



Name of meeting: Standards Committee

Date: 15th March 2022

Title of report: Survey analysis and workshops feedback update

Purpose of report

To brief the standards committee on the survey analysis and the outcome of the standards workshops held in November 2021 and February 2022.

To consider a number of recommendations arising from the survey and workshop findings.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall
Is it also signed off by the Service Director Finance?	Eamonn Croston
Is it also signed off by the Service Director for Legal, Governance and Commissioning?	Julie Muscroft
Cabinet member portfolio	N/A

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- 1.1 Members may recall that in March 2021 this Committee received a report which considered initial thoughts, feedback and observations about the survey. The Next Steps and timelines had two main actions:

“4.1 LGA Model Code of Conduct

4.1.1 The Monitoring Officer will continue to look for a response to the CSPL report from central government.

4.1.2 The Monitoring Officer will also consider any comments or views from this committee in considering what changes, if any, should be made to the Kirklees code of conduct.

4.2 Kirklees Standards Survey

4.2.1 Due to the volume of information that the survey has provided, it is proposed that further consideration and analysis is made by the Monitoring Officer and a more detailed report is brought back to this committee.

4.2.2 Part of the more detailed work will look at the issues highlighted in parts 2.2.9 and 10 that have been brought up by the survey responses.....”

- 1.2 This Committee considered the LGA Code of Conduct at its 15th September 2021 meeting and recommended that the Council adopt a new hybrid Code of conduct combining some of the best of the existing Kirklees Code with the LGA draft. The Council adopted the hybrid code in December 2021.
- 1.3 A more detailed analysis of the survey has now been carried out. This is included in Appendix B of this report.
- 1.4 This report details the feedback and comments from the standards survey and from the standards workshops.
- 1.5 The three workshops brought together elected members, both from Kirklees Council and our Town and Parish Councils, with officers, including the Monitoring Officer and the Deputy Monitoring Officers, plus the Kirklees Independent Person.
- 1.6 As well as the detailed analysis from the survey, this report will look at each scenario in turn, and then look at the key points that were made during the discussions, along with any other more general issues that came out.

2. Information required to take a decision

2.1 Survey Analysis

- 2.1.1 An initial analysis of the ‘structured’ questions was completed and those results are at Appendix A and were included in the report to this committee in March 2021.

2.1.2 A further comprehensive analysis of the 'open' question results was undertaken and the results were put into the report that appears as the second part of Appendix B.

2.1.3 The results from the 'structured' questions show that there was significant support for a strong standards process, with high standards of behaviour being seen as important, but also strong support for sanctions that are stronger than those currently in place. Points that were made include:

- it is important to the respondents that Councillors are respectful and adopt good behaviour – 99% of respondents felt this was very important or important
- it is important that Councillors are held accountable for poor behaviour and that they respond to any sanctions – 99% of respondents felt this was very important or important
- a significant number of respondents were unaware of the Code of Conduct or the complaints process and member sanctions - only 28% of respondents felt that the current sanctions were sufficient to address poor behaviour
- 94% of respondents agreed or strongly agreed that there should be a power to impose financial penalties, such as removal of allowances
- 96% of respondents agreed or strongly agreed that there should be a power to suspend
- 97% of respondents wanted to see the website updated to record when sanctions have been complied with
- the majority of respondents who were asked felt that Town and Parish Councils should have a role in the complaints process, particularly where Town and Parish members were the subject of complaints

2.1.4 The analysis of the 'open' questions highlighted a number of issues that came up on a number of occasions and these are detailed in the report at Appendix B. The key themes that came out were:

- respondents were asked for details of bad and good experiences with members
 - o The biggest theme for bad experiences was general rudeness and low standards of behaviour

- This was countered by the biggest theme for good experiences being general good conduct and behaviour
- one key theme that became apparent from the responses was that there may be a need to look at relationships between members and officers
- another key theme was that respondents felt quite strongly that available sanctions were insufficient for more serious breaches
- a number of respondents felt that better training for members would help address issues
- greater visibility of the standards process and complaints received and the outcomes

2.2 Workshops / Scenarios

- 2.2.1 The three workshops took place in November 2021 and February 2022 and consisted of a brief presentation, that was followed by discussions on a number of scenarios, prompted by the survey feedback, that had been prepared to engage the attendees in thinking about various aspects of standards.
- 2.2.2 The workshops brought together elected members, both from Kirklees Council and our Town and Parish Councils, with officers, including the Monitoring Officer and the Deputy Monitoring Officers, plus the Kirklees Independent Person. Members of the Councils restorative team helped facilitate two of the sessions.
- 2.2.3 Scenario 1 was intended to focus on member-officer relationships and we asked members and officers to look at the situation from both sides, and to try to put themselves in each other's shoes.
- 2.2.4 Scenario 2 focused on the use of social media and asked attendees to consider how to use social media in a positive way and to consider what can go wrong and how best to address that.
- 2.2.5 Scenario 3 looked at sanctions and the role of groups in dealing with standards complaints. The scenario contrasted the potential difference between complaints that concerned members of a political group and complaints made about independent councillors.
- 2.2.6 The final scenario 4 looked at behaviour in meetings, using a real life incident that occurred at a meeting of Maldon District Council.

2.2.7 The facilitator used a number of questions to frame the discussions, that were intended to focus the members and officers in attendance. These and group answers are at Appendix C.

2.3 General Discussions

2.3.1 A number of issues were raised during the opening of the workshop sessions. These reflected concerns that members had about the wider standards issues and more general pressures that they faced.

2.3.2 These included the following:

- a general feeling that members meeting with officers in this type of session more often would be a positive – members did express the view that they had benefitted from attending and engaging
- the issue of Town / Parish Councils and the costs involved in providing a standards function to them was raised, with the suggestion that an SLA could be used to recoup costs
- the importance of Councillor Enquiries in supporting members was raised – many members noted that they were facing increasing demands and enquiries and it was important for members and officers to be able to work together effectively
- members felt that it was important for them to be able to provide help and support to their communities
- one member raised the issue of how much we could rely on what they felt was a small sample of respondents – analysis of statistical confidence rates would indicate that the results obtained would be within +/- 3.84% - given that many of the responses obtained were around the 90/95% level, we can be confident about considering these views to be representative and reliable
- Planning was also an area that was discussed and some further work and/or training for members may be indicated
- closer working with the LGA and NALC around sanctions and standards was raised
- the possible need for a 'fast track' standards process to deal with repeat complaints

2.33 Some of the issues raised are already in view and may be actioned or continue to be actioned. The work around engagement with Town and Parish Councils and greater involvement in the Standards process and

decision- making needs further work and discussion with them and forms part of the recommendations

2.4 Conclusions

- 2.4.1 There were a lot of issues that have been highlighted, both by the survey responses and by the workshop discussions.
- 2.4.2 It is recognised that many of these cannot be resolved until such time as there has been a formal Government response to the CSPL, with legislative action.
- 2.4.3 There are, however, a number of issues highlighted that can be addressed and a number of recommendations have been included in this report, as well as a request for Committee members to make suggestions.

3. Implications for the Council

3.1 Working with People

N/A

3.2 Working with Partners

N/A

3.3 Place Based Working

N/A

3.4 Climate Change and Air Quality

N/A

3.5 Improving Outcomes for Children

N/A

3.6 Other (eg Legal/Financial or Human Resources)

The promotion and maintenance of high standards of conduct by councillors is an important part of maintaining public confidence in both the council and its members. Failure to do so could have reputational implications.

