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Meeting: Democracy and Standards Committee (Additional)
Date: Monday 8th January 2024
Time: 7 pm
Venue: Council Chamber, Corby Cube, George Street, Corby, Northants, NN17 1AG

To members of the Democracy and Standards Committee

Councillor Andy Mercer (Chair), Councillor Ian Jelley (Vice-Chair), Councillor Jean Addison, Councillor Wendy Brackenbury, Councillor Robin Carter, Councillor Melanie Coleman, Councillor Emily Fedorowycz, Councillor Kirk Harrison, Councillor Matt Keane, Councillor Graham Lawman, Councillor Paul Marks, Councillor Dorothy Maxwell and Councillor Michael Tye

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<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer Thursday 28 December 2023</p>			

*

This agenda has been published by Democratic Services.

Committee Administrator: Carol Mundy

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If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – monitoringofficer@northnorthants.gov.uk

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Agenda Item 3



Democracy and Standards Committee

Held at 7pm on Monday 20 November 2023 at the Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

Present: -

Members

Councillor Andy Mercer (Chair)
Councillor Jean Addison
Councillor Wendy Brackenbury
Councillor Robin Carter
Councillor Melanie Coleman
Councillor Emily Fedorowycz

Councillor Ian Jelley
Councillor Matt Keane
Councillor Graham Lawman
Councillor Paul Marks
Councillor Dorothy Maxwell

Officers

Adele Wylie, Executive Director Customer & Governance
Carol Mundy, Senior Democratic Services Officer, (Committees/Members)
Emma Robinson, Democratic Services Support Officer.
Also, in attendance – Councillor G Mercer.

The chair welcomed members and the viewing public to the meeting.

72 Apologies for absence

Resolved to note that an apology was received from Councillor Tye.

73 Members' declarations of interest (if any)

The chair invited those who wished to do so to make a declaration of interest.

Resolved that no declarations were made.

74 Polling District and Polling Places Review 2023 - Final Recommendations

The report of the Executive Director of Customer & Governance, Adele Wylie, was received to update the committee on the response to the recent consultation on the polling district and polling place review and to seek approval to make a Polling Place Order setting out the allocated polling place for each polling district.

Appended to the report were the following:

- Appendix A - Acting Returning Officer recommendations
- Appendix B - New polling districts and future parliamentary constituencies relating to each polling district.

The executive director presented her report to committee informing them that this review related to current ward boundaries and that a future review would be required on new boundaries. She summarised the outcome of the consultation which had

taken place between 2 October 2023 and 30 October 2023, full details of which were published on the council's website.

The information from the consultation had resulted in the statutory review being completed in accordance with legislation and would enable the Register of Electors to be updated to consider the future Parliamentary constituency boundaries and other changes to electoral arrangements.

Councillor Gill Mercer had sought permission from the chair to address the committee.

In summary she raised her concerns over various polling districts in Rushden, which covered a large area, resulting in residents having to travel a long way to vote. She referred to polling district RSI, where previous feedback had been given that the John White Golf Club was not a suitable venue, as it was too far from town. *In the consultation this had been changed to the Rugby Club. Reference was also made to polling district RSH where voters had to drive past the Full Gospel Church, which was being used as a polling station to get to the Rugby Club. This was suggested in the consultation, as being preferable to the Golf Club which had previously been used. Despite removing the Golf Club in the Consultation, voters in polling district RSG were now listed in Appendix A to vote at the Golf Club rather than the football club. This was deemed to be too far for residents to travel and was different from the suggestion in the consultation documentation. She noted that these polling stations were to be reviewed and asked that ward members be consulted during this process as they had the knowledge of the area."*

The chair thanked Cllr G Mercer for her comments.

The chair invited members to discuss the report.

Some of the issues raised are summarised below:

- Accessibility - concerns over access for wheelchair users, the availability of dropped kerbs and suitable parking for the disabled to park near enough to the relevant station to enable a voter to physically have the opportunity and freedom of choice to cast their vote. Issues around restrictions relating to electric vehicle charging points and the ability to park in these locations on election day were also raised.

The executive director responded to confirm that the location of stations was considered carefully, with accessibility being of high importance, however, some buildings were old and had limited access. Regarding parking provision, where possible there was adequate parking, but it was noted that some stations were on busy roads and as such parking was not available directly outside the station. Parking restrictions in relation to Electric vehicle charging point, would be lifted on election day. Polling station staff were also trained to be as obliging as possible and assist a voter where they could. Ultimately electors had the opportunity to request a postal or proxy vote.

- Consultation process - it was commented that the consultation exercise had received a very low response rate and that this could have been due to the difficulty in accessing the consultation and responding to questions. A

suggestion was made over how the consultation process could be improved to gather more information and capture the thoughts and suggestions of the community.

- General points - Concern was expressed that there was a reduction in available stations, particularly in rural areas where it was essential that voters had the opportunity to vote locally. There was also concern that voters did not know where to go to vote, this had particularly been highlighted with recent by-elections where town councils had chosen not to issue poll cards, resulting in a low turnout and confusion. Several comments were also made on individual stations with concern expressed over the continuing use of schools, resulting in children missing education, and parents having to arrange additional childcare. A request was made that the use of schools be avoided, as generally there were many alternative venues very nearby that could be used instead. Regarding 'Tellers' at stations a request for the provision of chairs was made. This would need to be discussed directly with the election's office as there were strict guidelines that had to be followed.

The executive director responded so some of the points raised confirming that there was a polling station checker available on the website, where electors could put in their postcode and it would direct them to the correct station to enable them to cast their vote. Regarding schools these were only used if there was no alternative suitable place nearby. She stressed that the main aim was to ensure that no elector was disenfranchised and that there were choices to enable them to cast their vote. She also asked that members raise all their individual issues directly with the election's office, who would be able to look at their concerns or suggestions.

The chair thanked members for their comments, observations and suggestions, and the executive director for her response, and reiterated that the election's office be provided with as much information as possible so that appropriate and informed decisions could be made.

He proposed the recommendation contained within the report, with the addition that members comments and concerns be taken into consideration, and this was seconded by Councillor Marks. On being put to the vote the recommendation was declared carried.

Resolved that:

- (i) The content of the consultation responses be noted;
- (ii) The report of the Acting Returning Officer be noted;
- (iii) The recommendations as detailed at Appendix A to the report be noted, and approval be given to the new polling districts and the future parliamentary constituencies as they relate to each polling district as detailed at Appendix B, and that ongoing monitoring of polling districts and polling places continue, taking into account concerns and comments of ward members, with any updates to arrangements being made as necessary to reflect community identity, accessibility, appropriateness and convenience for voters;

- (iv) The Executive Director of Customer and Governance be authorised to make changes to the Polling Places Order should a change be needed at short notice to a polling district or place, when there was insufficient time for the committee to consider such change;
- (v) To note the publication of the Register of Electors on 1 December 2023 incorporating the details of new polling districts where necessary and the future parliamentary constituencies as they relate to each polling district as detailed at Appendix B.

