

Standards Committee

Agenda

Members of the Standards Committee:

Cllr K Mason Billig (Chairman)
Cllr J Easter (Vice Chairman)
Cllr S Blundell
Cllr S Ridley
Cllr J Wilby

Date & Time:

Wednesday 28 September 2022
10.00am

Place:

Cavell Room, South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE

Contact:

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PUBLIC ATTENDANCE:

If a member of the public would like to attend to speak on an agenda item, please email your request to committee.snc@southnorfolkandbroadland.gov.uk, no later than 5.00pm on Friday 23 September 2022.

Large print version can be made available

If you have any special requirements in order to attend this meeting, please let us know in advance.

AGENDA

1. To report apologies for absence;
2. To receive Declarations of Interest from Members;
(Please see guidance form and flow chart attached – page 3)
3. Minutes of the meeting of Standards Committee held on Friday 16 December 2016;
(attached – page 5)
4. The Committee on Standards in Public Life and the Model Code of Conduct;
(Report attached – page 8)
5. Civility in Public Life;
(Report attached – page 35)

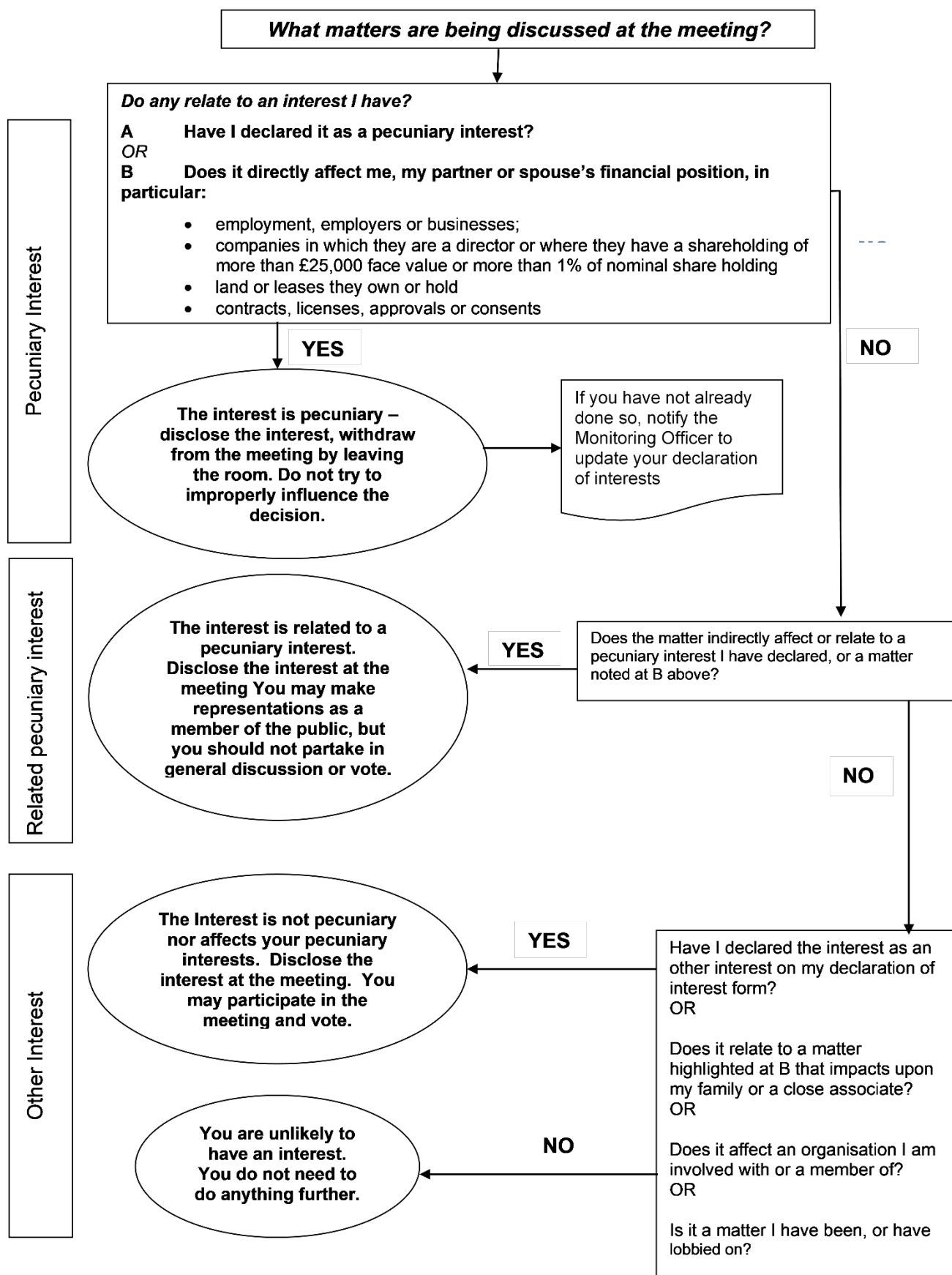
DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> 1. affect yours, or your spouse / partner's financial position? 2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner? 3. Relate to a contract you, or your spouse / partner have with the Council 4. Affect land you or your spouse / partner own 5. Affect a company that you or your partner own, or have a shareholding in <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Standards Committee

