

## Public Disclosure of Member Addresses

Report of the County Solicitor (Interim)

### Recommendation

That the Committee be asked to endorse the suggestion that the publication of home addresses on individual profile pages is a choice for individual Members, notwithstanding the current legislative position that the register of interests must include a home address **unless** the Member concerned and Monitoring Officer deem this to be a “sensitive interest.

### Summary

Following the Standards Committee’s consideration of the Governments response to the Committee on Standards in Public Life’s Review of Local Government Ethical Standards, the Committee asked that further work be carried out by officers for options aiming to improve councillors’ safety, including possible disclosure of addresses, and that a Report be brought back for consideration of the Committee.

As the Standards Committee doesn’t meet until November, and this is such an important issue, it was felt an earlier discussion would be preferred.

### Introduction and Background

1. In March 2018, the Monitoring Officer advised the Standards Committee of a Consultation from the Committee on Standards in Public Life’s in relation to its review of Local Government Ethical Standards.
2. The Council submitted a response to that Consultation and a formal report from the Committee on Standards in Public Life was published in 2019. This made a number of recommendations and identified best practice to improve ethical standards in Local Government. This included a number of changes to primary legislation (subject to Parliamentary timetabling); but also to secondary legislation and the Local Government Transparency Code.
3. In the original Report, there were 26 recommendations, the second of which was regarding the disclosure of Councillors home addresses, specifically asking that Government should ensure that candidates standing for / accepting public offices are not required publicly to disclose their home address (i.e. that the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 be amended).

4. In response, Government stated *'this issue was raised during work on intimidation in public life, and they had already taken forward several steps and was open to further steps to help prevent intimidation. Government intended to engage with interested parties on the best means to ensure that candidates and councillors are not required publicly to disclose their home address. Notwithstanding, it is important that home addresses are internally registered with monitoring officers, to help avoid conflicts of interest'*.
5. The response of the Government to the Committee on Standards in Public Review of Local Government Ethical Standards was discussed at the Standards Committee meeting on 7 July 2022.
6. The Committee expressed their disappointment that many issues were being kept under review and the lack of action, particularly with regard to offences committed.
7. In addition, there was concern over the public disclosure of Members addresses, particularly in light of increased incidents of abuse, harassment and intimidation experienced by Councillors.
8. The Committee discussed the legislative position for disclosure of Councillor addresses, as outlined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and also the threshold for determining non-disclosure of councillor addresses.
9. An interest was classed as sensitive where the Member and the monitoring officer, considered that disclosure of its details could lead to the member, or a person connected to the member, being subject to violence or intimidation.
10. The Monitoring Officer advised the Committee that all such requests were looked at sympathetically.

## Benchmarking and National Campaigns

11. A debate Not Hate campaign [www.local.gov.uk/about/campaigns/debate-not-hate](http://www.local.gov.uk/about/campaigns/debate-not-hate) was launched by the Local Government Association in October 2021 to raise public awareness of the role of Councillors in their communities, encourage healthy debate and improve the responses and support for local politicians facing abuse and intimidation.
12. A report was published in June 2022 following a call for evidence regarding the abuse and intimidation of councillors which presented findings as well as recommendations for various organisations. In the survey, 88% of respondents said they had experienced abuse and/or intimidation, directed at them personally in relation to their role as a Councillor or because they were a political candidate. The LGA found that there were clear gaps and inconsistencies in support and response mechanisms available to deal with these issues and made seven recommendations as a result.