75 Close of meeting

Resolved that there being no further business, the chair closed the meeting at 8.35pm.



Democracy and Standards Committee Monday 8 January 2024

Report Title	Proposed Revisions to the Constitution – Audit and Governance Committee Terms of Reference
Report Author	Kamila Coulson-Patel, Chief Lawyer (Kamila.Coulson-Patel@northnorthants.gov.uk)

Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	N/A

List of Appendices

Appendix A - Proposed revisions to the Audit and Governance Committee Terms of Reference.

Appendix B - Table of changes.

1. Purpose of Report

1.1. To update the Committee on proposed revisions to the Terms of Reference for the Audit and Governance Committee.

2. Executive Summary

2.1 The Terms of Reference for the Audit and Governance Committee have been in place since vesting day in April 2021.

2.2 As part of a routine review, the Monitoring Officer has been made aware of required updates to reflect the current CIFPA guidance and local arrangements.

2.3 On 18 December 2023, the Constitutional Working Group considered the proposed revisions to the Audit and Governance Terms of Reference and

recommended presentation to Democracy and Standards Committee for consideration prior to presentation to full Council for approval.

3. Recommendations

- 3.1 It is recommended that the Democracy and Standards Committee:
- a) Review and comment on the proposed revisions to the Terms of Reference for the Audit and Governance Committee; and
 - b) Recommends approval of the revised Terms of Reference for the Audit and Governance Committee at full Council on 25 January 2024.
- 3.2 Reason for Recommendation – The proposed changes are recommended to ensure the Audit and Governance Committee can effectively discharge its functions in compliance with professional standards and reflects local arrangements.
- 3.3 Alternative Options Considered - The option of presenting the revisions as part of the programmed review at a later date was rejected as this would disrupt the delivery of the work of the Audit and Governance Committee.

4. Proposed Revisions to the Terms of Reference of the Audit Committee

- 4.1 As part of a routine review of the Audit and Governance Committee Terms of Reference a number of amendments have been identified.
- 4.2 The amendments proposed largely remove duplication and ensure compliance with the CIPFA Position Statement 2022. The Chief Internal Auditor has reviewed the Terms of Reference in consultation with the Monitoring Officer.
- 4.3 Whilst the proposed amendments do not deviate from the national standards of the CIPFA guidance, the proposed changes do result in a change in the Terms of Reference for the Audit and Governance Committee. This includes a change in the scope of the work of the Committee and as such requires approval by full Council before any changes can be made. The proposed revision is shown at Appendix A with the changes shown in red. A simple table is shown at Appendix B detailing the change to be made.
- 4.4 It is considered the proposed changes are urgent in nature to facilitate the work of the Audit and Governance Committee whilst ensuring compliance with professional standards, namely the CIPFA Position Statement 2022.
- 4.5 Future review of the terms of reference for the Audit and Governance Committee will form part of the annual review of the Constitution programmed for 2024/25.

4.6 The recommendations are detailed at paragraph three above. The option of presenting the revisions as part of the programmed review due to take place in 2024/25 was considered and rejected.

4.7 The work of the Audit and Governance Committee should align with the current CIPFA guidance including the position statement and local arrangements to ensure the Committee can effectively discharge its function and responsibility within the sphere of Audit and Governance.

5. Next Steps

5.1 The Committee are requested to consider the revisions to the Terms of Reference and recommend approval to full Council.

6. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 There are no financial implications arising from this report.

6.2 Legal and Governance

6.2.1 It is necessary update the Terms of Reference to ensure compliance with CIPFA guidance, as a failure to maintain and update these places the decision making of the Committee and Council at risk of legal challenge.

6.3 Relevant Policies and Plans

6.3.1 The Constitution includes the Terms of Reference for the Audit and Governance Committee. The proposed revisions if approved would result in the updating of the Terms of Reference to this Committee.

6.4 Risk

6.4.1 The proposed amendments are intended to ensure compliance with up to date CIPFA Position Statement and reflect local arrangements.

6.5 Consultation

6.5.1 The Constitution Working Group were consulted on the proposed revisions on 18 December 2023.

6.6 Equality Implications

6.6.1 There have been no equality implications identified in producing this report.

6.7 Climate Impact

6.7.1 None.

6.8 Community Impact

6.8.1 None.

6.9 Crime and Disorder Impact

6.9.1 None.

7. Background Papers

7.1 NNC Council Constitution.

7.2 Constitution Working Group briefing report 18 December 2023

Audit and Governance Committee

5.1. Audit Activity

- a) To approve the Council's Internal Audit Charter setting out the Internal Audit Strategy and Terms of Reference.
- b) To approve, but not direct, Internal Audit's annual plan of work and monitor unscheduled work that could potentially divert audit resources away from a plan, and monitor performance against those plans, ensuring that there is no inappropriate scope or resource limitations.
- c) To consider the Annual Report and opinion of the Head of Audit and a summary of internal audit activity and the level of assurance it can give over the Council's corporate governance arrangements
- d) To consider summary internal audit reports and the main issues arising and seek assurance that action has been taken where necessary.
- ~~e) To consider reports dealing with the management and performance of the Internal Audit function.~~
- f) To consider reports from Internal Audit on agreed recommendations not implemented within reasonable timescales.
- g) To consider the External Auditor's Annual Inspection Letter, relevant reports and the reports of those charged with governance.
- h) To consider specific reports as agreed with the External Auditor to ensure agreed action is taken within reasonable timescales.
- i) To comment on the scope and depth of the external audit work and to ensure it gives value for money.
- j) To liaise with the Public Sector Audit Appointments Ltd over the appointment of the Council's external auditor.
- k) To consider the reports of inspection agencies relevant to the Council.
- l) To suggest work for Internal and External Audit.
- ~~m) To undertake an annual review of the effectiveness of the system of Internal Audit.~~
- m) To oversee Internal Audit's independence, objectivity, performance and conformance to professional standards.

- n) To promote the effective use of Internal Audit within the assurance framework.
- o) To consider the opinion, reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control, and monitor management action in response to the issues raised by external audit.
- p) To contribute to the operation of efficient and effective external audit arrangements, supporting the independence of auditors and promoting audit quality.
- q) To support effective relationships between all providers of assurance, audits and inspections, and the organisation, encouraging openness to challenge, review and accountability.
- r) To oversee the assessment of the governance and performance of significant partnerships.

5.2.Regulatory Framework

- a) To review any issue referred to it by the Chief Executive or Corporate Director or any Committee of the Council.
- b) To monitor the effective development and operation of risk management and corporate governance throughout the Council.
- c) To monitor **and approve** council policies on “raising concerns at work”, **and** anti-fraud and anti-corruption policies including the Council’s complaints **process and Whistleblowing policy process.**
- d) To oversee the production of the Council’s **Statement of Internal Control/Annual** Governance Statement and recommend its adoption.
- e) To consider the arrangements for corporate governance and to agree necessary actions to ensure compliance with best practice.
- f) To consider the Council’s compliance with its own and published standards and controls.