Minutes of a meeting of the Standards Committee held at South Norfolk House, Long Stratton on Friday 16 December 2016 at 12:00pm.

Committee

Members Present: Councillors K Mason Billig (Chairman), C Kemp (Vice-Chairman), V Bell, C Gould and P Hardy

Officers in Attendance: The Monitoring Officer (L Mickleborough) and the Deputy Monitoring Officer (E Goddard)

Others in Attendance: Mrs R Bennett

The press were also in attendance.

3. Minutes of the last meeting of the Standards Committee held on 17 August 2015

The minutes of the meeting held on 17 August 2015 were confirmed as a correct record and signed by the Chairman. Arising from the Sanctions and Recommendations, it was suggested and agreed that officers follow up the four resolutions which they had recommended and that, in the future, any recommendations made by the Standards Committee would be followed up after six months.

4. Declarations of Interest

Cllr C Kemp advised the Committee that, although he had been made aware of the incident soon after it had occurred, once the formal complaint had been received he had not had any further involvement and so considered that he did not have an interest to declare.

5. Exclusion of the Public and Press

Members discussed excluding the Press and Public from the meeting and agreed that this was not required. The Committee did, however, agree to conduct its deliberations in private.

6. Consideration of Complaint

The Chairman welcomed everyone to the meeting and outlined the process to be followed by the Committee. It was noted that the subject of the Complaint, Cllr Fulcher, had stated by email that he had nothing to add to his statement and that he did not intend to be present at the meeting. It was further noted that the Independent Person, Mr Oram, was unable to attend the meeting but that his written comments included in the agenda papers would be sufficient to allow the Committee to consider the complaint in his absence.

The Committee received the following evidence:

Monitoring Officer

The Monitoring Officer introduced her report and outlined the complaint. She advised members of the allegation that Cllr Fulcher had breached section 5.3.10 of the South Norfolk Council Code of Conduct by failing to act with leadership at an event.

The Committee noted that Cllr Fulcher had disputed the allegations initially but that four witness statements had been received which supported the complainant's allegations.

The Monitoring Officer advised that the matter was before the Committee due to the serious nature of the complaint.

The Complainant (Mrs R Bennett)

The Complainant, when invited to make further representations regarding her complaint, stated that she was disappointed that the matter had reached this stage and that it had not been possible to resolve the issue beforehand. When questioned regarding whether there had been any similar incidents in the past, Mrs Bennett replied that she could not recall any specific prior incidents but that she felt Cllr Fulcher did not believe that these types of comments were unacceptable. Mrs Bennett added that, if Cllr

Fulcher had apologised or even acknowledged that his comments had caused offence during the month following the event, she might not have made a formal complaint.

The complainant and the press left the meeting whilst the application was determined. They were then re-admitted and the Chairman announced the decision.

