

## **Report to Governance Committee**

**6 February 2023**

### **The Personal Safety of Councillors**

#### **Report by Director of Law and Assurance**

**Electoral division(s): Not applicable**

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#### **Summary**

It is important to ensure the Council has measures in place to support councillors in maintaining their personal safety. This Committee and the Member Development Group have considered such measures in the recent past and, at its meeting in October 2022, the Group agreed to ask the Governance Committee to sign the Local Government Association's 'Debate Not Hate' public statement, calling for a national action plan to address the abuse and intimidation of elected members and candidates while they fulfil their democratic roles. This report sets out details of the campaign and provides a note of the measures in place for the safety of county councillors, for the Committee's consideration.

#### **Recommendations**

The Committee is asked to:

- (1) Note and comment on the measures currently in place to support the safety of county councillors (at para 1.2);
  - (2) Sign the Local Government Association's 'Debate Not Hate' public statement on behalf of the Council, as proposed by the Member Development Group and set out at para 2.3; and
  - (3) Consider the options set out in section 3 of the report and identify any additional measures that may support councillors.
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#### **Proposal**

##### **1 Background and context**

- 1.1 Openness and accessibility are important parts of democracy but can mean that councillors are vulnerable to abuse and harassment. The Council aims to take a proactive approach to dealing with the personal safety of elected members. A number of measures are in place to provide support, guidance and training, as set out in para 1.3 below. These measures have been reviewed over time by this Committee and by the MDG.

- 1.2 In recent years, there has been more national coverage of intimidation and threats towards politicians. Historically, county councillors have not experienced or reported many incidences of abuse or malicious communication. The LGA 2020 annual survey of councillors included questions on abuse and intimidation and was responded to by 23 West Sussex members. Details are set out in para 5.1 and it shows that some have felt at risk and have experienced intimidation. However, most respondents felt that the arrangements the Council has in place are appropriate and effective.
- 1.3 Measures put in place by the Council to address the personal safety of county councillors and promote civility in public life are:
- 1.3.1 **The Council's Code of Conduct** (recently refreshed) sets out the standards of conduct required of councillors and is designed to protect this democratic role, encourage good conduct and safeguard the public's trust in local government.
  - 1.3.2 **Home addresses:** Governance Committee agreed in February 2022 that the default position should be that members' addresses are not published on the Council's website, unless requested otherwise.
  - 1.3.3 **Internal Guidance** for members on [health and safety](#) is available on the Council's Members' Information Network (the Mine) and as a link in the Councillors' Guide. This includes reference to personal safety awareness, how to deal with unreasonably persistent complaints and unacceptable behaviour and how to report any incidents.
  - 1.3.4 The Council's [Procedure and Guidance on Handling Unreasonably Persistent Complainants and Unacceptable Behaviour \(PDF, 149KB\)](#) was revised and extended to cover members as well as officers in June 2020.
  - 1.3.5 **LGA guidance** was identified by the MDG as the best resource for safety information for councillors. This is signposted via [the Mine](#) and includes guidance on [handling harassment, abuse and intimidation](#), [practical advice for handling online abuse](#) and [practical advice for handling physical abuse and personal security](#). The LGA provides training for councillors on personal safety and handling abuse and intimidation online. Details of these are provided via the Bulletin when available.
  - 1.3.6 **Training** in personal safety for members was raised by MDG and a session was delivered by South East Employers in November 2022. Members attending raised questions relating to the Council's approach, as set out in para 5.2. The Council's Learning and Development website provides access to online courses which members may find beneficial (e.g. workplace diplomacy and communicating under pressure).
  - 1.3.7 **Social media** training was provided as part of the induction programme in 2021, with guidance available on the social media and press enquiries section of [the Mine](#), providing advice on dealing with online abuse, harassment or 'trolling'. A social media protocol for members is also provided to ensure members are clear what is and is not acceptable. This complements the general rules under the Code of Conduct.

- 1.3.8 **Meetings considering controversial matters:** internal protocols are in place for assessing and managing the risks that may be associated with council/committee meetings where protests or demonstrations might be anticipated. Democratic Services liaise with the Council's Resilience and Emergencies Team and with Facilities Management to manage these.
- 1.3.9 **Employee Assistance Programme:** members have access to the Employee Assistance Programme, an advice service commissioned by the County Council, that can help deal with any personal or professional problems which could be impacting on health and wellbeing.
- 1.3.10 The County Council has an **online accident/incident reporting system** for staff and any instances of physical aggression, verbal abuse or threats to staff connected with their work must be recorded. This can also be used by councillors. The County Council does not keep a single register of people who have been aggressive or abusive to staff. The Council has a policy of removing or limiting the points of contact available to individuals who persistently misuse contact – including maliciously. More serious instances are reported to the Police.
- 1.4 Intimidatory behaviour can also be experienced as part of the elections process. Political parties have responsibility for the safety of candidates and those campaigning during elections. It is the role of the Police to prevent and detect crime and enable the democratic process to proceed. The Elections Act 2022 introduces a new electoral sanction for those found guilty of intimidating candidates, campaigners and elected representatives during elections. Banning someone from standing for elected office, as well as imposing criminal sanctions strengthens the deterrent against this intimidating behaviour.

