

# Executive

## Personal Safety for Councillors

Item no: 7

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**Date:** 18 January 2022  
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### Summary

This report presents to the Executive for consideration proposals for pan—London work by London Councils to address several issues identified by members regarding councillors’ safety.

### Recommendations

Given the increasing risk to councillors’ personal safety, it is recommended that:

- London Councils lobbies the government on introducing legislation to remove the current legal requirement for councillors to have their home address published in the online register of interests and the copy of the register which is available for public inspection - in line with the recommendations of the Committee on Standards in Public life.
- In the interim, those London Local authorities who have yet to do so may wish to consider introducing a general principle of withholding the home addresses of their councillors from the online register of interests and the copy of the register which is available for public inspection; or offer their members the choice without the requirement for them to identify a specific threat of violence and/or intimidation.
- London Borough Returning Officers are requested to highlight to candidates in the forthcoming and future local elections that they have the option to withhold their home address from the ballot paper, the Statement of Persons nominated and the Notice of Poll.
- London Councils identifies, shares and promotes best practice guidance that has been produced by London

authorities and others on personal safety for councillors to assist other London boroughs in developing their own programmes.

- London Councils engages with the Metropolitan Police Service through existing structures and relationships to highlight that reports of harassment and intimidation by councillors have been responded to differently, with the aim of gaining a more consistent and robust response.

## Personal Safety for Councillors

### 1.0 Background

1. Concerns about the impact that an increasing level of public intimidation and toxicity of debate is having on the personal safety of councillors is not a new issue, but the tragic death of the Right Honourable Sir David Amess MP has brought this issue into marked focus.
2. While valuable to democracy, the use of social media has changed the nature of public discourse resulting in some highly negative behaviours and impacts.
3. In their responses to the recent survey by the Independent Panel on Members Remuneration, Leaders and Directly Elected Mayors reported that the increasing level of toxicity in public life and intimidation of councillors is one of the significant factors in individuals choosing not to stand as a councillor which could have implications for future democratic representation.
4. At their meeting on the 22 November 2021, Elected Officers raised the issue of councillor safety with some highlighting their own experiences of being subject to harassment and intimidation. They requested that officers develop proposals for pan-London solutions to minimise the increasing risks in the current climate.
5. This paper responds to the request, presents the findings of research and seeks the Executives' views on several proposals to progress with London local authorities and the Metropolitan Police Service.

### 2.0 The Publishing of Councillors' Home Addresses

#### **Register of Interests**

6. Section 29 of the Localism Act 2011 requires a principal authority's monitoring officer to establish and maintain a register of interests of members of the authority. Section 30 requires members to notify the authority's monitoring officer of any

disclosable pecuniary interests as determined by Regulations<sup>1</sup> for inclusion in the register of interests. The disclosable pecuniary interests include any beneficial interest in land within the area of the authority and applies not only to the member but also their spouse or civil partner, if applicable. In most cases such a declaration will include a councillor's home address.

7. Elected Officers are concerned that the disclosure significantly increases the potential risks to councillors' personal safety. Conversely, the same is not required of Members of Parliament.
8. Provisions exist under Section 32 (2) of the Localism Act 2011 to exempt sensitive interests from being included in the published register of interests where the member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the individual being subject to violence or intimidation.
9. Elected Officers reflected that the evidence and threshold required to obtain agreement to withhold a councillor's home address from publication differed between authorities and sometimes within the same authority.
10. They requested that officers gather data on the practices across London with the aim of recommending a pan-London approach to minimise the increasing risks to councillors' personal safety.
11. The government's advisory body, the Committee on Standards in Public life, published a report in January 2019 following a review of Local Government Ethical Standards<sup>2</sup> in which it recommended that those standing for or accepting public office should not be required to publicly disclose their home address. The proposed change would require primary and/or secondary legislation. The government has yet to respond to the report.

### **Practices in London local authorities**

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<sup>1</sup> The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464).

<sup>2</sup> <https://www.gov.uk/government/publications/local-government-ethical-standards-report>

12. To inform the development of the proposals in this paper, London Councils circulated a survey to all local authority monitoring officers in London to gain an understanding of practices in each authority. Sixteen responses have been received to the survey which cover seventeen authorities reflecting party political proportionality and both inner and outer London.
13. Following the tragic death of the Right Honourable Sir David Amess MP, four boroughs have removed members' home addresses, either in full or substantially, from the public version of its council's register of interests and had not received any challenge to this. A further borough is intending to do so. A further three boroughs have offered members the option with varying take up. All the members in one borough chose to take up the offer whilst in the other two 35% and 75% respectively have chosen to leave their details open to public inspection on the website.
14. Of the remaining nine boroughs, all consider requests on a case-by-case basis and require some evidence over and above that of being a councillor such as a specific threat or if they are dealing with a sensitive matter. One monitoring officer suggested that they may take a different view if there were a specific threat which was likely to affect all councillors. In two of these boroughs approximately 50% of the councillors of the authority have had their addresses withheld with no requests refused. In another it is slightly above two thirds of the members of the authority.