Decision of the Committee

Members unanimously agreed that Cllr D Fulcher had breached paragraph 5.3.10 of the South Norfolk Council Code of Conduct by making inappropriate comments at a South Norfolk Council event.

Sanctions and Recommendations

The Committee resolved to:

1. recommend that Councillor Fulcher receive further formal training on standards matters;
2. recommend that Councillor Fulcher makes a public apology in respect of the inappropriate comments made;
3. issue a censure (written reprimand) from the Chairman of the Standards Committee to Councillor Fulcher;
and
4. issue a Press Notice detailing the outcome of the meeting

The meeting closed at 12:48 am

Chairman

The Committee on Standards in Public Life and the Model Code of Conduct

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Portfolio: Governance and Efficiency

Ward(s) Affected: All

Purpose of the Report:

The Standards committee is responsible for maintaining high governance standards within the council pursuant to its duties under the Localism Act 2011. This report asks members to consider the Committee on Standards in Public Life (CSPL) fifteen best practice recommendations and also seeks Committee's agreement on adopting a new Councillor Code of Conduct.

Recommendations:

That Standards committee:

1. Consider the Local Government Association's (LGA) Model Code of Conduct, and agree that it be consulted on, in whole or with local amendments. The results of the consultation to be considered at a further meeting of Standards committee before recommending a final code of conduct to Full Council.

2. Consider the best practice recommendations from the Local Government Ethical Standards to ensure that these are reflected in the code or working practices in whole or with local amendments.

Summary

- 1.1 This report seeks to update the committee on two issues, as follows:
the Local Government Association's (LGA) new model code of conduct; and the best practice recommendations from the Local Government Ethical Standards report of January, 2019 issued by the Committee on Standards in Public Life (CSPL).

2. Background

- 2.1 Section 27 of the Localism Act 2011 (the Act) places a duty on relevant authorities to promote and maintain high standards of conduct. In order to discharge its duty a council must adopt a Code dealing with the conduct that is expected of members of the authority when they are acting in that capacity. Section 28 of the Act provides that a relevant authority must secure that a Code adopted by it is, when viewed as a whole, consistent with the Nolan Principles. There is also a requirement to ensure that appropriate measures are taken to record and declare interests. Other than these requirements, it is a matter for each council to adopt a Code that is relevant to its particular circumstances and the Code must be adopted by full Council.
- 2.2 The Committee on Standards in Public Life (CSPL) undertook a review of the ethical framework for members with its report being published in January 2019. The CSPL received evidence that there were considerable variations in Codes of Conduct which was problematic as it created confusion among councillors who served at multiple tiers of local government. The report contained 26 recommendations most of which required consideration by Government and legislative change. Two recommendations, one relating to an updated national model code of conduct and another to include ethical standards of a council within any peer review, were to be considered by the Local Government Association (LGA). The CSPL concluded that there should be a national model Code of Conduct, but this should not be mandatory and could be adapted by individual authorities.
- 2.3 The CSPL report also contained 15 best practice recommendations directed to local authorities with the expectation that they should be implemented.
- 2.4 In 2020, the LGA released a draft Model Member Code of Conduct for consultation. There were extensive consultations on the draft which resulted in some changes and a finalised Model Code was released in May, 2021.
- 2.5 South Norfolk Council adopted its current code of conduct in 2012. This code does not fully comply the requirements of the CSPL in that it does not clearly tell councillors what they should or should not do. Furthermore, it does not cover a number of aspects that one would expect to see in a Code such as a definition of bullying and harassment and bringing the office of councillor or the Council into disrepute. The section on declaration of interests is also quite brief and doesn't give much detail on declaring other interests. The current code is attached at **Appendix 1**.

3. Current position

- 3.1 There has been no reported progress on introducing legislation to bring in the changes recommended by the CSPL in the Ethical Standards report probably

due to legislative demands of the Covid pandemic. However, the LGA has produced a Model of Conduct which has taken into account many of the CSPL's best practice recommendations. This code can be adopted in full or tailored to suit individual councils' circumstances.