4. Next steps and timelines

- 4.1 The feedback from the workshops and the survey will be used to consider whether there are any amendments that may need to be made to the standards process or the Code of Conduct.
- 4.2 Members are asked to consider what changes to the standards process or the Constitution that they feel may be appropriate in light of the survey results and the workshop discussions. Members are asked in particular to consider the issues of visibility of standards to members of the public and how to continue to raise awareness.
- 4.3 Members are also asked to consider whether the survey and workshops have highlighted a need for any focused member training, particularly around members' role in the planning process, and media issues
- 4.4 Members are also asked to consider introducing a fast track process for managing persistent poor behaviour of a similar nature by a Councillor(s)

5. Officer recommendations and reasons

- 5.1 It is recommended that the Monitoring Officer be delegated to draft an amendment to the standards process to introduce a 'fast track' process to address repeat complaints and to report to this Committee in September.
- 5.2 It is recommended that the Monitoring Officer works with Town and Parish councils to consider options for increasing involvement at Town and Parish Council level in the Standards process and to report back to this Committee in September with proposals.
- 5.3 It is recommended that this Committee working with NALC and the LGA (as appropriate) to raise the issue of the delay in the government response to the CSPL report write as a Council (or jointly with NALC and/ or LGA) to the Minister highlighting the need for a formal response.
- 5.4 Agree that work be undertaken with members and officers to update and refresh and raise awareness to the Member officer protocol and the importance of that to the efficient and effective working of the Council
- 5.5 On the back of the recent workshop sessions consider more regular workshop and engagement sessions with members and officers to discuss issues of common concern about behaviours
- 5.6 Members are asked to consider any further actions or training support they feel may be appropriate and whether any , for example code of conduct updates, should be compulsory.

6. **Cabinet portfolio holder's recommendations**

N/A

7. **Contact officer**

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8. **Background Papers and History of Decisions**

8.1 Report to Standards Cttee – [Report to Standards Committee \(item 9\) – 29th March 2021](#)

9. **Service Director responsible**

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Appendix A – Kirklees Standards survey – analysis of the closed questions

Appendix B - Kirklees Standards survey – analysis of the open questions

Appendix C - Workshop scenarios and comments

Appendix A

Kirklees councillor standards process - stakeholder survey

661 responses received to an online survey January - March 2021.

This marked up questionnaire provides a summary of results and a full list of all comments received. The comments are in a separate document, appended to this.

Are you completing this survey as... (Select all that apply)

495	A local citizen
8	A previous complainant (someone who has made a complaint about a councillor)
12	A community group
213	A Kirklees Council employee
24	A local councillor
0	A Group Business Manager (someone who manages the councillors in a political group)
10	A town or parish councillor or clerk
6	An Independent Person or Monitoring Officer (non-political roles ensuring fair decision making and compliance with standards)

Please note that, as respondents could reply in more than one capacity, the figures above total more than 661.

Do you work closely with councillors? This will help us ask you relevant questions in the survey.

63 (30%)	Yes
85 (40%)	Sometimes
63 (30%)	No

How important is it to you that...

	Very important	Important	Not important	Not at all important
Councillors are respectful and treat people fairly	601 (93%)	43 (7%)	0 (0%)	1 (0%)
Councillors set a good example through their behaviour	585 (91%)	53 (8%)	1 (0%)	1 (0%)
Councillors are held accountable for their behaviour	610 (95%)	30 (5%)	1 (0%)	1 (0%)
Anyone is able to raise a complaint about a councillor	541 (84%)	94 (15%)	4 (1%)	2 (0%)
Councillors respond appropriately to any required sanctions (actions to address poor behaviour), following the completion of a complaint	582 (91%)	54 (8%)	1 (0%)	1 (0%)

Are you aware that we support good councillor behaviour through...

	Yes	No	Unsure
A Code of Conduct which sets out the standards of behaviour required of councillors	361 (56%)	234 (36%)	49 (8%)
A complaint process if someone has a concern about a councillor's behaviour	366 (57%)	222 (34%)	56 (9%)
Putting sanctions in place to help maintain good standards	258 (41%)	286 (45%)	93 (15%)

Have you ever experienced poor behaviour on the part of an elected councillor?

319 (49%)	Yes
336 (51%)	No

Have you ever experienced good behaviour on the part of an elected councillor?

390 (61%)	Yes
253 (39%)	No

Sanctions**Sanctions currently include:**

- requiring a councillor to apologise for any breach of the Code of Conduct
- requiring a councillor to undertake remedial action, e.g. deleting a social media post that has breached the Code
- requiring a councillor to undertake training
- being removed from committee roles
- formal censure by the council

Do you think the sanctions currently available sufficiently address poor behaviour?

180 (28%)	Yes
287 (45%)	In most cases, but not all
174 (27%)	No

In their review on Local Government Ethical Standards, the Committee on Standards in Public Life recommends some more serious sanctions be made available.

How much do you agree the following sanctions should be used in Kirklees, if legislation made them available to us?

	Strongly agree	Agree	Disagree	Strongly disagree
The power to impose a financial penalty (<u>e.g.</u> removal of allowances)	399 (63%)	195 (31%)	33 (5%)	9 (1%)
The power to suspend councillors, without allowances, for up to 6 months	463 (71%)	164 (25%)	19 (3%)	4 (1%)
Another sanction - please specify <u>below</u> .*	151 (73%)	34 (16%)	19 (9%)	4 (2%)

*See Appendix for the comments

Where a complaint has proceeded to a formal investigation, the outcome is currently published on the council's website.

Do you think outcomes should be updated to record when councillors have complied with the sanction imposed, where a finding of a breach of the Code of Conduct is made?

633 (97%)	Yes
20 (3%)	No

What do you consider to be an appropriate time limit, from an issue occurring with regards to a councillor's behaviour or actions, for someone to make a complaint?

18 (10%)	Up to 1 month
47 (26%)	Up to 3 months
13 (7%)	Up to 6 months
7 (4%)	Up to 12 months
7 (4%)	Up to 24 months
92 (50%)	Different time limits based on the nature of the complaint

Complaints can sometimes refer to a pattern of poor behaviour, which becomes apparent over a period of time. In cases like this, do you think...

31 (17%)	The agreed time limit should still apply from the latest occurrence
149 (83%)	Time limits should be considered on a <u>case by case</u> basis

How much do you agree that...

	Strongly agree	Agree	Disagree	Strongly disagree
Town and Parish councils should have a role in decisions around complaints	12 (32%)	16 (42%)	8 (21%)	2 (5%)
Town and Parish councils should be able to participate in the Kirklees standards process <u>when this relates to Town and Parish councillors</u>	19 (50%)	16 (42%)	1 (3%)	2 (5%)
There should be one consistent Code of Conduct for councillors and Town and Parish councillors	28 (74%)	7 (18%)	2 (5%)	1 (3%)

Appendix B

Councillor Standards Survey 2020

Open Questions Thematic Analysis

Q – Are you able to give any examples of your experiences of poor councillor behaviour? Please ensure these are anonymous.

This was an open question and received 262 comments.

The 12 key themes to emerge from the comments to this question are as follows:

- General rudeness and low standards of behaviour from Councillors
- Failure to act or respond
- Threatening behaviour or language
- Unprofessional behaviour and conduct within the Council
- Disregard for local issues
- Abuse of power / Vested interests / Bias
- Poor behaviour on social media
- Party Politics
- Invisibility
- Lack of knowledge/ Inaccuracies / Badly Informed
- Lack of integrity
- Lack of accountability

Below is a summary and description of each theme, including quotes from respondents. Themes have been ordered with the most prominent theme coming first. The last 6 themes in the list all received about the same number of comments each.