### **Recommendation**

15. **London Councils lobbies the government on introducing legislation to remove the current legal requirement for councillors to have their home address published in the online register of interests and the copy of the register which is available for public inspection - in line with the recommendations of the Committee on Standards in Public life.**
16. **In the interim, those London Local authorities who have yet to do so, may wish to consider introducing a general principle of withholding the home addresses of their councillors from the online register of interests and the**

**copy of the register which is available for public inspection; or offer their members the choice without the requirement for them to identify a specific threat of violence and/or intimidation.**

### **Candidate Nomination Papers for Local Government elections**

17. At the Elected Officer's meeting, concern was also raised about the requirement for candidates standing as councillors to have their home address included in the published election papers.
18. In January 2019, to reflect a change in legislation for principal areas and parish elections in England, the Electoral Commission revised its guidance for Returning Officers on candidates' home address forms and their implications for the statement of persons nominated and ballot papers.
19. Candidates at local elections must present a home address form as part of their nomination papers return. Within the home address form, they can now instruct the Returning Officer not to include their home address on the ballot paper, the Statement of Persons nominated and the Notice of Poll. The name of the relevant area that the candidate's home address is located will appear instead.
20. Moreover, inspection rights of the home address forms are limited to relevant persons (other candidates in the same electoral area, their agents and proposers) after nominations have closed and before polling day. Taking extracts of or making copies of the forms is not permitted.

### **Recommendation**

21. **That London Borough returning Officers are asked to highlight to candidates in the forthcoming and future local elections that they have the option to withhold their home address from the ballot paper, the Statement of Persons nominated and the Notice of Poll.**

### **Guidance and Training for Councillors on Personal Safety**

22. The survey circulated to monitoring officers also asked whether their authority had produced guidance and/or provided training to councillors on personal safety including dealing with harassment and intimidation.
23. Of the seventeen authorities that responded to the survey, ten had produced guidance and/or had arranged training, in a couple of cases as part of broader Health and Safety training. Of the remainder, four have circulated the LGA guidance<sup>3</sup> on personal safety to their councillors. All but one of the authorities that have yet to produce guidance and/or provide training have indicated that they intend to develop their own programme as part of the induction for councillors after the local elections in May 2022.
24. Elected officers consider that personal safety guidance and training should be available to all councillors in London; this will be particularly pertinent for newly elected councillors following the local government elections in May 2022. This should include information on the use of social media by councillors including legal advice on how to deal with intimidation and harassment online, but also helpful tips on the appropriate use of group emails and the correct use of 'out of office' messages.
25. The Local Government Association has developed a *Civility in Public Life* programme to articulate good standards for anyone engaging in public and political discourse and to support its members and democratically elected local representatives in addressing abuse and intimidation, so they deliver the best on behalf of their communities. Officers from London Councils are planning to meet with representatives of the LGA in January to identify opportunities for collaboration including sharing relevant data and ideas to offer further assistance to London local authorities.

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<sup>3</sup> <https://www.local.gov.uk/councillors-guide-handling-intimidation>

### **Recommendation**

26. **It is recommended that London Councils in its pan-London representative role identifies, promotes and shares best practice guidance on personal safety for councillors that has been produced by London authorities and others to assist other London boroughs in developing their own programmes.**

### **Working with the Police**

27. Research by the LGA and London Councils has found that the police response to reports of councillor abuse and intimidation varies between police authorities and in some cases within the same authority.
28. It is recognised that the Metropolitan Police Service as a trusted partner has and will be working with some London boroughs to provide detailed advice and training on personal safety and how to respond to any threats.

### **Recommendation**

29. **It is recommended that London Councils engages with the Metropolitan Police Service through existing structures and relationships, to highlight that reports of harassment and intimidation by councillors have been responded to differently with the aim of gaining a more consistent and robust response.**
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### **Financial Implications for London Councils**

There are no financial implications.

### **Legal Implications for London Councils**

There are no legal implications.

### **Equalities Implications for London Councils**

None specifically flowing from this paper.