4. The Model Code of Conduct

4.1 The LGA's Model Code of Member Conduct is attached at **Appendix 2**. The LGA's aim is that the Model Code would be concise, written in plain English and be understandable to members, officers and the public. The Code is designed to aid members in all tiers of local government, with behaviours and high standards that anyone would expect from a person holding public office.

4.2 The LGA Code is more prescriptive than the SNC code and sets out in more detail what is expected of members. Some of the details include:

- definition of treating other councillors, officers and members of the public with respect. This does not prevent councillors from having a viewpoint and expressing challenge, but the line is rightly drawn at personal attack. The code points out that in return, councillors have a right to respectful behaviour from the public (it should be noted that the Civility in Public Life report recommends adopting a member protocol which would include examples of abusive behaviour to assist members to identify when it is not appropriate to accept such behaviour)
- the introduction of a definition of bullying and harassment (a requirement of the CSPL report)
- reference to impartiality of officers and a requirement not to attempt to coerce or persuade officers to act in a way that would undermine their neutrality
- the requirement of confidentiality and in what circumstances it would be appropriate to disclose information
- Placing specific obligations of a councillor under the code in relation to undertaking code of conduct training, co-operating with any investigations, not intimidating anyone involved in investigations and complying with sanctions.

Standards of conduct

4.3 Officers consider that the Standards of councillor conduct in the model code are an improvement on the current code. It does not place any other obligations on members that would not be expected if members are conducting themselves in line with the Nolan Principles. It does, however, set out clear expectations of how members should conduct themselves and this is welcomed.

Registration of Interests

4.4 The model code would actually require members to **register** less interests. For example, the SNC Code requires a pecuniary interest held by a family member of close associate that would impact on their role as a councillor to be registered; this is not required under the Model LGA Code.

4.5 It is considered that in terms of registerable interests, the Model Code is fit for purpose and on review, some of the interests that the SNC Code requires to be registered are more relevant in terms of those that require declaring at meetings. For example, using the case above, it is more relevant that a financial interest of a family member is declared at a meeting. It appears rather obtrusive that these should be registered and held in the public domain.

- 4.6 The LGA code also includes ‘**any unpaid directorships**’ – which is not explicitly contained in South Norfolk’s existing code.

Declaring interests

- 4.7 Declaring interests is the biggest change, as the LGA code clearly outlines more instances in which a member would need to leave the room, than the current SNC Code.
- 4.8 The model code gives more prescribed situations where interests need to be declared which automatically prohibit a member from remaining in the room and taking part in discussion. However, this is often a grey area that members need to consider for themselves in relation to the Nolan principles and public perception, so this should be more helpful to members and ensure that members do not inadvertently breach the Code of Conduct.
- 4.9 The situations outlined in the LGA Model Code that prohibit a member from taking part and voting all represent circumstances that currently would require members not to take part in discussions or voting; therefore these should not be viewed as additional restrictions. The LGA Code simply outlines them in detail, whereas the current SNC Code requires more interpretation of what is required under the legislation.
- 4.10 In addition, the further guidance provided in the Model LGA Code on matters that should be declared, but which members can remain in the room is welcomed. As above, this will be helpful to all members and provides further clarity on the application of the Nolan Principles.
- 4.11 There is also an additional requirement regarding declaring interests on a matter to be considered by a Cabinet member in exercise of their executive function (paragraphs 5 and 10 of appendix B of the model code).
- 4.12 Key points of note in the Model LGA Code in terms of registering interests and declaring interests are as follows:

Registering Interests

Disclosable pecuniary interests (DPI)

Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Other Registrable Interests (ORI)

- any unpaid directorships
- any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- any body (of which you are a member or in a position of general control or management:
 - exercising functions of a public nature
 - directed to charitable purposes or
 - one of which whose principal purposes includes the influence of public opinion or policy (including political party or trade union)

Declaring Interests

DPIs – you must disclose it, not participate in any discussion or vote on the matter and not remain in the room (unless you have a dispensation).

