

Report to Governance Committee

7 February 2022

The publication of Members' Home Addresses

Report by Director of Law and Assurance

Electoral division: Not applicable

Summary

The Member Development Group has written to the Governance Committee to propose that the Council should adopt a default position of not publishing the home addresses of members. This report sets out the current arrangements in place which give members a choice of whether or not to publicly disclose their home address.

Recommendation

That no change be made to the current arrangements but that Democratic Services be asked to remind members of their ability to choose whether or not to disclose their home address.

Proposal

1 Background and context

- 1.1 The Member Development Group recently discussed the matter of personal safety for elected members. Part of this discussion touched on the publication of members' home addresses and led to the Group asking its Chairman to write to the Governance Committee to adopt a default position that members' home addresses should not be published, for the reasons set out in the letter which is attached as Appendix 1.
- 1.2 Members' home addresses have been published on the County Council's website in two places firstly on the general contact details, alongside phone numbers and an email address. This is because members are based in their communities and have previously seen this as a reasonable source of access for residents. Secondly, home addresses are usually published in the register of interests, as there is a legal requirement from the Localism Act 2011 to list property owned or rented in West Sussex. Both are matters related to the fact that members are elected as democratic representatives of residents in their community and may be expected to be accessible as such.
- 1.3 In recent years, some members have chosen to ask that the Council does not publish their home addresses on the Council's website. In addition, the Director of Law and Assurance has the ability to withhold publication of home addresses in the register of interests if the member considers that its publication could put

them at risk of harm or harassment. In May 2017, nine members asked for the Council not to publish their home address. By February 2021, this was 18.

- 1.4 The Committee for Standards in Public Life, the Local Government Association and national media outlets have highlighted that many people elected to public office are subject to abuse and harassment in the course of carrying out their duties. In recent years the murders of two Members of Parliament have given a stark reminder of the risks to those in public life.
- 1.5 In response to this problem, the County Council proactively considered this matter ahead of the May 2021 elections. Rather than continue with the assumption that home addresses will be published, the County Council asked every councillor to explicitly opt in or opt out of publishing their home address. Following the election 32 members chose publication, with 38 choosing not to disclose their address. By November 2021 this had risen to 39.
- 1.6 The Director of Law and Assurance has agreed to provide a blanket dispensation to members who choose not to agree to the Council publishing their home address that they may also have their home address withheld from the register of interests.
- 1.7 Any councillor can ask to change their preference about the publication of their home address at any time. Democratic Services can usually implement the change on the same working day.

2 Proposal details

- 2.1 It is considered that the current provision to allow members to explicitly opt in or out of having their home address published is an appropriate approach to follow a member's wish in every case. Having a default of not publishing would not make much practical difference.
- 2.2 It is proposed that Democratic Services write to all members to remind them to check which of their details are currently published and highlighting that changes can be made at any time, on their request.

3 Other options considered (and reasons for not proposing)

- 3.1 Not applicable.

4 Consultation, engagement and advice

- 4.1 Not applicable.

5 Finance

- 5.1 There are no likely revenue or capital budget consequences as any minor implementation considerations will be met within existing resources in the Democratic Services budget.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
That a member might be subject to abuse in person at their home if their address is published.	This is balanced against the right of the member to choose to publish their address as a means of contacting them. Giving members the choice means that they can make an informed judgement, mindful of the risks and benefits.

7 Policy alignment and compliance

- 7.1 It remains a requirement of the Code of Conduct, in line with the Localism Act 2011, for members to disclose property they own or rent in the register of interests. As described above, the Director of Law and Assurance has given a dispensation to withhold this information from the published register if a member does not wish to have their home address in the public domain.

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Appendices

Appendix 1 - Letter from the Member Development Group dated 10 December 2021

Background papers

None