General rudeness and low standards of behaviour from Councillors

This was by far the biggest theme to emerge. Respondents frequently used the following words and phrases to describe Councillors –

Self-entitled, rude, argumentative, opinionated, abrasive, negative, disrespectful, belittling, demanding, inappropriate, demeaning, arrogant, condescending, patronising, criticising, interrupting, ‘do you know who I am’, defensive, ‘worse than children in a playground’, lazy, uncaring

Key quotes from respondents include:

“Rude, opinionated, demanding, not listening properly, not acting on facts, belittling, treating as if dirt (not high enough up the power chain to warrant listening to).”

“Spoken to in a derogatory manner because they are a Councillor and made it plainly clear they hold a position of status much greater than mine.”

“They are often rude and arrogant in their approach when dealing with Council employees and think they are more important than everyone.”

Failure to act or respond

This was the second biggest theme to emerge. This includes failure to respond to specific requests via email, phone call or letter, neglectful behaviour, and general failure to engage with the public or Council employees that can be described as one of the following: ignoring, not listening, and/or not giving support where it was requested or expected.

“A basic failure to respond to reasonable email questions and requests concerning local issues.”

“Multiple promises to call back but no call received.”

“Failing to act by not listening to people’s concerns therefore costing the council more expense.”

Threatening behaviour or language

Threatening behaviour or language that went beyond general rudeness was the third biggest theme to emerge. This was categorised as comments that contained references to bullying, threats, shouting, swearing or aggression.

“Bullying language and behaviour reducing a colleague to tears. Bullying where I and colleagues made to feel 'useless' and unable to do our jobs.”

“I was once locked in a meeting room by some councillors when I attended to deliver training who wanted to engage in discussions about issues connected to other matters that I deemed inappropriate to discuss in an open meeting, their response was to lock the door... My staff have been shouted out and threatened with losing their jobs on some occasions...”

“Bullying, being shouted at, being undermined and humiliated publicly at public events in front of people within and outside the Council... Councillors swearing to members of staff and to external parties, being pushed by a Councillor at an event.”

Unprofessional behaviour and conduct within the Council

This was the joint third biggest theme. This included: taking credit for other people's work, ignoring regulations, policies or protocol, a lack of collaborative effort to work with the wider Council, and inappropriate / poor standards of behaviour towards Officers and Council employees.

"Nasty emails sent to me as an officer - calling me incompetent and lazy because I wasn't able to follow their instructions."

"Bullying officers, threatening to sack officers, inappropriate behaviour in meetings."

"Councillor correspondence and items in the local press where they present officers as the enemy to be overcome rather than people there to deliver their job as best they can."

"Failure of some councillors to actually see themselves as Kirklees Council and a determination to damage the council's reputation for their own political gain."

Disregard for local issues

This was the fourth biggest theme. This is categorised as an attitude of ambivalence towards the needs of the local community; not taking local issues seriously and appearing lazy and uncaring towards constituents.

"Not caring one jot about the communities they are supposed to be representing."

"I complained about the current state of the road surfaces in my locality. Fobbed off with "I will get round to it" and "You're not of interest to me" attitude."

"Laughing off genuine concerns."

Abuse of power / Vested interests / Bias

This was the fifth biggest theme and includes allegations of nepotism, corruption, and incidents where Councillors have used their position and influence for personal gain, revenge or to assist friends or family members.

"The Mayor promoting family and friends business in his chains."

"Reported son of councillor not being charged after drug dealing."

"A councillor shouting at someone who they thought had undermined him, when in fact it was a fellow councillor's action that caused the upset. No apology was given and the individual has been informed that they can never work for the Council. A clear abuse of power but what can you do?"

The following themes all received a similar number of comments each, so have not been placed in any particular order:

Poor behaviour on social media

This includes the use of inappropriate content and language online, using social media to make allegations or personal smears, and 'playing games' to raise their own profile, often at the expense of others.

"Inciting anger at the council via Facebook groups."

"Repeated abusive use of social media. Sanctioned twice, ignored the sanctions."

Party Politics

This includes petty squabbling and infighting between Councillors from different political parties, acting with the sole purpose of 'point-scoring' against other Councillors, refusing to work alongside members of opposing political parties, and considering their own personal political gain above other concerns.

"Councillors from one political party refusing to have meetings with councillors from another party to discuss a project, insisting that they are consulted separately at all times making it very difficult to progress the project..."

"misleading information for political gain, bullying"

Invisibility

This includes several comments that Councillors were only ever seen at election time, that Councillors had no visible presence within the community; respondents said they felt unrepresented because their Councillors never seemed to be available, and that Councillors neglected to attend meetings or events that they were expected to / had been invited to.

"Local councillors not having a presence in the community and not fulfilling their role but happy to receive an income."

"a lot of local councillors...only show their faces when they are up for election."

Lack of knowledge/ Inaccuracies/ Badly Informed

This includes many accounts of Councillors not presenting correct information, not listening to facts, giving or using inaccurate figures or data to people within the Council or the general public, and generally not being well informed.

"Where in a planning meeting the councillor wrongly challenged a senior officer, who was right, over a matter that cost the council many thousands of pounds."

“Announcements made in the press without reference to staff involved or even making them aware, inaccurate information that causes difficulties for frontline staff”

Lack of Integrity

This includes Councillors being accused of lying, deliberately misrepresenting the facts, and breaking promises.

“...telling people to shut up and swearing, telling lies and misrepresenting the truth to fit their purposes...”

“I watched at least one of them bare face lie about how they had supposedly, supported their community.”

Lack of accountability

Several respondents commented that Councillors are not held accountable for their actions.

“As an employee I have found some Cllrs to be extremely rude, derogatory and self entitled but there is no recourse as they are not staff so can't be held to account.”

“the hands of Senior Management seem to be tied when it comes to imposing any sanctions, and there is an appearance this lack of recourse is compounded the more senior the Councillor involved.”

Other comments that were mentioned by a handful of respondents included – experiences of racism, sexism, bad parking, not paying council tax, and that poor Councillor behaviour was only from a minority of Councillors.

Q – Are you able to give any examples of good Councillor behaviour?

This was an open question and received 299 comments.

The 10 key themes to emerge from the comments to this question are as follows:

- General good conduct and behaviour
- Listening to and caring about the community
- Showing professionalism within the wider Council
- Resolving issues effectively
- Providing a prompt response

- A visible presence within the community
- Going above and beyond
- More examples of poor behaviour
- Integrity
- Positive presence and visibility on social media

Below is a summary and description of each theme, including quotes from respondents. Themes have been ordered with the most prominent theme coming first.

General good conduct and behaviour

This was the biggest theme to emerge from the comments. Respondents frequently used the following words and phrases to describe Councillors –

Polite, kind, caring, open, honest, compassionate, hard-working, helpful, acting for the good of the people, respectful, co-operative, agreeable, approachable, considerate, honest, understanding, supportive, reliable, selfless, there when needed, unbiased, friendly, shows exemplary conduct, shows courtesy, cheerful, accountable

Key quotes from respondents include:

“The few I have come across in my job have been friendly, supportive, understanding, co-operative and respectable.”

“Far too many to name we have had and continue to have great councillors”

“Most elected members have been courteous, reasonable and approachable.”

“Far too many to list. Most councillors are respectful, reliable, hardworking and fun to work with in my experience.”

Listening to and caring about the community

This was the second biggest theme to emerge; and is categorised by examples of Councillors listening, engaging and consulting with residents, offering support, advice and explanations, working hard to help when needed, keeping people updated and informed, showing genuine care and concern for the community, and generally acting for the good of others.

