

CONSTITUTION AND ETHICS COMMITTEE



Tuesday, 01 October 2019

Democratic and Members' Services

Fiona McMillan
Monitoring Officer

14:00

Shire Hall
Castle Hill
Cambridge
CB3 0AP

**Kreis Viersen Room
Shire Hall, Castle Hill, Cambridge, CB3 0AP**

AGENDA

Open to Public and Press

- | | | |
|----------|--|----------------|
| 1 | Apologies for absence and declarations of interest | |
| | <i>Guidance on declaring interests is available at</i> | |
| | http://tinyurl.com/coc-conduct-code | |
| 2 | Minutes - 27th June 2019 | 3 - 8 |
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| 6 | A Review of the Complaints Received Under the Members' Code of Conduct to End of September 2019 | 73 - 74 |
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The Constitution and Ethics Committee comprises the following members:

Councillor Lis Every (Chairwoman) Councillor David Jenkins (Chairwoman) Councillor Kevin Reynolds (Vice-Chairman)

Councillor David Connor Councillor Lynda Harford Councillor Roger Hickford Councillor Sebastian Kindersley and Councillor Jocelynne Scutt

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact

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<https://tinyurl.com/CommitteeProcedure>

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CONSTITUTION AND ETHICS COMMITTEE: MINUTES

Date: Thursday, 27th June 2019

Time: 2:00pm – 2.54pm

Venue: Room, Shire Hall, Cambridge

Present: Councillors L Every (Chairman), D Connor, L Harford, R Hickford, D Jenkins, S Kindersley, K Reynolds and J Scutt

72. ELECTION OF VICE-CHAIRMAN/WOMAN

It was resolved to elect Councillor Reynolds as the Vice-Chairman for the municipal year 2019-20.

73. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

No apologies received or declarations of interest made.

74. MINUTES – 4TH APRIL 2019

The minutes of the meeting held on 4 April 2019 were approved as a correct record and signed by the Chairwoman.

75. PROPOSAL TO UPDATE THE TERMS OF REFERENCE FOR THE CAMBRIDGESHIRE HEALTH AND WELLBEING BOARD AND TO CREATE A FURTHER JOINT SUB-COMMITTEE WITH PETERBOROUGH BOARD

The Committee received a report detailing a proposed update to the terms of reference for the Cambridgeshire Health and Wellbeing Board and the creation of a further Joint Sub-Committee with the Peterborough Board. In presenting the proposal officers explained that the update to the terms of reference had involved aligning them with those of the Peterborough Health and Wellbeing Board, and amended the terms of reference for the Joint Cambridgeshire and Peterborough Health and Wellbeing Board (a sub-committee of the Cambridgeshire and Peterborough Health and Wellbeing Boards) agreed previously by full Council.

The Chairman of the Health and Wellbeing Board, Councillor Hickford, acknowledged the work that had gone into the review of the terms of reference including a workshop, and that the Health and Wellbeing Board had voted unanimously to approve the proposed changes.

It was resolved unanimously to:

- a) recommend the updated terms of reference for the Cambridgeshire Health and Wellbeing Board and the Joint Cambridgeshire and Peterborough Health and Wellbeing Board (a sub-committee comprising both boards) to full Council for approval; and

- b) recommend the proposed terms of reference for the new sub-committee of the Health and Wellbeing Board to full Council for approval.

76. REVIEW OF COMPLAINTS PROCEDURE FOR CONDUCT COMPLAINTS

The Committee received a report that proposed amendments to the current complaints procedure for code of conduct complaints, to introduce a requirement of confidentiality where appropriate. In presenting the Monitoring Officer stated that currently all decision notices were published on the website irrespective of whether a breach of the code of conduct had been found. It was increasingly common for complainants to put their complaints into the public domain at the same time as lodging them with the council either by using social media or informing the press that a complaint had been made. Applying the confidentiality requirement where appropriate would prevent “trial by media” where a media story was run on a complaint, potentially damaging the councillor’s reputation, and the individual was then found not to be in breach of the code of conduct.