5.3.Accounts

- a) To review **and approve** the annual statement of accounts.
- b) Specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the **external** audit that need to be brought to the attention of the Council.

c) To consider the External Auditor's report to those charged with the governance, issues arising from the audit of the accounts.

d) To support the maintenance of effective arrangements for financial reporting and review the statutory statements of account and any reports that accompany them.

5.4.Risk Management

a) To consider the effectiveness of the authority's risk management arrangements - understanding the risk profile of the organisation and seeking assurances that active arrangements are in place on risk-related issues, for both the Council and its collaborative arrangements
~~.To consider the effectiveness of the Council's risk management arrangements.~~

b) To review regular reports from the ~~Corporate Risk Management on the Council's Strategic Risk Register~~ to gain assurance that the Council is monitoring and managing its risks effectively.

c) To be satisfied that the authority's accountability statements, including the annual governance statement, properly reflect the risk environment, and any actions required to improve it, and demonstrate how governance supports the achievement of the authority's objectives.

~~To be satisfied that the Council's assurance statements, including the Annual Governance Statement properly reflect the risk environment and any actions required to improve it.~~

~~d) To review and approve the Council's Strategic Risk Register annually.~~

d) To monitor the effectiveness of the system of internal control, including arrangements for financial management, ensuring value for money, supporting standards and ethics and managing the authority's exposure to the risks of fraud and corruption.

e) To review and approve the Council's Risk Management Strategy and Policy.

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Appendix B - Table of changes

Section	Change	Reason
5.1	Renumbering and formatting to reflect insertions and deletions.	Formatting
5.1 e)	Removed	This has been removed at e) and consolidated with m).
5.1 m)	Revision of wording	This wording has been updated to incorporate e) and reflect the CIFPA Position Statement 2022.
5.1 n) – q)	Insertion of wording	This has been incorporated to reflect the CIFPA Position Statement 2022.
5.1 r)	Insertion of wording	This reflects the decision of the Executive on 12 October 2023, item 14 - page 209 at (Public Pack)Agenda Document for Executive, 12/10/2023 10:00 (modern.gov.co.uk)
5.2 c)	Revision of wording	This is amended to reflect the local arrangements of North Northamptonshire Council.
5.2 d)	Revision of wording	This amendment is in line with CIFPA Position Statement 2022 and local arrangements.
5.3 a)	Insertion of wording	This addition is to reflect the CIFPA Position Statement 2022 and reflect the local arrangements.
5.3 b)	Revision of wording	This has been updated to provide clarity. For information the appointment of the external auditor remains a function of the Council.

5.3 d)	Insertion of wording	This is in line with the CIPFA Position Statement 2022.
5.4 a)	Revision of wording	This amendment is in line with CIPFA Position Statement 2022.
5.4 b)	Revision of wording	This is a revision to the terminology to reflect the Council arrangements.
5.4 c)	Revision of wording	From CIPFA Position Statement 2022.
5.4 d)	Insertion of wording	This is updated to reflect the amendment proposed at 5.4 b). The Committee should be monitoring and the wording proposed is from CIPFA Position Statement 2022.
5.4 e)	Revision of wording	This is consistent with the CIPFA Position Statement 2022, the Committee should be reviewing and approving the Council's Risk Management Strategy. The power to approve existed in d) above, however the terminology required revision to reflect the arrangements of the Council.

Democracy and Standards Committee
8th January 2024

Report Title	Local Government Association – Civility in public life - Debate Not Hate Campaign
Report Author	Kamila Coulson-Patel, Chief Lawyer

Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	N/A

List of Appendices

Appendix A – Local Government Association -“Debate Not Hate: The Impact of Abuse on Local Democracy” report (the Report).

1. Purpose of Report

- 1.1. To update and inform members of the Democracy and Standards Committee of the Local Government Association’s “Debate Not Hate: The Impact of Abuse on Local Democracy” report (the Report) and campaign.

2. Executive Summary

- 2.1 In 2021, the Local Government Association (LGA) launched a “Call for Evidence on Abuse and Intimidation of Councillors” as part of the civility in public life programme. The findings from the report were used to produce a Report and a campaign calling for support from Councillors, MPs, and Organisations to sign the public statement to show support for the Debate Not Hate Campaign.
- 2.2 In conjunction with the report, the LGA have also produced a “Debate Not Hate” Public Statement which supports their campaign. The LGA are calling for Councillors, MPs, and Organisations to sign the Public Statement to show support for the Debate Not Hate Campaign.
- 2.3 This report summarises the findings of the call for evidence, the LGA recommendations and the arrangements at North Northamptonshire Council.

3. Recommendations

- 3.1 It is recommended that the Democracy and Standards Committee:
 - 3.1.1 Note the work of the LGA on the campaign and receive further updates from the Monitoring Officer on the campaign and civility in public life programme; and
 - 3.1.2 Recommends to full Council:
 - 3.1.2.1 The Leader of the Council signs the Debate Not Hate Public Statement on behalf of the Council;
 - 3.1.2.2 To commit to the following:
 - a) To support the 'Debate not Hate' campaign.
 - b) To work together, across the political groups to promote and uphold high standards of civil behaviour in public and political debate .
 - c) To establish a reporting mechanism to record and monitor incidents of harassment and abuse.
 - d) To work with officers to ensure that support is provide to councillors who are experiencing intimidation and abuse.
 - e) That the Democracy and Standards Committee will review this on an annual basis and will work with the Monitoring Officer to address and challenge ongoing issues and key concerns.
- 3.2 Reasons for recommendations - The 'Debate not Hate' campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support those in public life facing abuse and intimidation.
 - 3.2.1 The support to the campaign promotes high ethical standards in public life which is consistent with the Nolan principles and the Councillor Code of Conduct in accordance with the Localism Act 2011.

4. Report Background

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

5. Findings, Themes and Recommendations

5.1 The key findings from the call for evidence were used to produce the “Debate Not Hate: The Impact of Abuse on Local Democracy” Report which is shown at Appendix A of this report. A summary of the key findings are:

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

5.2 The report identifies five themes as follows:

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

5.3 Arising from the report there a series of recommendations were produced by the LGA as detailed below.

5.4 Recommendation 1

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

5.5 Recommendation 2

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

- 5.6 Recommendation 3
Police forces should be more consistent in their response to abuse and threats towards councillors. Risk based approaches should be taken in a similar way which they are for MPs. Similar procedures should be implemented nationally.
- 5.7 Recommendation 4
Legislation should be passed to entitle councillors to withhold their home address.
- 5.8 Recommendation 5
LGA should work with parties, election and democratic officers and organisations responsible for guidance to promote practice of withholding home addresses.
- 5.9 Recommendation 6
Social media companies should provide better methods to deal with abuse reported by councillors.
- 5.10 Recommendation 7
In partnership with LGA a working group should be formed by the relevant Government department to address issues around abuse and intimidation of councillors.