“Many councillors act as independent advisors, reviewing decisions and explaining things for residents fairly.”

“Most councillors do their very best to help wherever possible, listening to problems and trying to help correct that problem without a great deal of fuss”

“Hosting home security event when there was a series of burglaries in my area and residents were worried and upset. The event helped to allay concerns and gave lots of practical tips and advice. It was very well organised, at fairly short notice. The local police came, as did the local crime prevention officer. The local councillors came as did our local MP. It made me feel that the councillors cared”

Showing professionalism within the wider Council

This was the third biggest theme to emerge from the comments. This includes general examples of professional behaviour, Councillors supporting Officers, attending meetings, cross-party working, following policies and protocol, Councillors dealing with facts as opposed to their own political agenda, fulfilling their duties, and expressing gratitude and praise for Officers and other Council staff.

“Councillors are very appreciative of the work done by council employees which sets a good example and boosts moral in the Council workforce.”

“Councillors supporting each other regardless of politics.”

“I have been with councillors who have been needlessly abused by members of the public but have maintained their dignity and carried on answering questions politely. I have observed councillors sitting in interminably boring meetings with patience and a real sense of public duty.”

“Many years of excellent working relationships with councillors. This is the norm rather than the exception. We have had many fine councillors in Kirklees who work well with officers in a respectful partnership.”

Resolving issues effectively

This was the fourth biggest theme to emerge. Several respondents gave examples of Councillors effectively resolving issues and problems from members of the public; including on occasions where the Council had previously failed to do so.

“Acting quickly to sort out missed refuse collection when the Council’s procedures for dealing with such an event are inadequate.”

“Dealt with a problem I had with the council successfully”

“Potholes & overgrown vegetation dealt with swiftly when reported to local councillor”

“Councillor XXXX was excellent helping to get litter bins restored in our area when people started to dump rubbish where bins had been previously placed. He also was an enormous help when getting potential building permission rescinded and the land quite rightly put back as green belt.”

A visible presence within the community

This was the fifth biggest theme and includes examples of Councillors having a visible presence within the community – getting involved in community events, being

pro-active and available, involving themselves in local projects and generally getting their hands dirty. Several respondents cited the pandemic as having highlighted those Councillors who were willing to step up and help the public when truly needed at a difficult time.

“Many times. They've been around to help out and join in with many things, eg. Helped preserve trees that I care about, help out at local events and clean ups.”

“I work closely with Councillors and have seen many examples over my many years of civic-minded, community-spirited behaviour on the part of Councillors, giving generously of their time, getting into the spirit of community events and joining in”

“Helping with "hands on" approach on community projects.”

“During this pandemic some have been very visible helping in their communities, others nowhere to be seen, no leaflets not even social media.”

Providing a prompt response

This was the sixth biggest theme to be identified and includes any examples of a fast or prompt response received to a query or request, regardless of the eventual outcome.

“Clear, concise and timely reply to a question about recycling in Kirklees”

“My local councillors respond promptly to various e-mail requests I make regarding local matters.”

“A senior councillor replied promptly and helpfully by letter to a concern I raised.”

Going above and beyond

This theme is the joint sixth biggest theme and includes examples of Councillors going out of their way to help people, or going above and beyond what could be reasonably expected of them in their role – either within the Council or when helping Kirklees residents.

“Stood up to travellers single handedly until Police arrived”

“Going out of his way to help with appropriate housing”

“Goes extra mile. She always there when needed. Never talks down to people.”

“An unexpected supportive visit and chocolates for the team when staff had experienced a very traumatic and dangerous incident”

More examples of poor behaviour

This is the seventh biggest theme to be identified within the responses to this question and includes any comments from respondents that used this opportunity to

express more negative opinions of Councillors. These were predominately generalised comments and not specific examples.

“Not represented at all never seen the lady in her area of constituency”

“Never seen one, not even sure what they do they are so invisible and have no presence locally. They are pinching a wage.”

“They think they are a cut above the rest the councillors of old were very polite and professional but this new breed need to get manners and training on being human and kind and considerate and be in touch with us normal folk!”

“In general none of them have been a great help as they don't want to put themselves forward as they don't want to rock the boat. Or they are arrogant enough to assume they know better than everyone else, or just serving their own interests.”

Integrity

This was the eighth biggest theme and includes examples of Councillors keeping their promises, being true to their word, displaying fair and honest behaviour, ensuring they follow up on issues and having no hidden agendas in their actions.

“Fair, considered approach. Listening to facts and acknowledging the work conducted. Being kind and considerate. Clearly caring for their local area and not trying to make themselves look important/better or generally raise their own profile.”

“I have seen examples of honesty and biding by the law”

“Yes, by an independent councillor, who is honest, not bias, and does not have the attitude of ‘what's in it for me’”

“Ward councillors who actively engage in and support ward committees by attending meetings AND following through on what they promise to do.”

Positive presence and visibility on social media

This was the smallest theme to emerge from the comments to this question, but significant enough to be included. Several respondents gave examples of Councillors using social media in a positive way – to update, inform and assist people.

“Very good communication from ours via Facebook, engages well with local community very calm”

“High profile on social media, great visibility in the local community through that medium.”

“Very visible presence on social media, responding to local concerns, taking action and providing updates and feedback”

Q – What sanction should be imposed if a Councillor refuses to accept the outcome or actions required following a complaint?

This was an open question and received 407 comments.

There were 4 key themes, 6 secondary themes and 4 minor themes to emerge from the comments. They are all listed below:

Key themes

- Dismissal from role
- Suspension from role
- Sanction should be dependent upon the severity of the misconduct / burden of proof
- Fine / financial penalty

Secondary themes

- Councillor should resign / step down
- Councillor should be banned from standing again
- Disciplinary procedure
- Removal of committee duties
- By-election should be held
- Name & shame / censure

Minor themes

- Independent panel or committee
- The right to appeal
- Training, talking, understanding
- Police prosecution

The 4 key themes have been ordered below with the most prominent theme coming first:

Dismissal from role

This was by far the biggest theme and was mentioned in some capacity by almost half the respondents. Various terms and phrases were used to describe the suggestion that the Councillor should be forced to leave his/her role in the event of them refusing to accept the outcome or actions required following a complaint:

Deselected, struck off, removed, sacked, expelled, forced out, lose seat, made to resign, fired, recalled, taken off the Council, disqualified, barred, made to stand down, terminated, dismissed

Key quotes from respondents include:

“There needs to be the ability for Cllrs to be removed or subject to a recall in the most serious circumstances.”

“Removal from post as not fit for purpose”

“Removed from the council; if MPs can be subject to recall, so local councillors should be too”

“We should be able to take them out of office if they’re not performing to our expectations, if my employees were constantly failing I would find new ones so why don’t we do the same in government?”

“Expulsion is the only way to drive good behaviour, as the others do not really do anything.”

Suspension from role

This was the second biggest theme to emerge. Respondents suggested that Councillors should be barred for a period of time. It was frequently stated that suspension should be accompanied by one or more of the following – a fine, a loss of income, a full investigation and/or report into the circumstances. Suspension was often mentioned in conjunction with dismissal depending on the outcome of any investigation or report, or the severity/frequency of wrong doings.

“Our councillor has refused to cooperate with any sanctions that require him to change his behaviour. He refuses to apologise. The only progress has been in removing him from committees and removing his email address. The removal of the social media accounts has also helped but that is not something within the council's control. the best option would be that a councillor who refuses to apologise or change their behaviour is barred as a councillor for 6 months.”