In discussing the report Members:

- expressed concern in relation to recommendations one and two. Many complaints historically were made to achieve trial by media and there was a further political drive behind them which was not going to change.
- queried whether the proposed change to confidentiality covered members of the public as well as Members of the Council. The Monitoring Officer stated that confidentiality could now not be enforced, following the demise of the statutory regime when it was an offence to reveal details of any conduct complaint whilst it was ongoing. Members agreed that there should be an expectation of confidentiality and that this could be enforced from a member point of view via the current provisions of the code of conduct on confidentiality, particularly if the complaint was politically motivated and there was not much substance to it. The Committee discussed the issue of not being able to respond to a complaint that was in the public domain. Members requested an amendment to allow for members to respond if confidentiality was breached by a member of the public. **ACTION.** It was agreed to add additional wording to point one of the recommendations on the lines of ‘then the member is now not subject to confidentiality’. **ACTION.**
- questioned what the term ‘alternative resolution’ covered. The Monitoring Officer explained that this usually involved a member agreeing to make an apology or going on a training course. Members requested that this point be clarified in the guidance. **ACTION**

It was resolved unanimously that:

- a) all code of conduct complaints be subject to a requirement of confidentiality by all participants in the process until such time as the complaint case was concluded; however if this requirement is breached by a member of the public and information about the complaint is put in the public domain then the councillor who is the subject of the complaint would no longer be bound by the requirement of confidentiality;

- b) where a conclusion had been reached that the code of conduct had not been breached or where the Monitoring Officer concluded, following an initial assessment of a complaint, that no further action needed to be taken that the identity of the councillor who was the subject of the complaint remained confidential unless that councillor wished it to be made public;
- c) where a complaint had been informally resolved by agreement without the need for a formal investigation that the identity of the councillor who was the subject of the complaint and a summary of the complaint was reported back to the committee;
- d) where a conclusion had been reached that the code of conduct had been breached but that no hearing is necessary due to an agreed alternative resolution that the investigation report would be published when the case was reported back to the committee; and
- e) where a conclusion had been reached that the code of conduct had been breached and that alternative resolution was not appropriate/ possible that the investigation report would remain confidential until such time as the hearing into the complaint took place, at which stage it would be published.

77. SELECTION AND APPOINTMENT OF INDEPENDENT PERSON(S)

The Committee considered a report outlining the interview process for the selection and appointment of an Independent Person. In presenting the report officers drew the Committee's attention to the draft timetable and explained that the proposal was to have a small interviewing panel of four Members, to include a representative from the Fire Authority. Nominations were sought from the Committee for the interview panel and it was agreed that Councillors Connor, Kindersley, Harford and Scutt would make up the panel.

It was resolved unanimously to:

agree the interview process for the selection and appointment of an Independent Person, including the following as set out in the report:

- The advert and advertising process;
- The establishment of a four member interview panel;
- The application pack; and
- The timetable

78. SOCIAL MEDIA CODE FOR COUNCILLORS

The Committee received a report which it had requested at a previous meeting proposing the introduction of a Social Media Code for Members. In introducing the report the Monitoring Officer explained that the current Code of Conduct did not contain reference to documents providing guidance on the standards of conduct expected of members and the proposal sought to cross reference and link other protocols together within the Code of Conduct. The Monitoring Officer reiterated that many code of conduct complaints over the last few years had related to the use of social media. The main issues that had arisen were in relation to Councillors not having separate social

media accounts for personal and Council matters, and therefore giving the impression of acting in their official capacity when this was not intended. General Information on social media best practice produced by the Council's Communications Team, would be circulated to members in due course following the approval of the code. **ACTION**

In discussing the report Members:

- queried why there was a separate document for the Social Media Code and why the principles were not included in the current Code of Conduct. The Monitoring Officer explained that social media use by members had only become prevalent over the last few years. It was therefore important that the protocol had prominence as any opinions expressed on social media were there for all time.
- highlighted the need to add blogging to the list of websites and online tools on page 59.
- highlighted the immediacy of social media and that Councillors needed to think carefully about what they posted. One Member also commented that Members needed to be aware of conversations on mobile phones that related to their work as a Councillor to ensure privacy was maintained.
- acknowledged the work that had gone into preparing the protocol and noted that it was a good start to ensuring Members understood their responsibilities as Councillors when using social media.
- queried under 'Practices to avoid' on page 60 of the papers, in relation to criticising decisions due to, or that had been made by the Council. Members noted that this occurred regularly on social media, and that Councillors stood by the manifestos' of their parties.
- noted examples of good practice on page 61 of the papers and requested that the wording under the paragraph 'Do not bring the council into disrepute' should contain a footnote on "outside of expected political discourse and challenge". It was also proposed that "as a councillor" should be added after "yourself" for additional clarification. **ACTION**

It was resolved unanimously to:

- a) agree the Social Media Code with any appropriate amendments;
- b) issue it to all Members of Council with immediate effect; and
- c) recommend to Full Council associated amendments to the Members' Code of Conduct.

79. GIFTS AND HOSPITALITY

The Committee received a report that considered whether the financial level for declaring gifts and hospitality should be increased, and if more detailed guidance given on making declarations should be included in the constitution.

In presenting the report officers stated that the previous Chairman of the Committee had raised the issue of whether partners should be included in the total declared for gifts and hospitality, as well as consideration on reviewing the level at which declarations should be made. Members noted further amendments that had been made to the guidance on page 70 of the papers under point four 'Registering gifts and hospitality', which now included the wording 'and any hospitality provided to your partner', and on Page 73 point 20 '(This includes hospitality offered to you and your partner which in total is £XX or over). Attention was drawn to page 71 of the papers to remind Members that they should only accept a gift or hospitality if there was a commensurate benefit to the Council.

In discussing the report Members:

- agreed to set the financial limit for declarations at £100 as this would also cover the Chairman/woman of the Council acting in their civic capacity.
- agreed to add an additional column to gifts and hospitality forms explaining the commensurate benefit to the Council of the gift/hospitality and that the form should be an online form. **ACTION.**

It was resolved unanimously to:

- a) review and comment on the guidance set out in Appendix C for inclusion in the Council's Constitution and to recommend it to Full Council for approval;
- b) review and recommend the financial level for declaring gifts and hospitality to Full Council for approval; and
- c) approve the introduction of a new Gifts and Hospitality Declaration Form set out in Appendix D.

80. SCHEME OF DELEGATION TO OFFICERS

The Committee received a report that proposed the inclusion of the Director: Business Improvement and Development in the Scheme of Delegation to Officers.

In discussing the report Members queried the use of the words 'Shared Services'. Officers clarified that this wording had come from the job description of the post.

It was resolved unanimously to:

recommend the changes to full Council.

81. PENSION FUND COMMITTEE INVESTMENT SUB-COMMITTEE – SUBSTITUTION ARRANGEMENTS

The Committee received a report outlining the substitution arrangements for the Pension Fund Committee Investment Sub-Committee. In presenting the report officers informed Members that Councillor Hickford, who was a substitute on the Pension Fund Committee, had raised this as an issue. It was noted that the Sub-Committee often invited financial advisers traveling across the Country to present items so it was

important that the Sub-Committee was quorate. The report proposed that substitutes on the Pension Fund Committee should be eligible to sit on the Sub-Committee and the relevant training would be made available to them.

It was resolved unanimously to:

consider amendments to the constitution and recommend changes to full Council.

82. A REVIEW OF THE COMPLAINTS RECEIVED UNDER THE MEMBERS' CODE OF CONDUCT TO END OF JUNE 2019

The Committee received a review of the complaints received under the Members' Code of Conduct up until the end of June 2019. In presenting the report the Monitoring Officer stated that since 27 March 2019 one new complaint had been received and that after discussion with the complainant they had decided not to progress this complaint therefore no further action was taken.

It was resolved unanimously to:

note the contents of the report.