6. Local Picture

- 6.1 The Council and its officers understand the significance and impact of incidents of abuse and intimidation towards Councillors. The intimidation and abuse of councillors, in person or otherwise, undermines democracy; it can prevent elected members from representing the communities they serve, prevent individuals from standing for election and undermine public trust in democratic processes. These harmful behaviours, whether occurring towards, between or by elected members are entirely unacceptable.
- 6.2 The Monitoring Officer has identified the need to further enhance the existing arrangements to support Councillors and promote high ethical standards. This includes updating advice and guidance for Councillors on the topic of personal security and the development of a Councillor social media toolkit. The work to be undertaken has commenced locally working with Health and Safety and Communication teams.
- 6.3 To ensure improved awareness and engagement it is proposed that the Monitoring Officer presents the local campaign proposals to Committee prior to roll out across the Council.
- 6.4 In relation to recommendation seven, the LGA are asking all Councillors and MPs across the country to sign a public statement to support their work and act as a call for action for the relevant government department to form a working group to bring together relevant agencies and partners to produce an action plan.

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

7. Next Steps

- 7.1 The Committee are requested to consider the LGA campaign, receive future updates on the work of the LGA on the campaign and civility in public life and for a recommendation to be made to full Council as detailed at 3.1.2.

8. Implications (including financial implications)

8.1 Resources and Financial

- 8.1.1 There are no direct resource or financial implications arising from the support and signing to the campaign. There will be limited financial and resource implications in a campaign for the Council through the work undertaken by its officers. It is not anticipated that there will be any external expenditure associated with a campaign.

8.2 Legal and Governance

- 8.2.1 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.

8.3 Risk

- 8.3.1 There are no significant risks arising from the proposed recommendations in this report.

8.4 Consultation

- 8.4.1 There has not been any consultation on this report.

8.5 Consideration by Executive Advisory Panel

- 8.5.1 This has not been considered by an Executive Advisory Panel.

8.6 Consideration by Scrutiny

- 8.6.1 This has not been considered by Scrutiny.

8.7 Climate Impact

- 8.7.1 Not considered applicable.

8.8 Community Impact

- 8.8.1 Not considered applicable.

9. Background Papers

- 9.1 None

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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 \(https://epjdatascience.springeropen.com/articles/10.1140/epjds/s13688-020-00236-9\)](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 a specific trigger event except being in public life. These triggers can broadly be categorised into abuse related to decisions of the council, abuse linked to political party or individual political stances, abuse aggravated by other factors, like perceived poor performance of the council or a misunderstanding of the role of councils and councillors, and abuse linked to the councillor's role in public life. Abuse, triggered by a specific event or otherwise, could also be aggravated by certain myths and perceptions about councillors.

The most common and easy to identify trigger was contentious council decisions; respondents highlighted abuse related to unsuccessful planning and licensing applications and objections to general planning and parking decisions as common triggers. Planning and licensing are an integral part of council business and can be very emotive issues as these decisions can have an impact on individuals and the whole community. Councillors appointed to committees dealing with these issues will generally receive training on the technicalities of planning and licensing and making these decisions before they take up the role. However, there is no strengthened level of support for councillors sitting on these committees, or training for planning staff who support councillors, to help them deal with abuse linked to the types of decisions they make.

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 councillors are 'fair game' and should have a thick skin. **Even a thick skin can be penetrated.** *Anonymous respondent*

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

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

Support from relevant agencies and self-protection

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

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

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 wards surgeries in public buildings, never working alone, and installing home security equipment. Some respondents commented that their approach had been to disengage from social media entirely and move to holding appointment only surgeries or “walking surgeries” held outside.

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

As mentioned earlier, there was a centrally coordinated programme of support for MPs following the death of Sir David Amess MP. This was a high-risk period for MPs and there were real concerns for their safety; a direct police response was a reasonable expectation from MPs. However, there was no expectation from central government that police would contact councillors in the same way. Instead, councils worked with their local police forces to reinforce their approaches to councillor safety. This was light touch in some cases, updating and reissuing councillor safety guidance or rerunning training designed to help councillors keep themselves safe. However, others recognised that councillors cannot control everything around them and that other agencies have a clear role in enhancing personal safety councillors are as safe as possible while going about their day-to-day council business.

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

In the past councils have routinely displayed councillor home addresses on their websites and until March 2019 councillors were required to publicly declare their home address on the ballot paper when they ran for election. Election practice has changed in line with recommendations made by the Committee for Standards in Public life 2017 and 2019 reports into **[Intimidation in public life \(https://www.gov.uk/government/publications/intimidation-in-public-life-a-review-by-the-committee-on-standards-in-pub](https://www.gov.uk/government/publications/intimidation-in-public-life-a-review-by-the-committee-on-standards-in-pub)**

lic-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.



Democracy and Standards Committee 8th January 2024

Report Title	Code of Conduct – National Learning Case Studies
Report Author	Kamila Coulson-Patel, Chief Lawyer (Kamila.Coulson-Patel@northnorthants.gov.uk)

Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	N/A

List of Appendices

Appendix A – Speech of Lord Evans

1 Purpose of Report

1.1.1 To inform members of the Democracy and Standards Committee (the committee) of the national picture on standards issues affecting Local Government.

2 Executive Summary

2.1 As part of the ongoing development and awareness of the committee this report details update on national developments and case studies with relates to the work of the committee and may inform future work programme items.

3 Recommendations

3.1 The Democracy and Standards Committee is recommended to:

3.1.1 Note the report and request that officers monitor the progress of matters referred to and keep the committee updated; and

3.1.2 Consider the recommendations it wishes to make arising out of the contents of the report.

- 3.2 Reason for Recommendations – To assist in keeping members of the committee abreast with developments in the application of the Code of Conduct by other local authorities.

4 Report Background

- 4.1 As part of good practice, a report on the national picture is invited to be brought to a quarterly meeting standing agenda item to inform the committee of the national picture relating to Standards and Code of Conduct matters.

5 Chair of the Committee on Standards in Public Life

- 5.1 On the 17 October 2023, to mark the end of his term as Chair of the Committee on Standards in Public Life, Lord Evans delivered a speech at the Institute for Government.
- 5.2 This speech referred to the Committee on Standards in Public Life's previous report on Local Government Ethical Standards in 2019. It also referenced the government's response to the report and is attached at Appendix A for information.
- 5.3 The committee will be updated as to the appointment of the new chair to the committee at a future meeting.

6 Birmingham City Council - Section 114 notice

- 6.1 On 5 September 2023, Birmingham City Council issued a Section 114 notice. A Section 114 notice is issued by the Chief Financial Officer of a Council. It is required under the Local Government Finance Act 1988 if "expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure."
- 6.2 A second Section 114 notice, alongside a Section 5 notice, was issued on the 21 September 2023. According to the Monitoring Officer, this occurred following Birmingham City Council's failure to "secure a decision relating to the implementation of a job evaluation programme".
- 6.3 A Section 5 notice, under the Local Government and Housing Act 1989, is a report made by the Monitoring Officer when the Monitoring Officer believes that a Council is about to engage in maladministration or otherwise contravene the law.
- 6.4 At a meeting on the 12 October, Birmingham City Council (following statutory recommendations from external auditors Grant Thornton LLP) agreed to commission an independent review of how it considers legal advice and whether its Monitoring Officer's legal advice is appropriately considered. This

agreement followed an initial report on the 29 September 2023 by the external auditors Grant Thornton LLP where it had been reported “there is evidence of a growing mistrust between certain officers and members”, with relationships between senior officers and key members becoming “strained”.