ORIs - Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of an ORI, you must disclose it.

Non-registerable interests (NRIs) - Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a DPI) or to a financial interest or well-being of a relative or close associate, you must disclose it.

ORIs and NRIs - You may speak only if members of the public are also allowed to speak at the meeting but otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have a dispensation

Where a matter arises at a meeting which affects:

- Your own financial interest or well-being
- A financial interest or well-being of a relative or close associate; or
- A financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2

You must disclose it but consider whether you can remain in the meeting (apply test) – participation in meeting same requirements as ORI and NRI.

5. Committee on Standards in Public Life - best practice recommendations

- 5.1 The CPSL's best practice recommendations are listed at **Appendix C** at the end of the LGA's model code of conduct.
- 5.2 Officers have included comments on these recommendations. Members are asked to consider the recommendations and comments to ensure they are reflected in the code or working practices in whole or with local amendments.

6.1 Issues and risks

- Resource Implications** – there will be a need to carry out the full consultation with all District, Town and Parish Council in the South Norfolk area. The results of the consultation will then need to be formally adopted and then relevant training provided to Councillors. It is proposed that this can be provided through existing resources within the Governance Team.
- Legal Implications** – included in the report.
- Equality Implications** – the model Code of Conduct includes Equalities obligations.
- Environmental Impact** – no implications
- Crime and Disorder** – no implications
- Risks** – no other risks identified.

7. Recommendations

That Standards committee:

- a. Consider the LGA's Model Code of Conduct, and agree that it be consulted on, in whole or with local amendments. The results of the consultation be considered by the Standards Committee before recommending a final code of conduct to Full Council.
- b. Consider the best practice recommendations from the Local Ethical Standards to ensure that these are reflected in the code or working practices in whole or with local amendments.

Background papers

The Committee on Standards in Public Life report

The LGA's Guidance on the model Code

South Norfolk's register of interest declaration form

SNC Constitution – Part 5 – Codes and Protocols

Part 5.3 Code Of Conduct For Members

- 5.3.1 You are a member or co-opted member of South Norfolk District Council and hence you shall have regard to the following principles:
- i. selflessness,
 - i. integrity,
 - ii. objectivity,
 - iv. accountability,
 - v. openness,
 - vi. honesty, and
 - vii. leadership.
- 5.3.2 Accordingly, when acting in your capacity as a member or co-opted member:
- 5.3.3 You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
- 5.3.4 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 5.3.5 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
- 5.3.6 You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
- 5.3.7 You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
- 5.3.8 You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the section below (from paragraph 5.3.11).
- 5.3.9 You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- 5.3.10 You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

- 5.3.11 You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
- 5.3.12 In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.
- 5.3.13 If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
- 5.3.14 Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
- 5.3.15 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.
- 5.3.16 A sensitive interest is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.



Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of

conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word.

Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with

views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes

alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of

the council As a councillor:

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

- 4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

- 4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others.

However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless**

that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue

arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.

Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

Appendix 3 – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition

SNC: *Current code does not include bullying and harassment. LGA model code does.*

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

SNC: *Current code does not include such provisions. LGA model code does*

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

SNC: *Current code adopted on 2012. We are intending to consult members and parish councils on this current review. Proposal is to review this then every four years in line with the term of office, or of further updates are provided.*

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

SNC: *Code is in the Constitution which is available on website.*

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

SNC: *Gifts and hospitality register, in csv format, is maintained by the Executive Assistant to the Managing Director.*

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

SNC: *The current form for complaints makes clear the evidence that is required should there be a perceived breach and the complaint is judged against that, with the Independent Person providing the independent oversight.*

Best practice 7: Local authorities should have access to at least two Independent Persons.