“Removal from office for a specified period, with responsibilities given to another serving councillor”

“Suspension pending investigation and report.”

Sanction should be dependent upon the severity of the misconduct / burden of proof

This was the third biggest theme to be identified and describes the degree to which many respondents felt there was not a ‘one size fits all’ answer to this question. Comments often mentioned more than one suggestion of possible sanctions depending on the severity of what had happened, the past conduct of the Councillor, or suggested an approach that combined different sanctions in ‘stages’ – such as a warning, then suspension, then dismissal if the behaviour continued. The importance of proving the misconduct (through an investigation, hearing or report) before administering a sanction was also mentioned by several respondents.

“Removal from office if the complaint is of a serious nature, is proven and upheld”

“To suspend the councillor for a period of time and if there is not satisfactory outcome at the end of that time, the councillor should be sacked.”

“I think this is subjective, it really depends on the breach”

“Warning first then disqualified if occurs again.”

“...entirely dependent on how the individual circumstances and the seriousness of the situation including the impact this may have had on a third party including officers.”

“this would always depend on severity of the poor behaviour.”

Fine / financial penalty

This was the fourth biggest theme and includes any comments that called for the Councillor in these circumstances to receive a fine, loss of pay, removal of allowances / income, deduction of money / stipend, or a financial penalty of any kind. As with previous comments this was often mentioned in conjunction with other sanctions.

“Deduct their allowance that is our money for them to actually do something but hide in their houses”

“Remove from Committee and stop the stipend.”

“Loss of pay if unable to accept mediation between the interested parties.”

“A fine imposed and / or no allowance paid.”

The 6 secondary themes are now listed below. These themes all received a similar number of comments so have been listed in no particular order.

Councillor should resign / step down

This includes any comments that suggest the Councillor should leave their role of their own free will – by resigning their position, stepping down or leaving office. This is differentiated from being forced to resign which has been included in ‘Dismissal from role’.

“In cases of serious misconduct, eg sexual misconduct, requirement to resign as councillor. This would require a councillor to give an undertaking asking to do as I understand it is not possible to dismiss an elected councillor”

“THEY SHOULD RESIGN.”

“they should step down from their post and they should no longer be allowed to represent their constituents or the Council”

Councillor should be banned from standing again

This includes comments that Councillors in this situation should be banned or prevented from standing for re-election (or in some cases from holding any position within local government), either for a specified period of time or indefinitely. As with many comments in answer to this question this was often mentioned in conjunction with other sanctions.

“Remove from council and banned from standing for re-election for ten years”

“Being removed now and in the future from any local government position or advisory capacity”

“Such a person should be barred from holding public office.”

Disciplinary procedure

This refers to any comments made by respondents that Councillors should be treated the same as any other Council staff and be subjected to the same or similar formal disciplinary procedure / action / process in the event of any wrongdoing.

“Disciplinary procedure as same would apply to a council employee. You can’t have a different rules for members hence they get away with a lot.”

“The same as for any company employee. A disciplinary process, verbal and written warnings, followed by dismissal if not resolved”

“There should be a process where they can be dismissed just as if they were employees”

Removal of committee duties

This includes any comments that referred to removing Councillors from committee roles/ duties/meetings, not allowing them to vote, and/or withdrawing their resources (such as their email address and social media account) as part of the sanction. As with many of the comments to this question, this was often suggested alongside other sanctions (such as a financial penalty), and subject to the severity of the wrongdoing and/or as part of a multi-sanction process.

“Severe cases should see the loss of vote and opinion in important discussions and/or decision making processes.”

“The councillor needs banning from being able to attend any committee meetings, land charity trust meetings and definitely ought not to be allowed to attend the full Parish council meetings. A full apology needs to be received before they are allowed back to attend meetings.”

“I believe that an appropriate sanction would be to be removed from committee duties and to undertake training.”

By-election should be held

This includes any comments that suggested a by-election should be held in order to elect a different Councillor. A small proportion of respondents suggested the existing Councillor should be permitted to stand again in the by-election to let the public decide, but the majority who suggested a by-election did not specify this. This suggestion was often made in conjunction with either suspending or removing the Councillor prior to a by-election.

“Councillor should put themselves forward re-election at the earliest time.... a case of public trust.”

“Work with all the Group leaders to agree a response led by all 68 other councillors. This should ultimately include deselection and a by-election.”

“It should be possible to prompt a by-election if a councillor continually refuses to accept the sanctions so that the electorate can choose if the person should still represent them.”

Name & shame / censure

This includes any comments that suggested the details of the indiscretion or incident should be made public in some way so that voters were aware of the Councillor's behaviour. This also includes any suggestions that a formal censure should take place.

“Complaint, facts and outcome published widely so that electorate can make up their own mind. May then stop some councillors who are out for glory and not for good of residents.”

“A list of upheld complaints should be published.”

“Suspension and naming and shaming would help including being put in front of a citizens jury for arbitration and for dignity and respect training etc”

“Official censure by elected colleagues”

The 4 minor themes are listed below. They are placed in no particular order as they all received a similar number of comments.

Independent panel or committee

This theme encompasses the following suggestions: a public panel, an impartial group, an independent tribunal, a citizen's jury, a cross-party committee, an independent investigation. These have been grouped together as they are all suggestive of the Councillor's behaviour being scrutinised by an official body outside of the Council in order to reach a judgement on the situation.

“Ideally they would be suspended from their party and like the Ombudsman a formal independent report published outlining the situation, if they are unable to recognise the advice and outcome they have been given.”

“Suspension until independent enquiry completed and if still refuse removal from post”

The right to appeal

Several respondents made the point that a Councillor in this situation should have the right to appeal.

“it would be worth considering what right of appeal does the councillor have, and have they been able to properly exercise this?”

“They should be allowed the right of appeal but if still refuse the sanction they should be required to stand down.”

Training, talking, understanding

This includes any suggestions of restorative justice, conciliation, arbitration or re-training to be used in this situation.

“Perhaps using a restorative practice approach would help in some cases - all parties involved are supported to communicate with each other describing impact.”

“Independent arbitration/mediation by a public panel (from outside the councillor's Ward) to review the complaint to ensure the original outcome was fair.”

Police prosecution

This includes any suggestion that Councillors should be investigated or prosecuted by the police or imprisoned.

“No I believe they should go to prison, just like a Company director, at the end of the day they are in a position of power & through their neglect a lot of peoples life can & will be affected.”

“Removed from office. Investigated by the Police. And relatives / family subject to inspection.”

Respondents were then asked the following question:

In their review on Local Government Ethical Standards, the Committee on Standards in Public Life recommends some more serious sanctions be made available.				
How much do you agree the following sanctions should be used in Kirklees, if legislation made them available to us?				
	Strongly agree	Agree	Disagree	Strongly disagree
The power to impose a financial penalty (e.g. removal of allowances)	362	170	29	8
The power to suspend councillors, without allowances, for up to 6 months	420	140	18	4
Another sanction - please specify below:	137	31	17	4

Respondents were given the option to specify below in an open text box any other sanctions they would suggest.

There were 206 suggestions of other sanctions made.

The key themes to emerge here were very similar to the suggestions made to the previous question (*What sanction should be imposed if a Councillor refuses to accept the outcome or actions required following a complaint?*).