- 6.5 Senior officers have indicated that they “have not always felt supported by senior politicians.” Senior politicians have also asked for statutory officers to be subject to investigation “for providing a record of some meetings to external auditors” despite the fact that the officers were legally obliged to do so.
- 6.6 The report by Grant Thornton LLP stated that it is “essential that the Council has appropriate governance arrangements in place to ensure that officers are able to fulfil their functions without concern as to their position. The Council has confirmed to us that it has appropriate processes in place to safeguard its staff”. While the report did not make any recommendations in relation to officers, Grant Thornton LLP will “continue to monitor whether officers are treated fairly.”

7 Cambridgeshire and Peterborough Combined Authority – Dr Nik Johnson

- 7.1 At an Audit and Governance sub-committee meeting on 14 November 2023, the mayor of the Combined Authority was found to have breached Schedule 12A Paragraph 1 and 2 of the LGA 1972, which concern information relating to an individual and information which is likely to reveal the identity of an individual.
- 7.2 The mayor received three complaints against him between October 2021 and May 2022. Two complainants alleged that there was a toxic culture and bullying behaviour within the authority, specifically that the mayor was intent on ousting a senior officer and that other officers should ignore them. The third complainant alleged the mayor failed to respect the role of officers and officer decision-making and that he disclosed information to a journalist to undermine the reputation of officers.
- 7.3 An independent investigator was appointed, and an investigation report was produced. The report found that there was no evidence to suggest the mayor personally supplied information to the journalist and that the mayor did not breach the code in regard to bullying.
- 7.4 The investigator concluded that the mayor breached the code concerning civility and disrepute. His civility finding revolved around the mayor's relationship with an ex-employee who was involved in "much" of the bullying and toxic culture allegations. The mayor told the investigator that he did not witness any inappropriate behaviour on an ex-employee's part, but the investigator found this "implausible". The investigator concluded that the mayor must have known about the person's conduct.

7.5 The investigator also found that the mayor brought the council into disrepute for WhatsApp conversations he had with an ex-employee regarding human resources activity and outcome. It was recorded within the report that the conversation mainly involved the ex-employee sharing updates and their views regarding the process. The mayor was aware such discussions were inappropriate, and he should have intervened to end such discussions. In the independent investigator's view, the failure of the mayor to intervene or call out the bad behaviour showed a lack of respect and leadership that was essential to his office and, as a result, damaged the reputation of the role of mayor.

7.6 The mayor at the conclusion of the sub- committee meeting indicated that he had had a lot of time to reflect on what happened, he had regret for being cause of upset and apologised unreservedly to those whom he gave reason to complain. He also added:

"I wish the organisation we were a part of then was the one it is now as it is so much better in every conceivable way. I say that because I genuinely believe all of these improvements began back then, and I can only hope that the very real, very public progress made since provides something in the way of solace."

7.7 The sub-committee recommended the following:

- i) A written apology and for him to consult with the monitoring officer about the appropriateness of providing a written apology directly to one or more of the complainants.
- ii) For the Mayor to provide an undertaking not to repeat the behaviour and agree appropriate training with the chief executive officer, which should include HR practice when acting in a senior member role.

7.8 The sub-committee made two recommendations for the Council:

- i) A request that the combined authority review and improve the induction process for new mayors taking office.
- ii) The audit and governance committee to review the constitution in regard to the lessons learnt from the panel's process and to provide recommendations to the combined authority's board.

8. Implications (including financial implications)

8.1 There are no implications associated with this report.

9. Background Papers

None.

Speech by Lord Evans

Thank you to the Institute for Government for hosting this event at the end of my time as chair of the Committee on Standards in Public Life.

Quite rightly the tenure of a chair of this committee is five years and no renewals in order to avoid any risk that you want to curry favour with the government. But it's been an interesting five years because over that time we have seen 4 Prime Ministers (3 in the last year), 3 Independent Advisers on Ministerial Interests, all of whom have been outstanding. We have seen the Covid pandemic, we have seen Partygate, and we have seen other developments, and more.

When I took the job it was a quieter landscape - so it has been more exciting than I expected!

In my remarks today I do not want to dwell too much on past events, but to consider:

how the standards landscape has changed;

the gaps in the system; and

how I think public standards need to be strengthened in the future.

At the core of any democratic system is the principle that government operates on the basis of consent. This is demonstrated obviously through elections that decide who will govern, but it should also be demonstrated by the way in which those in office use the power they have won. That is where high public standards come in. In essence they are about ensuring that entrusted power is used for the public good, rather than for private or sectional benefit. Public standards underpin trust, which in turn bolsters public consent.

Despite some of what we have seen in recent years, I continue to believe that most public servants - whether MPs, ministers, civil servants, local government officials, or nurses - do try to uphold high standards. That is why when standards go wrong, we should avoid suggesting that they are all the same. That sort of cynicism seems to me to be an enemy of high public ethics. Most

people in public service are keen to do the right thing and they have joined the public service in whatever role because of their wish to contribute.

I have said before that I don't believe there was ever a golden age for standards. Scandals have arisen for decades, even centuries. Views, opinions and values change, the context of society changes, and codes governing conduct therefore require regular attention to meet these new challenges.

The Nolan Principles of honesty, objectivity, openness, selflessness, integrity, accountability and leadership - the Seven Principles of Public Life - haven't changed since they were established 28 years ago. On a personal note, my only reservation about them is that they are hard to remember because they are all rather general. Which is why whenever I'm doing anything in a public context I always have them written down in front of me in case the interviewer suddenly says "tell me the seven principles". I think I could do it, but I'm not taking the risk!

So they haven't changed in 28 years, and although the descriptions of them have been slightly updated, the Principles themselves have stood the test of time. They apply to everybody involved in the delivery of public services whether it's individual public office holders, institutions, or private companies who are involved in the delivery of public service. Personally speaking, when I became a school governor, I was given a copy of the Principles, which I think shows their reach; and at the start of every Parliament, as a member of the House of Lords, I sign an undertaking to abide by a Code of Conduct incorporating the Principles.

They are there to remind me - and other office holders - of the expectations of the public that we serve.

But they are not enough on their own. They need to be understood through Codes of Conduct applicable to specific contexts, and they need to be debated, discussed and made real in specific organisational settings (an issue which we touched on in one of our recent reports to which I shall return).

So those Principles haven't changed, but the polarised and unstable nature of British politics in recent years has placed them under great pressure.

Our political institutions, as well as our standards bodies and structures, have faced great challenge.