SNC: *Has appointed one independent person but would have access to South Norfolk's independent person, if needed.*

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

SNC: *This practice is already in place.*

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

SNC: *This practice is already in place.*

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

SNC: *Easy to understand and accessible guidance is on the website, however, estimated timescales are not given as this can vary greatly depending on the level and the complexity of the complaint(s) received. The complainant and the subject of the complaint are regularly kept up to date.*

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

SNC: *This is not currently in place and it is not proposed that this should be implemented, the complaints process enables anyone who is aggrieved by the conduct of a councillor to put in a complaint, this should not be restricted in anyway, however the controls in place, i.e. evidence based and the Independent Person does ensure that this is not malicious.*

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

SNC: *This practice is already in place and documented with the responsibilities of the Monitoring Officer within the Constitution*

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should

include asking the Monitoring Officer from a different authority to undertake the investigation.

SNC: *This practice is already in place, should such an instance arise there are Deputy Monitoring Officers who can take on any investigations, the legal service can also, and has, provide this service and there are informal arrangements in place across Norfolk.*

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

SNC: *This is included with the Annual Governance Statement.*

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

SNC: *Regular meetings are held regularly with the Conservative Group Leaders and are offered to other main Group Leaders.*

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Civility in Public Life

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Portfolio: Governance and Efficiency

Ward(s) Affected: All

Purpose of the Report:

To further consider the Local Government Association's (LGA) report and work programme into civility in public life, and review the actions agreed previously at Full Council and determine what further action is needed.

Recommendations:

That Committee:

Receives this report and the current work of the LGA, promoting civility in public life and supporting the well-being of elected members and confirms adoption of a member protocol and notes any further action required. Note the decisions made by Council in December, 2021.

1. Summary

- 1.1 At the December 2021 Council meeting, members considered the LGA report about their work programme into civility in public life and agreed to adopt a number of measures to support the wellbeing of members.
- 1.2 The LGA is committed to promoting civility in public life and supporting the well-being of elected members. This is a long standing area of work for the LGA, but the tragic death of Sir David Amess MP brought this issue into marked focus and the report highlights the particular issues of the LGA's programme of work and made some recommendations to support members.

2. Background

- 2.1 Across the UK, there are growing concerns about the impact and increasing level of public intimidation and toxicity of debate is having on our country's democratic processes, particularly at local level. In response, the LGA is co-ordinating a programme of work entitled 'Civility on public life', primarily aimed at:
 - a) articulating good standards for anyone engaging in public and political discourse
 - b) understanding the scale and impact of intimidation and abusive behaviour on its membership organisations, and develop recommendations for achieving positive debate and public decision-making on a local level
 - c) supporting its members and all democratically elected local representatives in addressing intimidation and abuse, so they deliver the best on behalf of their communities.
- 2.2 The programme of work focusses on three elements – prevention, support and challenge, as follows:
 - Prevention** – support/guidance for members and research into the prevalence and impact of intimidation
 - Support** – development of policy/legislative proposals with partners that address intimidation particularly with the police, exploring the potential for an informal council 'duty of care' towards its councillors and a revision of the local government code of conduct.
 - Challenge** – exploring opportunities for a public and political-facing campaign.
- 2.3 The LGA's report highlights concerns about the impact an increasing level of public intimidation and toxicity of debate is having on our country's democratic processes, particularly at a local level and raises a number of points to consider in terms of councillors interacting with the public.
- 2.4 As part of its prevention and support work, the LGA has produced a range of resources, including a model councillor code of conduct. As the Standards

committee is considering the model code, members are also asked to review some of the other resources designed to support councillors, as set out below.

3. Current position

- 3.1 The LGA has published a Councillors' [guide](#) to handling intimidation with practical steps that councils and councillors can take to protect themselves as a person in a public position. This guide covers topics such as how to handle abuse, both face-to-face, letters or online, and the legal and practical remedies, including the nature of the criminal offences involved and will be continuously updated with the latest advice and information available.
- 3.2 The LGA has also produced a set of [resources](#) for local councillors on digital citizenship, including a model rules of engagement and top tips on how to tackle online abuse
- 3.3 To support their programme, the LGA has also been developing a call for evidence of abuse and intimidation. It has produced a [survey](#) for capturing the experiences of councillors experiencing or having experienced abuse or intimidation from the public due to their elected role.