83. AGENDA PLAN

An update on the recruitment and appointment of an Independent Person would be added to the agenda plan for the October meeting. **ACTION**

Chairwoman
1st October 2019

SOCIAL MEDIA CODE FOR COUNCILLORS

To: **Constitution and Ethics Committee**

Meeting Date: **1 October 2019**

From: **Director of Governance and Legal Services and
Monitoring Officer**

Purpose: **Constitution and Ethics Committee is asked to consider
changes to the Social Media Code for Members.**

Recommendations: **The Committee is asked to:**

- a) Consider and agree amendments to the Social
Media Code for Councillors; and**
- b) Issue it to all members of council with immediate
effect.**

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1. BACKGROUND

- 1.1 This report is submitted to the Constitution and Ethics Committee for consideration as part of its role in overseeing compliance with the Members' Code of Conduct and in promoting high standards of conduct by Members.
- 1.2 The Constitution and Ethics Committee is asked to consider under its Terms of Reference: "Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution, including the codes and protocols" and "Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the County Council including:
- approving and issuing guidance to Members
 - making recommendations to Full Council regarding the suggested amendment of the Members' Code of Conduct
 - approving training to be provided to members in the Code of Conduct
 - monitoring the operation of the Code of Conduct".
- 1.3 With the continuing rise in use of social media it is increasingly important that public sector organisations review existing policies and procedures to raise awareness of their expectations when social media is being used as an official and in some instances personal platform for public communications.
- 1.4 The purpose of this report is to provide the Constitution and Ethics Committee with an opportunity to consider changes to the Social Media Code for Members, which was previously considered and approved by the Committee at its meeting on 27th June 2019. A copy of the current Code is attached at **Appendix 1**.
- 1.5 While debating whether to include cross-references to the Social Media Code for Members in the Constitution at the full Council meeting on 23rd July 2019, Members expressed concern over the content of the Code and requested that the Constitution and Ethics Committee reconsider the code.

2. MAIN ISSUES

- 2.1 Following the issues raised at Council, Members were invited to identify any concerns they had with the Code. Responses to this request are set out below.

2.2 Councillor Manning

Overall the code seems to have been written from the perspective of someone who has never used social media. I have put a number of points below, some of which are technical, but overall this policy should have one introduction paragraph about social media, and then the following statement:

"You should behave online as you behave in real life, and apply all the same standards. Adding content to a social media site is the same as publishing in a traditional newspaper and carries the same benefits and liabilities."

Specific comments:

First page - way too verbose.

Second page:

"Councillors must ensure that they use social media sensibly and responsibly and that their use will not adversely affect the council or its business, nor be damaging to the council's reputation and credibility."

This is effectively saying you cannot criticise the Council on social media, which is clearly nonsense in my view. The whole paragraph should be removed.

"Do not do anything to jeopardise the council's obligations under the Freedom of Information Act and Data Protection Act such as citing or referencing residents, partners or suppliers without their written approval. Be aware that content on such social media websites may be subject to Freedom of Information requests."

Read strictly this would require us to seek written consent for, e.g., Retweeting some ones tweet. Again, clearly nonsense.

"Do not provide references for individuals on social or professional networking sites as this creates a legal liability."

What is the legal liability? Most professional networking sites have the function for user A to *request* a reference of user B. To not respond to this would also create a legal liability on the individual.

All the rest on page 2 is covered by the existing code of conduct.

Third page:

All covered by the existing code of conduct. Specific issues:

"Do be mindful that what you publish will be in the public domain for a long time and can't be easily retracted once published."

This is not even correct - anything put on social media is permanently public effectively. I note on page 4 this is put more strongly.

"Do exercise caution in requesting or accepting a Council employee or contractor providing services to the Council as a "friend" on a social networking site where this can suggest close personal association."

I have a particular problem with this - I know a number of officers who I was friends with before they worked for the Council, or that I became friends with without knowing they worked for the Council. The code here is effectively asking me to jeopardise personal relationships.

I think this could be applied to members of the Council, Strategic Management Team (SMT) and Councillors, but that would be a clear indication that **no** direct connections should be formed, and it would be on the SMT as much as the Councillors to comply.

Page Four

"Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings."

This is VERY poor advice and should be removed. Privacy settings do not prevent content being accessed.