The attempt to tear up the independent system for maintaining standards in Parliament in November 2021, in the House of Commons - the Owen Paterson affair - was scandalous and damaging. And we've also seen instances of poor practice in hospitals and the police, and elsewhere, all part of a wider public landscape that undermines public confidence.

The damage done to the trust and confidence that the public have in those in political and public life has been significant. And I was looking only this morning at the recent data from the OECD (and the ONS were involved), which demonstrates that trust in public life, particularly political life, is low by international standards.

As a result, there has been increasing recognition that it's not enough to rely just on 'people behaving well'.

Members of the public simply cannot understand why behaviours that would not be tolerated in other organisations seem to go unchallenged in the political world without any apparent sanction.

The argument put forward by some through this period was that ministers should not be constrained; that they have a democratic mandate (which is true); and that the regulatory checks and balances between elections were standing in the way of getting things done. And for a while it seemed that the public would go along with this, and that maybe standards mattered less at a time of national stress or national emergency such as during the pandemic.

But as we have seen, the failure to adhere to accepted standards of conduct ultimately led to major public and political consequences. Consequences in my judgement were largely avoidable.

At the same time there has been increased tension in the key relationship between Parliament and government.

We saw a period of parliamentary activism of an unprecedented kind during the Brexit crisis in 2019, followed by a period in which government saw its electoral mandate as a justification for the domination of Parliament. And both periods served to polarise attitudes. When attitudes are polarised the consensus upon which standards and norms of conduct rest becomes more fragile. And polarisation encourages extremism, which opens the door to the intimidation of many ordinary MPs who are trying to do their best for their constituents - leading to widespread difficulty in recruiting the best candidates

(especially amongst women and ethnic minorities) and more generally turning politics into something many ordinary citizens do not want to be involved in.

We don't yet know how far this is just history that can be put behind us, or whether it will continue to haunt public debate over the next Parliament. But we should be clear that for all its adversarial elements, the Westminster model relies on an underlying commitment to a system of conventions and rules of conduct that are central to preserving high standards and to maintaining public confidence and form part of the unwritten constitution. For government, accountability (one of the Nolan Principles) mostly means accountability to Parliament, which represents all electors. But it seems to me that governments have been increasingly reluctant to make parliamentary accountability a reality, both in the way Parliament runs and in the way that legislation is drafted. In avoiding accountability to parliament the government is also seeking to avoid accountability to the electorate - the public.

Now in any voyage, ships are repaired at sea. The monitoring of performance and rectification of errors needs to be an ongoing process. When the relationships between government and parliament (and the wider administration) become hostile and conflictual, necessary repairs are delayed - public appointments are not made, recommendations not responded to, and what might be seen as 'lesser' matters are put off. And we have seen many signs of this in the last few years - a feeling, well rehearsed in the media, that nothing works properly.

Looking back at the work of the Committee over the past five years, I think there are areas where the government could make significant improvements quite quickly.

In the past six years (and I say six years because I want to capture one of the reports that was published under the term of my predecessor) the Committee has published reviews on:

Intimidation in Public Life (2017)

MPs' Outside Interests (2018)

Local Government Ethical Standards (2019)

Artificial Intelligence and Public Standards (2020)

The Regulation of Election Finance (2021)
Upholding Standards in Public Life (2021) and
Leading in Practice (2023).

The government has responded positively to some of our recommendations, but not many. There is more that could be done in all these areas.

On MPs' outside interests, the public is clear that being an MP should be your full-time, principal, job - the current rules don't meet that expectation and I expect this issue will continue to impact on public perceptions of standards in the future.

A new Code of Conduct and Guide to the Rules came into force on 1 March this year, as a result of widespread consultation by the Commons Committee on Standards. Our submission proposed a more objective means of setting reasonable limits on paid outside employment. The new Code didn't go that far, but it does ban paid parliamentary advice; and it requires Members to have a written contract for any outside work; and tightens the lobbying rules - and of course we welcome these changes.

On local government standards there is still a major problem. We were very disappointed that the government took three years to respond to our 2019 report and then rejected our recommendations. We hope that our pragmatic reforms that we recommended, for which there is widespread support in the sector, can be looked at with fresh eyes. Whilst we welcome the Local Government Association's model code of conduct, members of the public still have no redress when there are standards failures at a local level.

On election finance, we produced a substantive and detailed report with a series of practical recommendations. The government told us on 10 July this year that it will not respond further to our 2021 report. There are significant risks in the government's failure to close loopholes in election donation laws, not least around foreign interference in our political process. This is where public standards meet national security and clear vulnerabilities have not been addressed by the government.

On lobbying there is more to be done to ensure transparency and we held a seminar recently with a good discussion on both sides of the argument. And I hope that the Committee might decide to return to this issue in due course.

It's an area that needs watching. There needs to be clarity on the standards expected of all public office holders and it needs to be pragmatic but act in the public interest and provide reassurance for the public that a fair and transparent approach to lobbying is actively being applied by those involved in making and influencing government policy. Much lobbying is good and it is a necessary part of democracy but there needs to be transparency and there needs to be fairness.

Back in 2020, the Committee produced a report on Artificial Intelligence, looking at how we ensure that high ethical standards can be upheld as technology assisted decision making is increasingly adopted across the public sector.

I think we may have been a bit ahead of time because nobody took much interest in it when we published it! But it's having a second life. The speed of advance means that Artificial Intelligence is now part of our everyday life and discourse. We welcome the government's intention to hold a high-level safety summit in November, and we're currently following up our report with regulators. The Committee will decide how and whether it wishes to take forward more work in this area.

The government recently responded to our 2021 report, Upholding Public Standards, which was a landscape review that included the Public Appointments system; the Business Appointment Rules; the Ministerial Code; and transparency around lobbying. We welcome the steps that have been taken and the signal that standards matter - but I'm sure the Committee will want to see how quickly the government meets its stated commitments to our recommendations and those of the Public Administration and Constitutional Affairs Committee and Sir Nigel Boardman.

Finally, our Leading in Practice report looking at how we encourage attention to high public standards as part of the normal life of organisations across the public sector. And in some ways I think this is almost the most important part of public standards. When I had my initial hearing on appointment I said that I felt that we need not just to have effective rules and compliance, we also needed to have attention to the culture and the behaviours within our public service organisations, which is important as making sure people do the right things as written rules.

Of all our reports, Leading in Practice seems to have had the most significant reach and impact across a wide range of organisations. We have been struck by the number of invitations we have received to talk about this report within government, outside government and even from overseas.

The clear message in the evidence we heard was, first, the importance of setting the tone from the top - what are the leaders saying and how are they behaving. This is where it starts. Leaders have a responsibility to ensure these rules are underpinned by a shared understanding of the core ethical values at the heart of public service.

Then, are people encouraged to talk about the ethical challenges in their work? What do the 7 Principles actually mean for us, how can we discuss them, how can we ensure they are reflected in our day to day work experience?