## **2 Local Government Association (LGA) 'Debate Not Hate' campaign**

- 2.1 The LGA is running a '[Debate Not Hate](#)' campaign, to help encourage civility in public life and this was reviewed by MDG in October 2022. The LGA has produced a [report](#) with recommendations which range from legislative changes to protect councillors' privacy to creating a longer-term culture change to de-normalise abuse of politicians and other high-profile individuals. Key themes are:
- 2.1.1 **Variability of support** – The support offered by councils, political parties and the police varies across the country. Respondents identified a lack of proactive support from some councils and some police forces.
- 2.1.2 **Targeted abuse** – Evidence indicated that councillors and candidates with protected characteristics were more likely to receive personalised abuse. Misogyny, racism and homophobia were highlighted.
- 2.1.3 **Personal and democratic impacts** – Abuse and intimidation can significantly affect councillors and their families' mental health and wellbeing, and this can affect councillors' willingness to stand for re-election or deter others from considering standing for public office.
- 2.1.4 **Vulnerability of councillors** – The visibility and accessibility of councillors in their community, particularly if home addresses are available, can make them more vulnerable to physical abuse than national politicians, who may have greater protection and access to specialist police support.

- 2.1.5 **Normalisation** – There is a growing feeling that abuse and intimidation, particularly online, are becoming normalised.
- 2.2 Many of the recommendations in the report relate to actions for the LGA and central Government, however one recommendation identified for local councils was to take greater responsibility for the safety and wellbeing of councillors and take a proactive approach to preventing and handling abuse and intimidation against councillors. The Committee is therefore invited to consider whether the Council needs to do anything more in this area.
- 2.3 As part of the LGA campaign, it is calling on councillors, MPs and other organisations to sign its 'Debate Not Hate' public statement. MDG agreed to recommend to Governance Committee that it should sign this on behalf of the Council, as set out below:
- “We are calling on local government leaders, the Government and relevant partners, like the police, political parties and social media companies to come together through a government convened working group to produce and implement an action plan that addresses the abuse and intimidation of elected members and candidates and ensures their safety while they fulfil their democratic roles”.**
- 2.4 There will be opportunities through the Council's 'Be a Councillor' campaign to reinforce the messages of 'Debate Not Hate' and to promote civility in public life. MDG is due to review the campaign at its next meeting (20 February 2022), as part of its work towards the 2025 Council elections. The Committee may want to identify any specific issues for MDG to consider as part of this.
- 2.5 The LGA has recently issued a 'Debate Not Hate' [Councillor toolkit](#), which includes templates for councillors to use, including a 'rule of engagement' document to promote healthy debate.

### **3 Options**

- 3.1 Some additional options to support councillors in maintaining and protecting their personal safety, are set out below for the Committee's consideration.
- 3.1.1 The Director of Law and Assurance be asked to instigate liaison with Sussex Police/the Sussex Police and Crime Commissioner to establish protocols for how councillors should report intimidation and threats that are made to them in their role as a councillor. To include discussion of the potential to establish a named contact for handling serious threats.
- 3.1.2 The Director of Law and Assurance to be a main point of contact for any councillors experiencing abuse or harassment/intimidation, and to maintain a log of any such incidents, for monitoring purposes.
- 3.1.3 A process to be put in place to enable members to check with Council officers the details of persons who are requesting a personal meeting or visit. Although the Council does not keep a central register, the Customer Relations Team has records of people who have persistently misused lines of communication. Specific names could be checked against this on request. Names could also be checked with relevant Service lead officers. Such a process would require co-ordination, so an initial, single point of officer contact for members should be identified.

- 3.1.4 Political groups to consider nominating one of their members to provide a support role to members' regarding their personal safety.
- 3.1.5 Personal safety training and awareness to be included in the members' induction programme and to members elected at by-elections.
- 3.1.6 Refreshed personal safety guidance to be produced providing a one-stop shop for information and guidance (local and national). To include practical advice (as set out in the LGA's [practical advice for handling physical abuse and personal security](#)), including:
- The importance of setting boundaries between private and public life
  - The need to be safety conscious in all interactions with the public, with meetings/surgeries held in suitable locations (such as council premises during working hours, when others are in the building)
  - Advice not to meet residents in their own homes and not to go alone to meetings with individuals
  - Advice on home security and technology
- 3.1.7 MDG to be asked to review the information provided to people thinking of standing for election as part of the Council's 'Be a Councillor' campaign, to ensure this is promoting civility in public life as well as giving a clear picture of the role and the support available.
- 3.1.8 MDG to consider including questions relating to personal safety in the next all-member survey (based on those asked in the national Census of Local Authority Councillors). This will provide more robust data relating to the experiences of county councillors for monitoring and assessment.