The call for evidence is an ongoing part of the programme, capturing elected members' experiences and emerging trends of abuse and intimidation from the public. Evidence collected in this way will help the LGA to develop a body of evidence to support their calls for legislative and systematic change and develop support for elected members.

- 3.4 The Councillor guide on handling intimidation and the survey link has previously been sent to all members via the Members Bulletin.
- 3.5 At their meeting in December, 2021, Council agreed to adopt the following measures identified in the LGA's Civility in public life report:
 - a) Appoint an officer to act as a point of contact for any councillor who has received intimidatory contact or communication from an external or internal source
 - b) Each political group within the Council to appoint either the Leader of the group and/or one of their number to perform a similar role as above for their elected member
 - c) A protocol be established with the police as to how councillors should report intimidation and threats, and establish a named officer for handling serious threats to councillors.
 - d) Members be encouraged to follow the LGA's councillors' guide to handling intimidation and to use the model rules of engagement developed by the LGA on their personal websites and social media. The guidance and resource should also form part of the members' induction.

e) Officers to ensure that members can check the information on the potentially violent persons register, prior to a home visit.

3.6 Taking each of these in turn the following can be confirmed:

a) the Monitoring Officer is confirmed as the point of contact for any councillor. The Monitoring Officer deputies are also able to provide this role in her absence.

b) At the Council meeting it was confirmed that the Group Leaders would take on this role, and that any Member not part of a Group would be able to also contact any Group Leader.

c) A protocol is in place with the police, through the Assistant Director Individuals and Families, any Member needing to report such issues should contact the Monitoring Officer in the first instance. However any “live” issues that have an imminent threat to life should be reported through the usual channels directly to the police.

d) The guidance and resource is being incorporated into the four year Member training plan. And other training is available to all Members through Skillgate.

e) The process for access to the violent persons register has recently been updated and need to access this must be through the Monitoring Officer with reasons provided as to why. In addition, it is always recommended that Members do not visit alone if they have any reason for concern.

4. Proposed action

4.1 In order to assess what further action the Council and its Political Groups can take, officers have reviewed the LGA’s Civility in public life report and the associated advice/guidance on how to handle intimidation. The following measures could be adopted, in addition to the above, to support members:

4.1.1 The adoption of a member protocol to incorporate the various measures identified which would also include examples of abusive, intimidatory or threatening behaviour to assist members to identify when it is not appropriate to accept such behaviour.

4.1.2 The Council to encourage Norfolk Constabulary and the Norfolk Police and Crime Commissioner in establishing protocols for how councillors should report serious intimidation and threats that are made to them in their role as councillor, including establishing a named officer responsible for handling serious threats to councillors and to advise on personal safety and security.

4.1.3 Ensuring that council insurance arrangements cover injuries or loss suffered by elected members arising from their role as councillors in respect of any intimidation.

4.1.4 Officers to consider what additional steps could be taken by the council to mitigate the risk of councillors in the event of severe intimidation and threats. For example, in some areas where councillors have been subjected to death threats, they have been supplied with personal alarms by the police and, occasionally, by their Council.

- 4.2 The Committee is therefore requested to consider the action taken to date and decide if any further action, either noted above or discussed at the meeting is to be taken forward.

5. Issues and risks

- 5.1 **Resource Implications** – the work required to implement the suggestions can be undertaken within existing Council resources.

- 5.2 **Legal Implications** – none

- 5.3 **Equality Implications** – none

- 5.4 **Environmental Impact** – none

- 5.5 **Crime and Disorder** – measures identified to promote the safety of members

- 5.6 **Risks** – no other risks identified.

6. Conclusion

- 6.1 The measures identified in the LGA work programme to support members in relation to intimidation, can be adopted as best practice by the Council to support Councillors and ensure they are equipped with the skills to stay safe when dealing with the public.

7. Recommendations

That Committee:

Receives this report and the current work of the LGA, promoting civility in public life and supporting the well-being of elected members and confirms adoption of a member protocol and notes any further action required.

Background papers

LGA report on Civility in Public Life