
Ethics Committee

28 September 2023

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Chief Legal Officer

Ward(s) affected:

None

Title: Civility in Public Life and Digital Citizenship Update

Is this a key decision?

No

Executive Summary:

The Ethics Committee has been monitoring the work of the Local Government Association (LGA) programme around Civility in Public Life and Digital Citizenship. This work is in response to the increasing concern about intimidation and toxicity of debate and the impact this has been having on democratic processes. A report was last provided to the Committee on 30 March 2023.

This work remains part of the Committee's Work Programme and this report is to provide an update of the local response.

Recommendations:

The Ethics Committee are recommended to:

1. Note the work undertaken by the Local Government Association (LGA) on their Debate Not Hate campaign;
2. Note the work that is being undertaken locally; and

3. Request that this item remains on the work programme of the Ethics Committee for continued review.

List of Appendices included:

None

Other useful background papers can be found at the following web addresses:

- Local Government Association's publication: Debate Not Hate: Ending abuse in public life for councillors, 3 July 2023:
<https://www.local.gov.uk/publications/debate-not-hate-ending-abuse-public-life-councillors>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Civility in Public Life and Digital Citizenship Update

1 Context (or background)

- 1.1 The Council's Ethics Committee has requested that Civility in Public Life and Digital Citizenship remains part of the Committee's work programme.

2 Work of the LGA

- 2.1 In July 2023 the LGA issued a new publication outlining how councils can better support councillors to prevent and handle abuse. The publication can be found at the following link: <https://www.local.gov.uk/publications/debate-not-hate-ending-abuse-public-life-councillors#appendix-b-guidance-and-other-documents->. External consultants worked with councils and relevant partners to inform the report, which includes principles for councils to consider, top tips and good practice case studies.

2.2 Previous work

- 2.2.1 As detailed in previous reports the LGA had found that seven out of 10 councillors had experienced abuse from the public in the previous year, and that this was seriously impacting civic life and local democracy.
- 2.2.2 The LGA has been working on a series of projects to address the issue of abuse and intimidation of elected members. This project focuses on what local agencies can do to prevent and address abuse perpetrated against councillors.

2.3 Project background

- 2.3.1 The project is based on the premise that individuals and organisations have different levels of autonomy and agency within specific structures, and that there is an inherent tension between agency and structure. Councillors have both more agency and fewer legal protections than other elected members.
- 2.3.2 Councils are the primary support mechanism for councillors locally, but they also have limited powers and resources. With the coordinated input of other statutory and non-statutory parties, abuse and intimidation against councillors can be addressed.
- 2.3.3 The authors have used abuse, intimidation and public intimidation to refer to a range of behaviours that could cause an individual to withdraw from public life.

2.4 Project methodology

- 2.4.1 The LGA aimed to set out possible local and national mitigations and solutions to abuse against councillors through this project.

2.4.2 This project was delivered through two distinct research phases, the first phase aimed to identify challenges and barriers, and the second phase looked to generate and develop solutions to these barriers.

2.5 Ecosystem mapping and stakeholder interviews

2.5.1 The purpose of the ecosystem mapping was to understand what expert organisations exist in the UK and how they approach the issue of harassment, abuse and intimidation.

2.5.2 In the UK, there has been significant interest in the topic of harassment, abuse and intimidation in public life. 20 in-depth interviews were conducted with stakeholders from a range of backgrounds to gain their views on the topic.

2.6 Literature review

2.6.1 A systematic search was conducted of documents offering support and guidelines published by 50 councils to better understand the tailored support available to councillors. Comprehensive or supportive guidance was found in many councils.

2.7 Focus groups

2.7.1 Two focus groups were held to explore the barriers and challenges to providing councillors with better support around abuse and intimidation. Fourteen councillors attended the councillor workshop and 11 officers attended the officer workshop.

2.8 Changing dynamics

2.8.1 Abuse and intimidation in public life have emerged as escalating concerns over the past few decades. However, the rise in abuse has not always presented in the same way in different places, and councils have not always kept pace with increasing risks associated with the role of elected members.

2.8.2 Council officers and councillors have reported that abuse, intimidation, and harassment faced by elected members can have a detrimental impact on democratic representation.

2.9 Criminal thresholds and the legal framework

2.9.1 Serious incidents like physical assaults and credible threats to life will clearly meet the threshold for police intervention. However most incidents may not constitute an immediate emergency but may nevertheless be criminal.

2.9.2 The law is relatively clear for some crimes, but not for more frequent yet equally damaging forms of abuse, such as online abuse and misinformation. Additionally, it is not against the law to be unpleasant, and

police must balance several considerations, including freedom of expression and journalistic expression.

