to be treated as sensitive, and advice in relation to abuse and intimidation experienced by councillors online and in person.

The report provided details of measures the Council had put in place to assist its Councillors, which included:

- advice in relation to personal security;
- the development of the Social Media Toolkit, which advised Councillors on how to stay safe online and what to do if they are subject to abuse and intimidation;
- the reporting of all incidents of abuse and intimidation by Councillors to Members Support and the Police;
- risk assessments undertaken with the Health and Safety Team;
- access to the health and well-being support available under the Council's Employee Assistance Scheme;
- legal action to protect Councillors, where appropriate.

The LGA had now published a toolkit to assist Councils in supporting their members in relation to abuse and intimidation, as part of the launch of its Debate Not Hate Campaign. If agreed by the Committee a report would be submitted to Council, which would include details of the support available for Members, details of the Debate Not Hate Campaign, the toolkit and a recommendation that the Council signs the Debate Not Hate Public Statement.

The Committee was also asked to consider adding the Debate Not Hate Campaign to its work programme.

The Committee discussed the report. Councillors Atkinson and Stubbs asked about the procedure for logging incidents of abuse and intimidation. Individuals had different levels of resilience and what one councillor might consider to be abuse or intimidation, another may not. The Councillors asked how this was approached.

The Head of Legal and Democratic Services emphasised the importance of logging all incidents with Members Support and the Police so that a record could be kept. Even if the conduct complained of did not reach a threshold for immediate action, it may become part of a pattern of behaviour. Members were assured that all incidents were seriously considered.

Following a further question from Councillor Atkinson the Head of Legal and Democratic Services confirmed that Durham Police were responsive to reports of abuse and intimidation towards councillors.

Councillor Stubbs noted the successful legal action taken against two individuals, as discussed in the report. He suggested that these and any other cases where legal proceedings had been brought against an individual should be highlighted. This would send a message that the

abuse and intimidation of councillors was not tolerated. The Head of Legal and Democratic Services advised that each case would need to be carefully considered in order to ensure that reporting the matter would not antagonise further abusive behaviour towards the councillor.

RESOLVED:

- (a) that the report be noted;
- (b) the Debate Not Hate Campaign be added to the Committee's work programme so that it is kept up to date with progress and developments;
- (c) the report be presented to a meeting of full Council with a recommendation that Durham County Council signs the Debate Not Hate Public Statement.

6 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).

In considering the report the Committee noted the recent Guidance produced for Councils and Councillors on the use of social media called 'Actively addressing the issues of Civility and Respect on Social Media'. The Head of Legal and Democratic Services suggested that it would be a useful exercise to compare the Council's own social media toolkit against the contents of the guide.

The report also included details of a Chartered Institute of Public Finance and Accountancy review and Centre for Governance and Scrutiny review of two Local Authorities which Members felt highlighted the importance of member officer relationships for effective governance and decision-making.

RESOLVED:

That

- a) the report be noted and Officers monitor the progress of the matters referred to and keep the Committee updated;
- b) the Head of Legal and Democratic Services and Monitoring Officer review the Council's social media toolkit against the content of the recently published Guidance.

7 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 2 September 2022 (for copy see file of Minutes).

RESOLVED:

That the contents of the report be noted.