Page Five

"It is recommended that in the case of Facebook, councillors wishing to keep their personal life and role as a councillor separate create a Facebook page which members of the public can like rather than using their personal profiles."

This is the only bit I do not have an issue with in principle, but it needs to be more specific:

"It is recommended that in the case of Facebook, councillors wishing to keep their personal life and role as a councillor separate create a Facebook page **and separate profile to control that page** which members of the public can like rather than using their personal profiles. **Posts should be set to public by default.**"

2.3 Councillor Dupre

I would like to endorse Councillor Manning's comments. In particular, I would like to strongly oppose the suggestion that councillors should be prevented under the code from publicly criticising the council. The role of opposition councillors is to challenge the council and criticise it when it is wrong; this role should be protected not prevented.

2.4 Councillor Downes

It would have been easier if the paragraphs had been numbered rather than just using bullets.

There are two phrases that leave me uneasy:

- a. On page 2, second paragraph. 'Be damaging to the council's reputation and credibility'

I would argue that it is not possible for me to fulfil my role as a constructive member of the council without, from time to time, having to criticise the council's policies. I never make any personal comments about the actions of officers but I do sometimes point out why the policy that the council has voted for is not, in my opinion, in the best interests of the residents of the county. I try to do this in a rational and logical way and I think this is what my constituents expect of me.

- b. Under Key Principles, seventh bullet, it seems to me to be difficult for a member of the ruling group to avoid infringing this.

2.5 Councillor Van de Ven

I would like to add my voice to Councillor Dupre's representation to you, which I wholeheartedly support.

2.6 Councillor A Taylor

Many of the provisions will make it very hard to determine when the code has been breached, e.g. the matter of when a councillor is perceived to be acting officially; how can a perception be proven, and whose perception counts?

My two main objections are:

1. The prohibition on writing about meetings or conversations that are not public

No distinction is made between properly exempt information and things that are said in casual meetings or conversations, e.g. a one-to-one with an officer about a scheme in one's division. For example, I might tweet to my constituents that I've had a useful meeting with the signals team and that they will fix the traffic lights on Hills Road, or I might respond to a Facebook query about a broken streetlight by telling them how to contact Balfour Beatty. On occasion I have reported on social media on fact-finding visits, e.g. a post on an afternoon out with the mobile library service – this informed constituents about the service.

2. The prohibitions on writing anything negative about the council or anything that might bring it into disrepute

Councillors represent our constituents to the council and they expect us to tell it as it is. We cannot represent people properly if we do not inform them, and that sometimes involves giving a view on decisions and policy. Residents need information and assessments in order to be able to tell us what they think so we can represent them effectively. Telling us we may not say anything negative is a form of censorship, and would sometimes conflict with Principle (v) of the Code of conduct, *Openness*.

v. **Openness** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Other points:

- Page 2
 - Do not cite residents, partners or suppliers without written approval. This is disproportionate and obstructive. We often refer to partners — eg is someone says on Facebook that a streetlight is broken, I will respond giving them the Balfour Beatty email address, or tell them that BB is acting on it.
 - Do not write on matters prior to the publication of reports - no reason not to if the information is known independently
 - Do not blog or tweet in haste ... if you are tired or have consumed alcohol. This is ludicrous: who is going to monitor councillors' speed of writing or typing or our levels of fatigue or inebriation?
- Page 3
 - First hollow bullet point about not making negative comments about anyone or anything — conflicts with the Principle of Openness
 - Third hollow bullet point about bad reflection and lowering of reputation — conflicts with the Principle of Openness
 - Sixth solid bullet point — do tolerate disagreement – conflicts with the first hollow bullet point about not allowing people to leave damaging comments on your site
- Page 4

- Whether we publish our own addresses and contact details is a matter for us, not the Council
- Prohibition on reporting on internal meetings — conflicts with the Principle of Openness
- Page 5
 - The bullets about safety and threats are a virtual repeat of ones on page 4.
 - The bullet about discrete pages for personal and council-related personae repeats similar advice on page 4.