2.10 Capacity and awareness of the relevant agencies

2.10.1 There are capacity issues across the whole of the public sector and there is not consistent awareness of the issues of abuse against politicians across all areas. This can leave councillors feeling that all partners have abdicated responsibility for their safety.

2.10.2 Police often face challenges due to limited resources and training, and operational separation between different police forces leads to inconsistent experiences for councillors who seek support and protection.

2.11 Lack of clear guidance on how to deal with vulnerable persons

2.11.1 Councillors should consider whether they are the most appropriate person to be supporting an individual and where it would be more appropriate to direct them to an officer at the council.

2.11.2 In extreme cases where an individual is vulnerable due to mental health problems and appears to be displaying fixated behaviour towards public figures, the Fixated Threat Assessment Centre (a joint police/mental health unit set up in October 2006 by the Home Office, the Department of Health and Metropolitan Police Service to assess and manage the risk to politicians, members of the British Royal Family, and other public figures from obsessive individuals) can help to assess the situation. A link to further details can be found here: <https://www.beh-mht.nhs.uk/services/fixated-threat-assessment-centre-ftac/297>

2.12 Standards of political discourse

2.12.1 Politicians have a significant role in shaping public discourse, and they should strive to meet the expectations of their residents. The LGA has developed a Model Councillor Code of Conduct to help councillors model best conduct and understand the expectations of their role (adopted with modifications by Coventry City Council in 2021).

2.13 Challenges identified

2.13.1 **Challenge 1:** Councillors feel vulnerable to abuse and ill-equipped or supported to handle abuse, harassment, and intimidation

- Councillors are susceptible to verbal, psychological and physical abuse and intimidation from various sources, including members of the public. Without specific training and support, they may not possess the necessary skills to confidently identify risky situations and diffuse potentially volatile situations.
- Councillors may also struggle to manage the aftermath of individual or ongoing incidents, including the need to engage with various agencies,

such as the council, their political party and the police, to handle serious abuse.

2.13.2 Challenge 2: Lack of clear process around reporting abuse, harassment and intimidation to the council results in councillors not knowing who to turn to when an incident occurs

- Council officers support councillors with a range of needs associated with their elected role, including assisting councillors to deal with abuse, harassment, and intimidation they might experience. However, the thresholds and levels of support are not set out in statute.

2.13.3 Challenge 3: There is inconsistent engagement and response from the police to abuse and harassment of councillors

- The diversity among police forces results in variable responses and levels of support provided to councillors based on geographical location. This makes it difficult to develop effective interventions to prevent abuse, harassment, and intimidation of councillors.

2.14 Findings

2.14.1 Normalisation of abuse and intimidation in public and political discourse is a well-established growing issue. Councils may need to set expectations for interactions between the public and councillors, as many already do with staff.

2.14.2 Many councillors consider their residents' right to engage with their elected representative as sacrosanct, and are reluctant to disengage, take officer advice or report incidents to the police. However, setting expectations may help them identify unacceptable behaviour.

2.14.3 Clarity of process and responsibility was highlighted as a key challenge by councillors and officers alike. In some areas, there is a clear and formalised process for raising concerns, either through a single point of contact (SPoC) individual or department, but in other areas there is not.

2.14.4 Set out who is responsible for supporting councillors with abuse and intimidation, and ensure they are appropriately skilled and resourced. Ensure councillors feel well-supported in their role by setting out clear processes and procedures.

2.14.5 Relationships with local police are important to improve coordination and advance mutual understanding of abuse affecting councillors, and the police role in addressing it. However, councillors have expressed the belief that police did not take appropriate actions to record and investigate potential crimes against them because they were councillors.

2.14.6 Contributors to this research were clear that a strong relationship with the local police force was critical to effective communication.

2.14.7 Officers should tailor their support to the needs of individual councillors and proactively identify risks through dynamic and periodic risk assessments. They should also be aware that some councillors do not agree that abuse and intimidation is an issue for them personally or in their area.

2.14.8 Some councils had been prompted to put in place better support and protections for councillors by a particular incident or local tensions, but without sustained focus and attention to issues of councillor safety, good practice sometimes diminished with the threat.

2.14.9 Councillor wellbeing is a much bigger consideration now than ever before, with many high-profile local and national politicians being exposed to hurtful public commentaries. This can deter people from standing for election or re-election and seeking leadership positions.

2.15 Conclusion

2.15.1 Councillors' experiences of abuse and intimidation vary, and there is no 'one-size-fits-all' approach to responding to abuse. However, the general principles set out in this report may help councils to consider the level of support their members require.