There is also the question of recruitment - should we have an element of values-based recruitment? Recruiting not just by technical skills but also by how far the people we are recruiting actually align with the values of the organisation and of public service? This matters in my view in public service.

And sitting across all of this I think, is the whole question of speaking up. There must be accessible routes for people to speak up without fear or the feeling that it's futile to do so. And when people summon up the courage to speak out, leaders need to listen with curiosity and be willing to act. The Lucy Letby case demonstrates with stark clarity why this matters.

Looking to the future, the standards regime needs to respond to this changing environment.

We live in a society where there are fears and lack of understanding about the implications of Artificial Intelligence; where social media's power continues to grow; and where intimidation in public life is a very real problem.

Against that difficult background, the key challenge is not to allow any damage done to lead to a further weakening of trust in institutions and those who work in them.

I recognise that structural solutions cannot solve political problems, but equally they are an important component.

But there are some immediate problems to solve:

First, the government system for ensuring compliance with standards is very weak and needs overhaul. The priority that is given to this across government departments is low and this opens a door to opacity and potentially corruption. If you look at, for instance, the very unsatisfactory way in which transparency reports are published in respect of lobbying, it's pretty clear that that is not a priority. Financial interests and conflicts of interests must be disclosed and the information must be accessible to the public. There is no reason for the government not to act quickly on its commitment to reforming this area in its response to our report, Upholding Standards in Public Life. Some private corporations are miles ahead of the government in this area.

Second, alongside proper transparency and accountability, is the need to develop a culture where people are comfortable discussing the ethical dimension of their work and the standards of conduct expected in their organisation. An organisation where the values are front and centre and underpin how people go about their work, helps delivery of public services because morale is high and people are comfortable speaking up, so risks are spotted before they escalate and people can find better ways of doing things. This was very clear in the evidence process that we undertook for Leading in Practice. Some organisations were very comfortable talking about these issues and these are organisations that would generally be seen as high performing.

I'm constantly struck, when a major scandal breaks, just how many of these issues were known about within the system. Whether it's lockdown parties, or misogyny and racism within the Met or other problems, staff often knew. And sometimes they tried to raise it. Untold distress could have been avoided, the many public inquiries and investigations could have been made unnecessary if the culture of those organisations had been different and the internal systems had identified issues and allowed people to speak up had been in place.

Thirdly, I think it is important that there are consequences if standards are not adhered to. If there is an investigation and then consequences in a timely manner where appropriate, that's a success. That is true for the public and private sector and we need to look not just at outcomes but how they are achieved - the how is often as important as the what.

Finally, perhaps the most serious problem is around the abuse and intimidation of those in public life. We first looked at the impact of this back in 2017 at the request of Theresa May, the then Prime Minister. There has been some progress in some areas - imprints required from November on digital political

campaign materials, passing of the online safety bill, and so on, but intimidation across public life remains a big issue. It is hugely damaging to democracy and is a major factor in putting people off serving in public roles.

It is completely unacceptable that individuals and, in many cases, their families, should be subject to threats and abuse for doing their job. And we've seen examples of that reported in the last week. And I'm not just talking about national politicians, but many others holding public roles - councillors, doctors, teachers.

We have complex problems to solve as a society. We need to be able to debate and disagree with each other. If intimidation and threats cause talented people to feel they have to leave public life (and that is happening), or deter good people from considering playing their part by standing as a councillor or a local MP, or applying for a public appointment, we are all losers.

In conclusion, there is no room for complacency. There are still gaps in the system, and I hope the government and others will look at those and maintain a dialogue on what we can do to drive high standards.

And there is a responsibility on us all to be leaders. And to build a trustworthy public life on behalf of our fellow citizens.

In closing, I would like to say a few words of thanks.

It has been a privilege to lead the Committee. The past five years have been made much easier by knowing I had the support of the Chairs and Officers of the whole range of standards bodies in this complicated landscape (a number of whom I can see today). They have been thoughtful, honest and generous with their advice and support.

And of course, I am indebted to my fellow Committee members. All of the members, past and present, have contributed wisely to the standards debate, giving their time and experience. I have greatly valued the voices of both our independent and political members - the Committee's work really benefits from having this mix of expertise around the table.

I am also greatly indebted to the outstanding Secretariat whose diligence, sound judgement, good humour, and integrity show the essence of what good public service is about.

Finally, my thanks to those who give evidence to us. One of things that I will sometimes miss is the stream of emails coming to my House of Lords account.

Some of which are very insightful and some of which are misdirected! It's the Committee's role to review arrangements for standards in public life against that framework established by Lord Nolan 28 years ago, but we could not do our job without hearing the experience and expertise of others - academics, practitioners, those in public office - elected and appointed - as well as people in the private sector and members of the public, who are willing to give evidence and talk to us. And I am grateful to them all.

I wish the next Chair, my successor, every success in their role, and perhaps a smoother time in the standards world! I know they will have the excellent support of Committee members as well as many in the room today.

Thank you.



Democracy and Standards Committee Monday 8 January 2024

Report Title	Councillors' Code of Conduct Statistics
Report Author	Kamila Coulson-Patel, Chief Lawyer (Kamila.Coulson-Patel@northnorthants.gov.uk)

Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	N/A

List of Appendices

None

1. Purpose of Report

- 1.1 To provide an update to members in respect of the Democracy and Standards Committee's duty to promote and maintain standards of conduct by Members and Co-opted Members of the Council, Parish and Town Councils within North Northamptonshire for the period of 2023/24.

2. Executive Summary

- 2.1 Under Part 4.4 of the North Northamptonshire Council Constitution, the Democracy and Standards Committee has a number of Standards functions within its remit. This report specifically sets out the current position on the number of Councillor Code of Conduct complaints received, complaints dealt with, those outstanding, and resolutions achieved.

3. Recommendations

- 3.1 It is recommended that the Democracy and Standards Committee:
- 3.1.1 Notes the number of complaints received and dealt with, in respect of the Councillors' Code of Conduct; and
 - 3.1.2 Receives further data in relation to the number of complaints received and dealt with in respect of the Code of Conduct on a six-monthly basis;

- 3.2 Reason for Recommendations – To enable the Committee to carry out effectively its duty to promote and maintain high standards of conduct by Members and co-opted Members of the Council, Parish and Town Councils in North Northamptonshire.
- 3.3 Alternative Options Considered – None, as it is in the interests of the Council and members of the public that standards of conduct are maintained and regularly reviewed.