2.8 **Councillor Count** is proposing that a draft guidance which is under development at Fenland District Council (attached at **Appendix 2**) could replace the previously approved Cambridgeshire County Council Social Media Code.

3. LOCAL GOVERNMENT ASSOCIATION

- 3.1 The Local Government Association (LGA) has published information on handling abuse on social media, which provides advice on handling intimidation and abuse online <https://www.local.gov.uk/handling-abuse-social-media>
- 3.2 The LGA has also published information on Councillors and social media which provides some background information on the use of social media for councillors <https://www.local.gov.uk/councillors-and-social-media>. The LGA thanked the Welsh LGA for its reproduction of their guidance on social media. A copy of this guidance is attached at **Appendix 3**.

Source Documents	Location
Minutes of the Constitution and Ethics Committee meeting held on 27th June 2019	https://cambridgeshire.cmis.uk.com/cc_c_live/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1069/Committee/10/Default.aspx
Minutes of the Council meeting held on 23rd July 2019	<i>County Council meeting 23/07/2019</i>



Appendix 1

Cambridgeshire County Council

Social Media Code for Councillors

Introduction

Social media is the term used for online tools, websites and interactive media that enable users to interact with each other by sharing information, opinions, knowledge and interests. This guidance covers social media on social networking sites, blogging, and tweeting. Social media increases our access to audiences and improves the accessibility of our communication. It enables us to be more active in our relationships with citizens, partners and stakeholders and encourages people to be involved in local decision making, enabling better engagement and feedback which should ultimately help improve the services we provide.

Cambridgeshire County Council ("the council") recognises that social media provides an effective platform for understanding, engaging and communicating with residents on issues of general importance to the community. Nevertheless, the council also recognises that the use of social media can pose risks to its reputation and that of members. It considers that clear guidelines are needed for the use of social media sites to ensure that their use does not expose the council to security risks, reputational damage or breach the Data Protection Act.

It is not a requirement for Members to use social media to fulfil their roles however, where it is used this Code will be relevant. Any communication is capable of being misinterpreted or misrepresented and whilst the use of social media should not be more susceptible to this problem than any other form of communication, the immediacy and often rapid and wide broadcasting can magnify the problem and create controversy where it wasn't expected. This doesn't mean that Members cannot, in the appropriate context, communicate politically but care should be taken to ensure that the tone and content is no different to that expected of a verbal communication.

The purpose of this Code is to support the use of social media through the provision of guidance and clarity as to what constitutes acceptable usage in ensuring compliance with the Council's legal obligations and the general standards of conduct expected of members.

Purpose

This guidance applies to councillors in respect of their use of social media as part of their public role as well as offering advice on social media issues they may face in their personal life. It sets out how to use social media, how to effectively manage social media usage and indicates how any risks or pitfalls can be minimised or mitigated.

Social media is a term used to describe websites and online tools which allow people to interact with each other by creating their own content examples of which include but are not limited to:

- Social Networking sites (e.g. Facebook)
- Micro-blogging services (e.g. Twitter)
- Video sharing services (e.g. YouTube)
- Photo sharing services (e.g. Instagram)
- Online gaming and virtual reality (e.g. World of Warcraft)
- Messaging services (e.g. Whatsapp)
- Business Networking sites (e.g. LinkedIn)

This Code applies to the use of social media when members are acting, or perceived to be acting, in their official capacity and/or as a representative of the authority and whether or not it is accessed using the Council's ICT facilities and equipment.

Councillors must ensure that they use social media sensibly and responsibly and that their use will not adversely affect the council or its business, nor be damaging to the council's reputation and credibility. Non-compliance with this Code may result in a breach of the Members' Code of Conduct and a request to remove any postings which are deemed inappropriate.

The following sections of the policy provide users with common-sense guidelines and recommendations for using social media responsibly and safely.