The main 6 suggestions (in order – starting with the largest) to emerge were:

- Removal / Dismissal from role
- To be prevented from standing again (permanently or for a specified time period)
- Training / community service / mediation / restorative justice
- By-election
- Formal apology (made openly to the public)
- Jail / criminal proceedings

Suspension was also mentioned by several respondents despite already appearing as an option within the question. People commented that suspension should be reserved only for the most serious offences, that 6 months suspension was too long, and that dismissal / by-election was a better solution due to the fact that suspension takes away representation from that councillor's constituency.

Q – Please share any suggestions you have on how to improve councillor behaviour:

There were 203 comments received with regards to how to improve councillor behaviour with several key themes occurring:

- Further/ongoing training and coaching for councillors
- Increase in scrutiny, tougher sanctions, and increased accountability
- More transparency with actions and plans
- Improved methods of communications and better transparency
- Working more collaboratively with other elected councillors, council officers and communities
- Clearer and more accessible routes to report and assess behaviours of councillors

Further/ongoing training and coaching for councillors

The largest theme to emerge from the comments was offering further/ongoing training and coaching opportunities to elected councillors. Areas that were discussed to be beneficial with some suggesting saying they should be mandatory included the following:

- Local history, equality, communities, heritage, planning, regeneration, equalities
- Ongoing reminders of the code of conduct
- Social media training
- Basic reading, writing and comprehension
- Restorative practise approaches

“If not already the case, councillors, both new and experienced, should be obliged to undertake training”

“On-going training and support to help old and new councillors understand their role and responsibilities and their impact on officers and residents what they behave inappropriately”

It was suggested that an element of formal training should be offered as part of the induction process, and it was also mentioned that training should be recorded as being completed. Several people suggested that until specific necessary formal training was completed that the elected member should not take part in certain activities.

“Restorative practice training as part of their induction, not allowed to take part in panels until this training is complete.”

“There should be mandatory training for all Councillors and especially Parish Councillors. If they don't undertake the training, then their roles in the Council should be legally restricted, in terms of not being able to have a place on committees with specific knowledge needs”

A number of people suggested councillors could benefit from training materials of some form such as booklets on reminding them of reasons why they have been elected, what their duties are and a reminder of the current code of conduct.

“They should be allocated a booklet / training on procedures”

Increase in scrutiny, tougher sanctions and accountability

Another large theme which was discussed was the need for increasing the use of scrutiny panels, tougher sanctions, and accountability.

“Make them more accountable for their actions.”

A few people discussed the importance of sanctions needed to be taken, making these stronger and easier to issue, ensuring that councillors were held accountable more than they currently are for their actions.

“Go hard on sanctions from the very beginning. Allow general public to have input on what sanctions councillors face.”

Several respondents spoke about the need for ensuring the results of any investigations taking place into poor councillor behaviour should be transparent and made publicly available along with being easily accessible.

“Reports on investigations into the conduct of councillors should be made publicly available on the council website.”

A number of comments suggested an ongoing performance assessment in which was continually used whilst elected members were in post with results visible to the public.

“Some form of assessment / insight about what impact a councillor has on the community they serve where this is transparent, and they can be measured about the impact they have in assisting their communities would be very good.”

Improved Communications and better transparency

Several areas were discussed amongst respondents around improving communications with councillors and their wards.

“The councillors should be more transparent we should see what type of work they do and how they are helping their constituents.”

“I have lived in Kirklees nearly three years and never see any communications from the local councillors.”

Suggestions were put forward to increase the use of local media/websites and social media tools to better communicate with their communities.

“This information should also be available in the local media and all social and media formats”

“It should be published on social media/ in the newspapers etc when Cllr's have done something wrong so the people who are electing these Cllr's know who they are really electing”

Some respondents spoke about the need for plans to be made more transparent and to be made much more accessible for the public to access. This included publishing short, medium and long-term action plans with financial implications and the time scales.

It was discussed that communication of outcomes need to be more honest, open and much more accessible to the public with some highlighting that they have very little awareness of any councillor activities.

“They should be encouraged to be more transparent & open. Their annual reports can be vague with very little substance”

Engaging more with the community more in terms of increased visual attendance at events and gathering of feedback via surveys was also suggested as a way of improving transparency and communications.

“Provide a means of feedback to the arbiters of good behaviour after attending a councillors surgery with an issue.”

“Proactively seek councillor related feedback from local residents - such as when sending out new Council Tax bills or seeking electoral related information”

Working more collaboratively with other elected councillors, council officers and communities

Linking in with improved communications another large theme to emerge was the importance and benefits of working more collaboratively.

“To work with us when we ask them for assistance”

This was suggested as a way of improving levels of trust, respect and overall awareness of what councillors are doing in their roles to help their communities and make for better working relationships. Suggestions for this included increased physical attendance at events along with more sharing of positive experiences amongst Councillors.

“We want to see our councillors in our communities working with us and helping us”

People discussed the need for Non-Political approaches to residents and less use of “party politics” from local government as a good approach to working better with residents.

It was also suggested by a few the benefits of gathering feedback on performance from residents, communities, councillors, and officers by having more open conversations and using feedback surveys.

“Maybe bring council members to a room and make them take a survey of what they should do as council members and help remind them why the people of the community voted for them.”

The importance of acknowledging receipt and giving time scale of consideration to public when submitting documentations was also discussed in several comments as improving relationships and understanding.

“They should reply to all who have been in contact with them.”

“When asking public to submit documentation: Acknowledge receipt and give time scale of consideration”

Clearer and more accessible routes to report and assess behaviours of councillors

The importance of ensuring that routes of reporting poor behaviour are easily accessible and clear in how to do this was a theme raised by several people. The need for empowering staff to speak up when they encounter poor behaviour was also discussed ensuring they felt they could safely report issues trusting that these would be dealt with in a fair and transparent process.

“Raising an issue should be easy & human based - not confined to the internet. Merely saying that information or pro-formas are 'on the website' is not good enough”

“Empowering and supporting council officers to call out bad behaviour”

Supporting citizens on how to provide feedback on the councillor’s performance was raised with suggestions such as guides on how to do this, along with making the code of practice readily available to residents and easy for them to access.

“Kirklees complaints procedure re councillors & the code of conduct for them should be very much in the public domain e.g. displayed in places where council services / business are conducted, such as libraries.”

“Supporting citizens to provide constructive feedback on the performance of councillors”

The need to be acknowledged for raising concerns along with being kept fully up to date with the outcome was expressed in a few comments.

“I think there needs to be a level of transparency at all times and that outcomes should be displayed to ensure the public are confident with the Council's management of a Councillor actions”

A suggestion was made of an ongoing form of assessment on what impact councillors are having on the community they serve. This was suggested to highlight any weak spots and promote good learnings across councillors.

“If we made a database to see how councillors are performing with heat maps we could break the data down and then see where needs work and where doesn't, meaning funds will be free to go to the places that need it most.”

Other areas discussed in the comments included the following:

- Increased support for councillors in roles with particular focus on reducing their workload
- More protection for councillors from harassment
- A clearer code of conduct

Q – Please make any comments or suggestions about how Town and Parish councils could be involved in Standards:

This was an open question and received 11 comments.

The majority of respondents did feel that Town and Parish council should have some degree of involvement in Standards and an ability to express their views, either through representation on the Standards Committee/Panel, or closer involvement through the District/County:

“One councillor could represent them on the Standards Committee”

“Being involved through the District/County should give them a better understanding of what is expected/required if they are not already involved at a broader level. Need to help them be part of that broader picture - training, surgeries, support for clerks, networking, other support organisations.”