4. Report Background

- 4.1 As set out in paragraph 2.1 above, the Standards responsibilities of the Committee are to oversee and develop the Council’s Code of Conduct and the overall standards of conduct for Council Members, co-opted Members, and Parish and Town Councillors of North Northamptonshire
- 4.2 Part 8.3 of the Constitution sets out arrangements for dealing with member complaints, which provides for an initial process conducted by the Monitoring Officer, in consultation with one of the Council’s Independent Persons for Standards.
- 4.3 For every complaint received, the Monitoring Officer is required to conduct an initial assessment, firstly by applying a ‘public interest’ test of whether the complaint ‘can’ and ‘should’ be investigated, using the following criteria:
- i. Is the person you are complaining about a Councillor?
 - ii. Is the conduct complained about within the jurisdiction of the Code of Conduct?
 - iii. Did the conduct occur within the last six months?
 - iv. Is the conduct something that is covered by the Code
 - v. Is there evidence which supports the complaint?
 - vi. Is the conduct something which it is possible to investigate?
 - vii. Would an investigation be proportionate and in the public interest?
- 4.4 In conducting the initial assessment, and in consultation with one of the Independent Persons for Standards, the Monitoring Officer will then decide whether the complaint should be referred for investigation or to seek alternative resolution, having a regard to a range of factors:
- i. Whether there is sufficient information upon which to base a decision;
 - ii. How serious is the alleged complaint;
 - iii. Is the complaint politically motivated, vexatious or tit for tat;
 - iv. Did the action complained about occur recently or not;
 - v. Do the allegations relate to actions occurring whilst the Member was acting in their official capacity or do they relate to their private life;
 - vi. Whether the matter is considered suitable for alternative resolution and whether either the Member concerned, or the complainant is not prepared to accept this as a solution.
- 4.5 Table 1 below provides details of the nature of each complaint received, the initial filtering decision of the Monitoring Officer, any informal resolutions agreed

(where applicable), and the status of the complaint at the time of writing this report.

- 4.6 It should be noted that the monitoring officer deals with a number of enquiries throughout the year from councillors, clerks and members of the public which are dealt with informally, but that do not lead to formal complaints. Such enquiries, by their nature, are not included in the list at table 1 below.
- 4.7 Specific detailed information regarding complaints has not been provided as this may be prejudicial to the conduct of the ongoing complaints process. Personal details have also not been included to protect both the identity of councillors and the complainant.

Table 1 - Complaints formally received 12 December 2022 – 8 December 2023

	Date	Council	Status	Outcome
1	03/2023	NNC	Closed	No further action
2	03/2023	NNC	Closed	Not proceeded with.
3	04/2023	Parish	Closed	No further action
4	04/2023	NNC	Closed	No further action
5 - 18	06/2023 - 07/2023	NNC	Closed	Local Resolution
19	08/2023	NNC	Ongoing – pending assessment	
20	09/2023	Parish	Pending – Criminal investigation	
21	10/2023	NNC	Ongoing – pending assessment	
22	10/2023	Parish	Ongoing – pending assessment	
23	12/2023	NNC	Ongoing – Awaiting response from Councillor	

- 4.8 The Committee will note from the details recorded in Table 1 above that there was a high number of complaints received in June and July 2023 (entries 5-18) relating to a North Northamptonshire Councillor. The complaint details cannot be published in this report due to the confidential nature of the complaints.

4.9 In summary the complaints related to posts on a Councillor Twitter page relating to Pride, the posts were said to be discretionary and contrary to the Code. Following the assessment of the complaints, a recommendation of local resolution was made requiring the Councillor to:

- remove the social media tweets (the posts) from which the complaints originate;
- undergo training on Equality, Diversity and Inclusion to be delivered by external professionals and if required supported by NNC officers.
- undergo training on social media guidance to be delivered on behalf of the Monitoring Officer.
- offer a public apology through a medium of his choice (he may wish to consider the same social media medium he originally used to express his views) signifying that it was not at any time his intention to upset or offend anyone, and in response to complaints presented he now recognises that the posts made on his Councillor profile caused offence to others for which he apologises.

5. Improvements in future reporting

5.1 Following a change in the case management system for recording complaints, the details for themes and trends can now be captured in the complaints summary to provide greater detail to the Committee.

5.2 Future reports to the Democracy and Standards Committee will contain a separate appendix detailing the complaint type, brief summary, relevant paragraph of the Code of Conduct, the outcomes and outline of the reasons. The reports will also contain commentary on the statistics and a comparison table for the previous period and year by year.

5.3 There will also be a recording of the number of rejected or discontinued complaints to further inform the Committee of any emerging issues which require addressing whether through training and development either by the Monitoring Officer (and her team) and/or with the supporting agencies.

5.4 This information will assist the Committee in promoting high ethical standards through improved awareness and insight. The Committee are invited to feedback on any further improvements sought to be incorporated into future reports.

6. Training and Development

6.1 The Chief Lawyer, on behalf of the Monitoring Officer has attended two Strategic Town and Parish Council Forum meetings attended by Councillors and Clerks to provide an overview of the code of conduct complaints regime.

These sessions were well received and have resulted in a number of enquiries for training to be delivered to councils regarding the work of the Monitoring Officer, the remit relating to complaints and the regime as well as interests. This work is welcomed by the Monitoring Officer to improve awareness and promote high ethical standards.

- 6.2 Further work has been identified to be delivered in conjunction with Northampton County Association of Local Councils in 2024 to support Town and Parish Councils in improving ethical standards and avoid complaints by improved awareness.

7. Issues and Choices

- 7.1 The Committee is asked to note the information provided and receive any feedback from the Independent Persons present at the meeting.

8. Next Steps

- 8.1 It is recommended that further reporting on the Code of Conduct be provided to the Committee on a six-monthly basis.

9. Implications (including financial implications)

9.1 Resources and Financial

- 9.1.1 There are no direct financial implications arising from this report, however the handling and processing of complaints is resource intensive. A high number of complaints does have an impact upon resources and so it is important that the Committee and all Councillors promote and maintain high standards of conduct to help limit the number of complaints received.

9.2 Legal and Governance

- 9.2.1 Complaints are received in accordance with the arrangements for dealing with allegations of breaches of the North Northamptonshire Members' Code of Conduct and of codes adopted by Parish and Town Councils within North Northamptonshire. The Council has a legal duty to respond to complaints made against councillors of allegations of a breach of the Code of Conduct, in accordance with the Localism Act 2011.

- 9.2.2 Part 9.2 of the Constitution, the Officer Scheme of Delegation, gives the Director of Customer and Governance (as Monitoring Officer) the authority to assess Code of Conduct complaints received and to determine whether an investigation should be conducted, in accordance with the procedure set out in Part 8.3, Arrangements for Dealing with Member Complaints.

9.3 Relevant Policies and Plans

- 9.3.1 Promoting and maintaining high standards of conduct supports our Corporate Plan Priority of Modern public services, i.e. providing efficient, effective and affordable services that make a real difference to all our local communities.

9.4 Risk

9.4.1 Should a Code of Conduct complaint not be investigated properly and in a timely fashion, there is recourse for complainants to make a complaint against the Council to the Local Government and Social Care Ombudsman.

9.5 Consultation

9.5.1 No consultation activity was required or undertaken in the production of this report.

9.6 Equality Implications

9.6.1 There have been no equality implications identified in producing this report.

9.7 Climate Impact

9.7.1 None.

9.8 Community Impact

9.8.1 None

9.9 Crime and Disorder Impact

9.9.1 None

10. Background Papers

None.