

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

29th November 2022

Report of the Head of Legal and Democratic Services- Mr Craig Griffiths.

Matter for Information

Wards Affected:

All Wards

Councillor Guide to Handling Harassment, Abuse and Intimidation

Purpose of the Report

To provide the Democratic Services Committee information on the Local Government Association's (LGA) Councillor's Guide on Handling Harassment, Abuse and Intimidation.

Background

Councillor safety has been part of the collective discussions and work of Local Authorities and the WLGA (Welsh Local Government Association) for the past few years both in terms of electoral planning, ethical framework/standards and diversity in democracy.

In the last meeting of the Democratic Services Committee held in October 2022, members were updated on the areas of work in relation to Councillor Safety and Wellbeing.

It was noted that the WLGA have suggested that a dedicated working group be convened to look at councillor safety and wellbeing, which would bring together and focus some of the wider discussions that are being held and officers and members will engage in such processes as and when they arise.

The Democratic Services Committee noted that future reports will be brought on this area of work as it progresses and looked forward to being involved in the working group as it developed.

Recent Developments

There has been a recent guide published by the LGA in relation to How Councillor's Handle Harassment, Abuse and Intimidation (Appendix 1) that has been made available by the information sharing forum 'Protect UK'. A copy of this guidance will shortly be circulated to all elected members.

A pressing concern facing those in public office is the increasing levels of intimidation, harassment and abuse they are experiencing. While debate and expressing different views is all part of a healthy representative democracy, these unacceptable behaviours undermine the key democratic principles of free speech, debate and engagement, and sometimes pose a risk to councillors' safety.

The guidance from the LGA provides practical advice for councillors to enhance their personal security and to minimise the risk of physical abuse. The advice can be applied to various settings including surgeries, home visits and whilst travelling to and from council meetings.

The guidance contains some suggestions that local authorities may wish to consider and are helpfully summarised below along with steps that this Council are considering:

Recommendation	NPT Position
Appointing an officer to undertake a role as a sounding board for any councillor or officer who wishes to make contact in confidence if he or she has received intimidatory contact or communication from an external or internal source. This officer can provide support and advice rather than a solution to such abuse, and could also provide practical advice on personal safety. Any serious	The Council's Head of Legal and Democratic Services and Democratic Services Manager undertake this role.

<p>allegation of criminal activity may have to be taken further.</p>	
<p>All councils are now required to have a local councillor code of conduct to help councillors model and balance their behaviour, understand the expectations of their role, and to indicate the type of conduct that could lead to action being taken against them.</p>	<p>The Council has an agreed Code of Conduct for elected members which all elected members are required to sign on election to the Council. Training is also provided to elected members on the content of the Code of Conduct</p>
<p>Local Resolution Protocols have proven a useful tool to deal with low level complains and solve internal disputes.</p>	<p>The Council has an agreed Local Resolution Protocol that enable member complaints to resolved</p>
<p>Encouraging each political group within the council to likewise appoint either the leader of the group and/or one of their number to perform a similar role for their elected members.</p>	<p>The Head of Democratic Services will approach political group leaders to suggest that such measures are put in place in accordance with their rules.</p>
<p>Establishing a council policy setting out procedures and protocols, should a councillor feel they are being publicly harassed, intimidated or abused. Regular briefings for all councillors, including those who have been newly elected, to share experiences and concerns can both help identify persistent offenders and look at council-led solutions.</p>	<p>WLGA have suggested that a dedicated working group be convened to look at councillor safety and wellbeing, which would bring together and focus some of the wider discussions that are being held and officers and members will engage in such processes as and when they arise.</p>

	Officers will then develop a protocol specifically for Neath Port Talbot Council
Working with the local police, establishing a named officer responsible for handling the serious threats to councillors and to advise on personal safety and security.	Officers will liaise with South Wales Police to identify a named officer and this will be included in any protocol development.
Controlled online meetings have helped to minimise abuse from the public. Some strategies include asking participants to pre-register, to monitor or disable the chat function and read opening statements indicating that abuse of any kind will not be tolerated.	The Council currently requires any members of the public who wish to attend a virtual meeting of the Council to pre-register and officers are liaising with Digital Services to look at ways to address the chat function in MS TEAMS
Ensuring that council insurance arrangements cover injuries or loss suffered by elected members arising from their role as councillors in respect of any intimidation.	Work is ongoing with the Council's Insurance Section and Insurance Brokers to consider this element.
Considering what steps should be taken by the council to mitigate the risk to councillors in the event of severe intimidation and threats. In some of the cases that have been researched in the production of this guidance, councillors who have been subjected to death threats have been supplied with personal alarms by the police.	WLGA have suggested that a dedicated working group be convened to look at councillor safety and wellbeing, which would bring together and focus some of the wider discussions that are being held and officers and members will engage in such processes as and when they arise.

	Officers will then develop a protocol specifically for Neath Port Talbot Council
--	--

It should be noted, that the ability of the local authority to assist in resolving any issues such as defamation of a member, libel or slander are limited. As a Local Authority we cannot bring action for defamation ourselves and are unable to fund officers/members to pursue the same. In its Guidance the Welsh Government states it “.... does not believe that individuals should be funded at public expense to bring proceedings against a third party. To do so could stifle legitimate public debate.” However, it is recognised that more needs to be considered at the UK and Welsh Government level to look at further support for elected members who find themselves victim of such defamation or libel and it is proposed that a letter be forwarded to the Welsh Local Government Association on behalf of the Democratic Services Committee asking for such matters to be considered at a national level.

Financial Impact

There are no financial impacts associated with this report.

Integrated Impact Assessment

There is no requirement to undertake an Integrated Impact Assessment.

Workforce Impacts

No impact.

Risk Management

No impact.

Legal Powers

There are no specific legal powers relating to this report.

Valleys Communities Impacts:

There are no specific impacts for valley communities arising from this report.

Consultation

There is no requirement under the Constitution for external consultation on this item.

Recommendation

It is recommended that Democratic Services Committee:

- (a) note the update in relation to Handling Harassment, Abuse and Intimidation and the content of the Councillor Guide to Handling Harassment, Abuse and Intimidation;
- (b) endorse the work programme that officers will embark on both internally and with stakeholders to develop a protocol for members in respect of harassment, abuse and intimidation; and
- (c) authorise the chair of the Democratic Services Committee to write to the Welsh Local Government Association and any other relevant organisation seeking further information on what measures Welsh and UK Government are considering to support elected members who are victims of harassment, abuse and intimidation.

Reason for report

To note the update in relation to Handling Harassment, Abuse and Intimidation.

Appendices

Appendix 1- Councillor Guide to Handling Harassment, Abuse and Intimidation

[Councillors' Guide to handling harassment, abuse and intimidation | ProtectUK](#)

Officer Contacts

Craig Griffiths – Head of Legal and Democratic Services

e-mail: c.griffiths2@npt.gov.uk

Stacy Curran- Democratic Services Manager

Email: s.curran@npt.gov.uk