2.15.2 Councillors, political parties, councils and local police all have a role to play in preventing and dealing with abuse targeted against councillors. However, there is a limit to their power, resources and responsibility to handle these issues and some things they will not be able to influence.

2.15.3 In this research, councillors and the police discussed how to improve relationships and the consistency of police response to abuse against councillors and others in public life. The research showed that the police can be relied on to deal with serious threats to life and violent crime.

2.15.4 Councillors are a central part of our democratic system and should display appropriate behaviours for leaders and representatives of their council. Political parties and their members should set the example of proper conduct.

3 **Local picture**

3.1 The Council launched a campaign just over a year ago called "Debate Not Hate."

3.2 It was identified that training for Members on Chamber Skills, rules of debate and standing orders would be beneficial, especially as new Members joined following the May elections.

3.3 The training took place on 6 June 2023 and 14 June 2023 as follows:

Sessions:

Lord Mayor and Deputy Mayor 6 June

Opposition Groups 14 June AM

Majority Group 14 June PM

Attendance

Lord Mayor and Deputy

Opposition – 11 (65%)

Majority – 13 (35%)

Training Content

The training was “personalised” for each group, however the core content covered the same subjects. The training was also very interactive, with real examples and Members being asked to role play certain scenarios. The areas covered included:

- A point of order
- A point of personal explanation
- Role of the Lord Mayor chairing Council
- Statements and responses
- Debates and speaking rights.
- Suspending procedure rules

Feedback

10 responses (including officers)

Average rating 4.9/5

Usefulness rating 4.9/5

Which was the most useful aspect of the training?

All

Showing what we thought we knew of Chamber rules was actually incorrect! I hope this will allow meetings to run more smoothly in future :-)

members seemed to take on board the comments made - highlighting issues in the Procedural Rules was helpful

Further explaining procedures

The training was tailored and relevant to Coventry, it was refreshing that the trainer had obviously studied past meetings studied Council meetings

Probably the part on questions,

Reminding us all what are the rules of the constitution and code of conduct, and hopefully make future meetings go smoother and in a more professional way. Taking out the hate aspect is very important to make meetings constructive, so I am really grateful for this training.

As I've not yet been to a full council it was all useful but it generally seemed very positive and aimed at making things more respectful of everyone involved which is never a bad thing.

learning the procedure rules!

explaining the aims of the process to effect change rather than pointless political ping pong

Is there anything you would change to improve the training?

No

No - I also think it was the correct length. Longer would have lost impact.

Better attendance from the Groups!!

Better venue for group work

no

Nothing that comes to mind.

Would liked it to be double the length with a small break in between.

not that i can think of

no

have it more frequently

Any further comments?

Good structure excellent pace

Really useful.

Please also circulate information to those colleagues who were unable to attend. In particular it is worth highlighting that 'Moving Extensions' to permitted speaking times isn't allowed ! Also - worth highlighting that only Points of Order and Points of Personal Clarification are allowed :-)

Leader has asked for a review of the Council procedure rules as a result of the training

None

The trainer engaged very well with members. He had clearly done his homework and was able to weave in bits and pieces to highlight a point. His experience and knowledge was evident.

The trainer was very skilled and motivated, he made the training engaging and entertaining. I wish I had this type of training earlier.

Perhaps could be mandatory training for all Councillors.

This needs to happen every year at least and every 6 months to help focus objectives and to encourage better behaviour

Follow up

A further piece of work has been commissioned to review the Council procedure rules.

4 Options considered and recommended proposal

The Ethics Committee are recommended to:

1. Note the work undertaken by the Local Government Association on their “Debate Not Hate” Campaign;
2. Note the work that has been undertaken locally in respect of the Council’s “Debate Not Hate” Campaign promoting Civility in Public Life and Digital Citizenship; and
3. Request that this item remains on the work programme of the Ethics Committee for continued review.

5 Results of consultation undertaken

- 5.1 There has been no consultation as there is no proposal to implement at this stage which would require a consultation.

6 Timetable for implementing this decision

- 6.1 Any actions arising from this report will be implemented as soon as possible.

7 Comments from Interim Chief Executive (Section 151 Officer) and Chief Legal Officer

7.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

7.2 Legal implications

There are no specific legal implications arising from this report. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011.

8 Other implications

None

8.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

Not applicable.

8.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report.

8.3 What is the impact on the organisation?

No direct impact at this stage.

8.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

8.5 Implications for (or impact on) climate change and the environment

None

8.6 Implications for partner organisations?

None at this stage.

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