13. The first recommendation was that ‘Councils and other relevant partners should take greater responsibility for the safety and wellbeing of councillors and take a proactive approach to preventing and handling abuse and intimidation against councillors. This should include addressing the impacts of abuse on councillors’ mental health and wellbeing and working in partnership with other agencies and councils to ensure that threats and risks to councillors’ safety, and that of their families, are taken seriously.’ Recommendation 4 also asks the Government to ‘prioritise legislation to put it beyond doubt that councillors can withhold their home address from the public register of pecuniary interests’.
14. The Local Government Association (LGA) also carried out the ninth [Census of Local Authority Councillors in England](#) which provided the most comprehensive, timely overview of local government representation. The 2022 Census was conducted in the context of the Covid-19 pandemic and its effect on local communities, and recent prominent issues of personal safety.
15. This asked about
- a. Arrangements for dealing with inappropriate behaviour (Table 7) – Most Councillors thought their council had appropriate arrangements in place to deal with this. The proportion varied between 69.6% in respect of such behaviour by council officers, 56.8% in respect of councillors (50.3% of female councillors compared with 61.3% of male councillors), and 54.8% in respect of members of the public.
  - b. How often councillors felt at risk personally (Table 8) - Just under a half of councillors (45.1%) reported that they rarely felt at risk personally when fulfilling their role, while 26.8% never felt at risk, 24.1% occasionally felt at risk, and 4.0% frequently felt at risk. Female councillors were less likely to report never feeling at risk (19.0%) than male councillors (32.2%), and more likely to report occasionally feeling at risk (31.1% compared with 19.2% of men).
  - c. Arrangements for protecting councillors personally (Table 9) - Around a half of respondents (48.7%) thought that their Council’s arrangements for protecting Councillors in their role were fairly effective, while 14.6% thought them very effective. 25% regarded them as not very effective and 11.7% as not at all effective.
  - d. Frequency of abuse or intimidation (Table 10) - 10.3% had frequently experienced abuse or intimidation in their capacity as a councillor over the last twelve months, 29.4% had experienced abuse or intimidation occasionally, 33.4% had rarely experienced them, and 26.9% had never experienced abuse or intimidation over the last twelve months.
16. Within the LGA guidance when it issued its Model Councillor Code of Conduct it recommended suggested that Councillors should not be required to register their home addresses as a disclosable pecuniary interest. As mentioned earlier, the **Committee on Standards in Public Life**’s review of

Local Government Ethical Standard recommended (January 2019) the same, however, the Government has not legislated for this, so it is still a requirement.

17. It is important that if Councillors have concerns, they share these with the Monitoring Officer so they can be properly considered.

18. We also asked the views of a number of other Authorities, mainly from the South-West, regarding publishing Councillor home addresses on their profile pages and the responses were as follows:

<b>Authority</b>	<b>Response</b>	<b>Views expressed regarding Register of Interests</b>
Bristol City Council	Members update their own public profiles in Mod Gov and chose council offices or home addresses	Need to request as sensitive issue and submit form to MO to remove
Somerset West and Taunton Council	Can request to remove from public profile from Democratic Services	Need to request from MO
Torbay Council	Give members the option of using Town Hall address	Need to request from MO
Dorset Council	Members given the option to use County Hall instead of own address.	None stated
Bath and NE Somerset Council	Ask written consent from Members for publishing contact details after election and can later request by email for change	None stated
Torrige District Council	Automatically publish addresses but can request to remove with a reason why.	None stated
Buckinghamshire Council	Automatically publish addresses on profiles unless councillors request otherwise then use Councils address.	Redaction is applied to public profiles and their ROI. Requests to be approved by MO. Several have redacted addresses.
Cornwall Council	Seek consent to publish and remove on request. More postal addresses are now being removed	

	in favour of email addresses.	
North Devon Council	Addresses are automatically published but member can request to have this omitted but need approval of MO. Information will then be redacted online but not from physical folders	
East Devon District Council	Publish automatically and need to give a reason for removal and then use council office address if valid reason	
Mendip District Council	Home address and phone number is published unless members complete a sensitive information form which has to be approved by the MO and then a phone number is usually still provided. Members have access to their own profile on the website.	
Teignbridge District Council	Members can request not to have addresses on website	This would be on ROIs unless MO granted a dispensation not to publish. No dispensations have been put in place at the moment.
Exeter City Council	Members can have the address left off the public section and civic centre address is used	Addresses are available on ROIs but can seek removal to be approved by MO if it is a sensitive interest.

## Proposals

1. It is proposed that all Members are contacted and asked if they wish for their home address to be published on their profile page, or whether the County Hall address be utilised as a correspondence / business address. Their preference will then be reflected on their profile page on the website.
2. It should be noted that any removal of home address on a Members profile page does not negate the responsibilities under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 in which Councillors must disclose any interest in land or property, including home address. This better known as the register of interest form.

## Conclusion

3. The proposal outlined appears sensible and strikes a balance. Members have a choice in terms of the information contained on their profile pages in terms of the address that is published, acknowledging that some Members prefer a home address publication and others may not, particularly if there are vulnerable persons and or children at that home address.
4. A watching brief will also be kept on any legislative changes that may occur on the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

ANDREW YENDOLE

[Electoral Divisions: All]

### **Local Government Act 1972: List of Background Papers**

Contact for Enquiries: K Strahan

Tel No: 01392 382264 Room: G31

<b><u>Background Paper</u></b>	<b><u>Date</u></b>	<b><u>File Reference</u></b>
--------------------------------	--------------------	------------------------------

Nil