3.2 In light of the issues raised by some members attending the personal safety training in November 2022 (as set out at para 5.2), the Committee is also asked to consider whether the Council should provide members with personal alarms. The Group also questioned whether the training and guidance provided to county councillors should be shared with and open to district/borough councillors

#### **4 Other options considered (and reasons for not proposing)**

4.1 Other options for maintaining and protecting the safety of councillors may be considered within the Committee's debate.

#### **5 Consultation, engagement and advice**

5.1 The [Census of Local Authority Councillors](#) in England carried out by the LGA in early 2022 included questions relating to personal safety. All 16,930 councillors in England were contacted. A total of 5,055 councillors responded, a response rate of 30%. The response for WSCC members was 23, or 33%. Given the low number of respondents, the responses set out below may not be representative, but are a useful indicator of local experience. Total numbers as well as percentages are given for the WSCC response.

<b>National Census of Local Authority Councillors 2022</b>	<b>WSCC Response</b>	<b>National Response</b>
<b>1. Authority has appropriate arrangements in place to deal with inappropriate behaviour:</b>		
<b>a) by members of the public</b>		
Yes	52.2% (12)	54.8%
No	17.4% (4)	28.6%
Don't know	30.4% (7)	16.6%
<b>b) by officers</b>		
Yes	60.9% (14)	69.6%
No	8.7% (2)	16.6%
Don't know	30.4% (7)	13.7%
<b>c) by councillors</b>		
Yes	56.5% (13)	56.8%
No	26.1% (6)	35.2%
Don't know	17.4% (4)	8.0%
<b>2. How often feel at risk personally when fulfilling councillor role</b>		
Frequently	0.0%	4.0%
Occasionally	34.8% (8)	24.1%
Rarely	39.1% (9)	45.1%
Never	26.1% (6)	26.8%
<b>3. Effectiveness of council arrangements for protecting you personally</b>		
Very effective	13.0% (3)	14.6%
Fairly effective	39.1% (9)	48.7%
Not very effective	13.0% (3)	25.0%
Not at all effective	13.0% (3)	11.7%
Don't know	21.7% (6)	0%
<b>4. How often experienced abuse or intimidation in last 12 months in role as a councillor</b>		
Frequently	13.0% (3)	10.3%
Occasionally	26.1% (6)	29.4%
Rarely	30.4% (7)	33.4%
Never	30.4% (7)	26.9%

5.2 Issues and questions raised by some members attending the personal safety training provided by South East Employers in November 2022 are:

- Whether members can access information held by the Council on any individuals with a history of aggression or abusive behaviour, and whether such information held is shared between the County and district/borough councils.
- How members should be reporting issues they have experienced and whether the Council should hold a register of incidents involving members.

- The need for general advice on the risks that may be associated with members' local role, including relating to holding surgeries and home visits.
- Whether the Council should provide all members with personal attack alarms.
- How to manage the risks of abuse and harassment that may arise where members are involved in dealing with controversial issues (e.g. Planning and Rights of Way Committee).
- How to ensure councillors (and those thinking of standing for election) understand the risks that may be associated with the role as well as the support that is provided.

5.3 All councillors were invited (via the Bulletin on 7 December 2022, 4 and 11 January 2022) to forward comments they wish the Committee to consider as part of this report, and specifically to comment on the following:

- Whether they have ever felt at risk personally in their role as a councillor
- Whether they have experienced abuse or intimidation in their role
- The support and information relating to members' safety and wellbeing
- Whether further actions are needed

5.4 No comments have been received.

## 6 Finance

6.1 The options for ensuring members' safety set out in section 3 can be met from within existing resources. If it is proposed that personal alarms should be provided to all members (para 3.2.1), the budget provision for these would need to be examined as there are several options, including the members' allowances budget. The estimated total cost is in the region of £700.

## 7 Risk implications and mitigations

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Members' personal safety is at risk	Set out in the report
Members' wellbeing is impacted through experience of abuse, threats or intimidation	Proposals to extend measures of support are set out in the report
Local democracy is undermined, with people deterred from standing for election	Signing the LGA 'Debate Not Hate' statement provides a strong public commitment and the Council's Be a Councillor campaign provides the opportunity to reinforce this message

## 8 Policy alignment and compliance

- 8.1 There are no legal, Equality Duty, human rights, climate change or public health implications directly arising from this report. Social value is provided by promoting civility in public life, raising public awareness of the role of councillors and of local democracy. The measures set out in the report contribute to the Council's responsibilities to reduce crime and anti-social behaviour under the Crime and Disorder Act.

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**Appendices** None

**Background papers** None