

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

27th November 2023

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

Matter for Information

Wards Affected:

All Wards

Proposal to establish a Task and Finish Group on Handling Harassment, Abuse and Intimidation for Councillors.

Purpose of the Report

To propose that the Democratic Services Committee establish a Task and Finish Group on Handling Harassment, Abuse and Intimidation for Councillors.

Background

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

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 their meetings of October/November 2022 Democratic Services Committee members were updated on the areas of work in relation to Councillor Safety and Wellbeing being led by various organisations..

It was noted that the WLGA had 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 would engage in such processes as and when they arise.

Members were also notified that there had been a recent guide published by the LGA in relation to How Councillor's Handle Harassment, Abuse and Intimidation that has been made available by the information sharing forum 'Protect UK'.

The guidance from the LGA provided 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 contained some suggestions that local authorities may wish to consider and the Democratic Services Committee noted the 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 allegation of criminal activity may have to be taken further.	The Council's Head of Legal and Democratic Services and Democratic Services Manager undertake this role.

<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> <p>Officers will then develop a protocol specifically for Neath Port Talbot Council</p>
<p>Working with the local police, establishing a named officer responsible for handling the</p>	<p>Officers will liaise with South Wales Police to identify a named</p>

<p>serious threats to councillors and to advise on personal safety and security.</p>	<p>officer and this will be included in any protocol development.</p>
<p>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.</p>	<p>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</p>
<p>Ensuring that council insurance arrangements cover injuries or loss suffered by elected members arising from their role as councillors in respect of any intimidation.</p>	<p>Work is ongoing with the Council's Insurance Section and Insurance Brokers to consider this element.</p>
<p>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.</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> <p>Officers will then develop a protocol specifically for Neath Port Talbot Council</p>

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."

Proposal:

It is proposed that a Task and Finish Group of the Democratic Services Committee be established to focus on handling harassment abuse and intimidation for Councillors while promoting Councillor safety at a local level.

It is intended that the Task and Finish Group establishes proposals around:

- Establishing a council policy setting out procedures and protocols, should a councillor feel they are being publicly harassed, intimidated or abused.
- Establishing 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.
- Considering what steps should be taken by the Council to mitigate the risk to Councillors in the event of severe intimidation and threats,

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:

Approve the establishment of a Task and Finish Group of the Democratic Services Committee to focus on handling harassment abuse and intimidation for Councillors while promoting Councillor safety at a local level.

Reason for report

To approve the creation of a Task and Finish Group in relation to Handling Harassment, Abuse and Intimidation for Councillors.

Appendices

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

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

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