Some respondents however felt they shouldn't have any involvement – that Town and Parish should be responsible for their own complaints, and that the current system was sufficient:

“Although we as a Parish have adopted the Kirklees Code of Conduct and complaints are investigated by the Monitoring Officer and referred to the standards committee, we have always been happy for this separation. The Parish council is still able to decide what sanctions it imposes from the ones recommended. It is very helpful to have this separation and 'higher authority' as it gives more credibility to the decision making process and gives a breathing space between the councillor concerned and the other councillors.”

“Town and Parish Councils should sort out their own complaints, rather than Kirklees.”

Q – Using your experience as a Group Business Manager, Independent Person or Monitoring Officer, please make any final comments or suggestions on maintaining councillor standards, the Code of Conduct, or complaints process:

This was the final question on the survey and received only 1 comment:

“There is a general culture of standards and the sanctions not being generally respected and need to be enforced by the political parties, perhaps the parties also being fined or having sanctions if their members are found to be in breach?”

Appendix C

Scenario 1

Cllr Smithers is having a bad day. He is telephoned by a persistent constituent who, to be honest, causes him aggravation and extra work with calls about all sorts of local issues. He agrees to follow the call up with a manager in the Planning Team and, because he is busy and annoyed by the constituent, dashes off a short and terse email to the Planning manager.

The Planning manager receives the email and is upset because she feels that Cllr Smithers is being rude, demanding and critical of her team's work. She feels that he is 'shouting' at her and making unreasonable demands, expecting his enquiries to be prioritised.

Discussion Point	Responses
<i>How can a member best avoid coming across as rude or arrogant?</i>	avoid being overdemanding or condescending
	treat officers with respect and try to appreciate their position
	never use the 'don't you know who I am?' approach
	members felt that both sides could come across as being arrogant
	misunderstandings can affect and lead to a breakdown in communication
	dealing with things in the right way – taking time to start off any conversation well, with a greeting or social chat – being direct and straight to the point can come across as rude or uncaring
	building good relationships with officers – you never know when you may need to ask for a favour
	it is important to recognise we are all on the same side, although some members felt that it doesn't always feel like that
	there was some recognition that emails can be a source of problems, with no

	inflection etc and that verbal communication can be very different
<i>How can officers help members to work with them effectively?</i>	members felt that it would help them if officers could proactively look at giving deadlines for responses, although it was recognised that officers were often under pressure
	members were generally of the view that officers were doing their best
	members felt that sometimes it did take a long time to get in touch with officers and that simple queries can take some time to be responded to – members felt that they were the ones who often got the stick for that
	members felt that officers should learn from any issues – the example given related to missed bin collections – members felt that the response was more reactive – i.e. go and empty the bin – than possibly enquiring into why there was an issue and learning from that – more than one member had said they had been contacted about recurring bin collection failures – there was perhaps a need for some ownership at higher levels
	one member said that they felt it would be beneficial to be able to meet with the officers in Councillor Enquiries and that they had fostered good relationships during the Councillor Support trial
	one member also suggested telephone contact, rather than email, would be better
	members also felt that different roles affected the working relationships – i.e. portfolio holder, committee chair or member, or ward member

	<p>members also felt that more contact between members and officers would be beneficial, perhaps through formal sessions</p>
	<p>some reference was made to having some form of casework management tools, the example given was the one used by MPs – this followed on from a discussion around member enquiries and how to best keep on top of them – some members present worked with MPs and felt that their system was better – we went on to discuss the pressures that members and officers can be under and these comments were echoed in those discussions</p>
	<p>members agreed that it was good practice for all ward members to work together to avoid duplication of queries – it was recognised that this is more difficult where different groups are involved – nevertheless members felt that they should be communicating with each other and not being overly political</p>
	<p>one member raised a query that she had dealt with for a resident – the department involved were unable to accommodate the request and that message was passed back to the resident – the member later found out that the resident had approached a more senior member in their group and the issue had been looked at again by a more senior officer and the decision changed – the member felt undermined by this and was concerned that the resident may have a negative view now of them – there were some concerns expressed about officer decision making and consistency, which members felt could undermine them</p>
	<p>one member raised an issue around the emergency contact number during the recent storms – they stated that the advice was good, but that on every occasion they called, there was a long</p>

	wait – view was that there should have been a different number for members to call that would have got a quicker response
<i>Do you – officers – feel that you understand the pressures that member can be under?</i>	the officers present did appreciate the fact that there would be expectations on the part of constituents that members would be able to deal with their enquiries quickly
	members felt that officers perhaps needed more understanding of the councillor role, especially working within a political environment
	members felt that officers may not understand the pressures that they face or have a great understand of members' roles
	it was recognised that many queries that come to members may also be being dealt with in parallel through the service complaints process – it was suggested that there should be more sharing in general to avoid members being caught up in a dispute that was either already being properly dealt with or being expected to take sides / try to overturn a previous decision
<i>Do you – members – feel that you understand the pressures that officers may be under?</i>	in general the members in the group did feel that they understood the pressures that officers were often under, with workloads and deadlines of their own
	members did feel that better case management tools could assist – for example, if they could themselves check the status of any outstanding queries, that would ease pressure on officers
	members did acknowledge the knock on effect of resourcing and officer turnover – perhaps more thought could be given to priority resourcing in areas that were under particular pressure

	It was suggested that sometimes it can appear that officers spend more time and effort saying 'no' when saying 'yes' would be easier and cheaper – this was countered by officer comment that it can open to the door to all manner of demands, especially with persistent complainers
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Scenario 2

Cllr Jones has two Facebook accounts – one for her work as a councillor, and one for her personal posts. She is normally very good at keeping to two apart but recently, late one evening, made a number of posts to her councillor page that she had intended to post to her personal, private account. The posts contained two dubious jokes, that were in poor taste, but Cllr Jones was happy that her friends and family who were the intended recipients would not take offence, as they knew her and her sense of humour.

Cllr Jones realised her mistake the following day, and quickly deleted the posts. However, she had had a few 'likes' and 'angry' reactions, as well as two comments, both of which were critical of the posts. She is in two minds about whether to respond to each of the commentors directly, and whether to respond to the people who had 'liked' or were 'angry' about the posts, but is keen to put up an apology post, explaining her mistake and that her family and friends understand her sense of humour and that she is sorry for any offence caused.

Discussion Point	Responses
<i>What would you do in this situation?</i>	apologise and explain
	send a written apology to those who commented critically, along with a general apology on the same social media platform
	apologise directly to the 'angry' comments and make a general apology that is publicly visible – try to draw a line and to not escalate
	there was discussion around the risk of misinterpretation, particularly around humour, on social media

<i>How do you think a member can best avoid behaving inappropriately on social media and present a professional face?</i>	training and guidelines for social media use
	having a council-wide policy / code of practice on social media use
	members make a pledge on their use of social media
	avoid using social media
	developing the council's own social media platform
	there was some discussion about historic social media posts and the potential for these to be used against members for political ends
<i>How can members best manage the private vs public aspects of their social media presence?</i>	use different social media sites for private / public posts
	use caution when considering making constituents 'friends'
	be aware of social media privacy settings, but also be aware that posts can be shared by others
	be aware of what is being said in public and in private
<i>What might be an appropriate reaction to a negative comment on one of your posts?</i>	stick to facts, be polite and explain your point of view
	accept critical comments if they are right, respond quickly and issue an apology if needed
	OK to challenge if wrong
	it was felt that some people commented on posts deliberately to be noticed or to cause controversy, and to stir things up

	the issue of apologies was raised and the fact that sometimes an apology isn't actually an apology or is not sincere can be a source of annoyance
	members are able to block when appropriate
<i>Do people think that social media should only be used for informing and helping constituents or is it OK to use it for party politicking?</i>	both – to discuss wider political policies and to inform about local events and issues
	for informing only
	the discussion felt that it should be informing only and not self-promotion
	there was also discussion about the role of social media in an election period, particularly where it has been used to push 'fake news' or misleading information
<i>Is there a 'good' way to have a social media presence?</i>	yes – sharing positive news about meetings and events
	yes, but requires thoughtful use
<i>Should there be rules or guidelines for members?</i>	yes, and full training
	yes, and with effective sanctions
<i>Do members feel that focusing on an active social media presence could make constituents who don't use social media feel left out? How can that be best managed?</i>	need some balance to ensure we reach all communities, including groups that may be hard to access
	use of local notice boards to complement social media postings – need more local notice boards
	the members who didn't use social media themselves felt most strongly that this could happen

Scenario 3

You are an elected member and make a complaint to the Monitoring Officer about the behaviour of two other members. They had both posted comments about a local news story on social media that you felt were discriminatory. You felt that they had both breached the equality duties of the Council. These are investigated by the Monitoring Officer and both complaints are upheld. Both members are subsequently asked to delete their posts and to post an apology.

Cllr Perry is a member of one of the political groups and his GBM is made aware of the complaint at an early stage. His group take the decision to suspend him pending the outcome of the complaint. Cllr Perry subsequently agrees with the Monitoring Officer's findings and says that he thinks he was a little naïve. He agrees to delete the post and to issue an apology. The matter is considered to be dealt with and Cllr Perry's suspension is lifted.

Cllr Nash is an independent member and has no GBM or group to back up any actions taken by the Monitoring Officer. She refuses to accept the Monitoring Officer's findings and will not comply with the sanctions, instead insisting that she is being censored and being silenced. The matter remains unresolved.

Discussion Point	Responses
<i>What are your views on the outcome of this complaint?</i>	could damage public confidence in standards as the outcome cannot be enforced
	look at the non-compliance – publicise the outcome and failure to comply
	would not get involved – members are free to post what they want and answer to the electorate – Cllr Nash is entitled to her view and should be able to explain herself to the voters
<i>Do you regard member on member complaints as being different to other complaints?</i>	normally yes, but need to consider whether a member of the public would make the same complaint under the circumstances
	need to be sensitive to the potential political dimension
	a bigger role for GBMs in member on member complaints

<i>Do you agree with the view from the survey that sanctions need to be strengthened? If so, what do you think is an appropriate 'top' sanction?</i>	recall – the view was that this was potentially a good option, as it would lead to an early election with voters expressing their views
	avoid political sanctions – avoid limiting attendance but instead limit lines of communication with officers etc
	there was strong support for letting sanctions be decided by the electorate, but also an acknowledgment that, depending on a member's term, it could be some time until they were facing re-election – it was also acknowledged that there would be a reputational risk if there were no ability to sanction
	power to suspend with safeguards
	sanctions could be strengthened or there could be a means for the public to intervene – e.g. recall petitions
	there should be no power to suspend or dismiss
<i>Do you think political groups should have more or less involvement in dealing with poor behaviour?</i>	GBMs should deal with poor behaviour
	political group action should not affect the council's processes but can be useful as an additional intervention
	There was no group support for involving members in decision making – this was felt to have the potential to make standard matters political
<i>Do you think there is a significant difference in the way that poor behaviour is addressed for members in a political group and for those that are independent?</i>	all members sign up to the Code of Conduct
	all members are covered by the Code of Conduct regardless of whether there is a GBM – need to look beyond political groups

<i>Do you feel there should be more emphasis on resolving matters, rather than 'punishing' members? What are your views on restorative approaches to standards complaints?</i>	restorative approaches are best to try where it is the first complaint of that nature against a member
	one member had direct experience of participating in a restorative resolution and felt that it was positive
	there was a general view that we should be more visible about complaints and how they are publicised, with follow ups on compliance
<i>There was some suggestion that members should take responsibility for poor behaviour themselves and step down or resign. What are your views on this?</i>	members should be prepared to publicly accept and apologise for standards breaches – should resign where it would damage public confidence in the council to stay
	members should resign, but they cannot be forced to
<i>What sort of safeguards would you like to see should there be a power to dismiss or suspend a member?</i>	an appeal process that is independent of Kirklees
	need for independent oversight and right of appeal – also needs to be concluded in a timely fashion
Additional discussion points	
when complaints appeared to be politically motivated	one member acknowledged that he had been the subject of a number of complaints, but made the point that were all made by members of a local branch of a political party
	members did feel there was the possibility that the complaints process could be used as a political tool, particularly around election time to either undermine a member standing for re-election or to try and have them suspended to directly affect their re-election

	some members felt that complainants should be asked about their political affiliations – the opposing view was that any complaint should stand on its own and be determined by evidence alone
Council meetings were raised	it was suggested that it was important for members to be able to speak freely at Council without the threat of other members making complaints
the issue of members bullying officers was raised	it was felt that it was important to be able to protect officers from the behaviour of bullying members
	it was suggested that member email access could be restricted and officers given appropriate support
	it was also suggested that members could be restricted to a single point of contact, but views on this were mixed

Scenario 4

Cllr Morris was found to have breached the Code of Conduct and had attended a Council meeting at which members were to vote on sanctions. When the chair was trying to call for a vote on proposed sanctions, Cllr Morris interrupted, repeatedly saying 'point of order', using a megaphone at times. He was asked to stop by the Chair who then reminded him of the procedure rules that gave authority to the chair to move that a member be 'not further heard'. The same rule also gives the chair the authority to move that the member leave the meeting if they continue to behave improperly.

It was moved that Cllr Morris be not further heard, but he disregarded this and the Chair moved to have him removed. This culminated in the Police being called and Cllr Morris being told he was in breach of the peace. The Chair then closed the meeting.

Discussion Point	Responses
<i>How do you think disruptive members can be most effectively dealt with?</i>	having a strong chair
	members of the public can sometimes struggle to understand the rules / meeting etiquette

	a need to remind members about behaviours – how to do this effectively?
	what are the symptoms that are causing such issues?
	important for the chair to have the tools and the knowledge to be able to deal with particular problem issues swiftly and effectively
	with regards to this specific case, most members felt that the issues should have been dealt with firmly and immediately
	it was also put that there was conflict of interest and the disruptive member should not have been present in the first place
<i>What challenges do you think arise with independent members who have no GBM or leader?</i>	more difficult to enforce the rules
	no power to suspend independent members
	all agreed that the GBMs were useful as there was more will to manage members where reputational damage to a group was a possibility
<i>Do you think this sort of behaviour is more problematic or less problematic at Town / Parish Council level?</i>	potentially, if there is a difficult individual involved
<i>Do you think the sanctions that are available are able to effectively control this sort of behaviour?</i>	the general consensus was no
	in the absence of effective sanctions, members considered if there were other ways to manage this
	it was suggested that there may be a need to amend the standards process

	- it was felt that there could be a role for the political groups in screening candidates prior to selection
	could we recognise potential issues before they arise and look to manage them?
	is there a role for the LGA?
	there is a need to get the public to understand terms of engagement
	a need for training was identified, but also a need for support and development – some issues might arise from personalities and behaviours
	the Code of Conduct is one tool that can be used to manage member behaviours and interactions
	the power of the apology was noted, but the point was also made that it was rarely seen
	it was suggested that emphasis should be on support and learning, rather than simply on punishing members
<i>The Chair and Deputy Chair of Maldon DC have since resigned. Do you feel that was an appropriate response and that they should bear responsibility for this?</i>	the general feeling was no