KEY PRINCIPLES

Practices to Avoid

- Do not do anything to jeopardise the council's obligations under the Freedom of Information Act and Data Protection Act such as citing or referencing residents, partners or suppliers without their written approval. Be aware that content on such social media websites may be subject to Freedom of Information requests.
- Do not misappropriate or infringe the intellectual property of other organisations and individuals which could create liability for the council as well as themselves.
- Do not say anything through social media that suggests you have made your mind up on an issue that is due to be formally decided (particularly important on planning issues). While your likely view on a particular application may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh all the evidence, and were genuinely open to a different view, in order to avoid allegations of predetermination or bias.
- Do not write or report on conversations, meetings or matters that are meant to be confidential or internal to the council such as those held in exempt session or prior to the publication of reports.

- Do not provide references for individuals on social or professional networking sites as this creates a legal liability.
- Do not blog or tweet in haste, particularly in circumstances where your judgement might be impaired; for example, if you are tired or have consumed alcohol.
- Do not represent your personal views, or those of any political party or interest group you belong to, as being those of the Council on any social medium.
- Do not browse, download, upload or distribute any material that could be considered inappropriate, offensive, defamatory, illegal or discriminatory.
- Do not, in your role as a Councillor, use social media to promote personal financial interests. This includes the promotion of particular commercial activities that Council representatives may have an interest in.

Examples of Good Practice

- The Members' Code of Conduct will only apply to you when you are, or appear to be acting in your official capacity, so it must be clear that expressions of personal opinion are appropriately distinguished. For the avoidance of doubt, do consider keeping your personal and political accounts separate or where this is inconvenient use clear expressions of intent such as 'speaking entirely personally' or 'the views expressed here are my personal opinion'. Consider also installing appropriate privacy settings for your personal accounts.
- Do ensure your official use of social media is compliant with the Members' Code by ensuring that your profile and any content is consistent with the council's professional image and obligations for instance:
 - ***Treat others with respect*** - do not use social media in any way to attack, insult, abuse, defame or otherwise make negative, offensive or discriminatory comments about residents, council staff and services, other Members and/or organisations or leave on your web or social media pages comments made by others which may be equally damaging/defamatory.
 - ***Comply with equality laws*** – do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti-faith. Never bully or harass anyone – do not say anything, particularly if it is part of a series of similar comments about a person or on a theme that might be construed as bullying or intimidation.
 - ***Do not bring the council into disrepute*** – you should not publish anything that could reasonably be perceived as reflecting badly upon or lowering the reputation of yourself or the Council.
 - ***Do not disclose confidential information*** - you must not, in your use of social media, just as in any other circumstances, disclose information given to you in confidence by anyone, or information

acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature.

- Do be mindful that what you publish will be in the public domain for a long time and can't be easily retracted once published.
- Do be aware that the higher your profile as an elected member the more likely it is you will be seen as acting in your official capacity. Equally, be aware that you will be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected member.
- Do use social media to add value to the environment in which you are participating and to provide worthwhile information and perspective to residents.
- Do tolerate disagreement - some comments may not accord with your views and deleting the comments of people who disagree with you can backfire. The same comments can appear elsewhere from with the possibility of linking them back to your site with accusations of gagging.
- Do avoid the difficult users, don't get bogged down, you don't have to respond to everything. Ignore if necessary.
- Do exercise caution in requesting or accepting a Council employee or contractor providing services to the Council as a "friend" on a social networking site where this can suggest close personal association.
- Do use secure passwords and never share your password with anyone. If you are using shared IT equipment don't store your password on the computer.
- Do be aware of your own safety and ensure that anything you publish does not leave you vulnerable. Any Councillor receiving threats, abuse or harassment via their use of social media should report it to their political group leader, Members' services and /or the Police.
- Do be aware that what you say on social media will likely attract interest from the media and may well result in a news story, in the same way comments you make in the council chamber would do. For example, a throw away comment about a fellow member could result in a big news story that you had not intended which could damage your own reputation and that of the council.
- Do double-check that information you post on social media is accurate before you publish it and if in any doubt, don't publish.
- Do try to avoid engaging the council's social media accounts in political conversations, as these accounts are managed by council officers for the benefit of residents to inform them of services and news. They should not be used for political purposes.

Responsibilities of councillors

- You are personally responsible for the content you publish on any form of social media, in the same way that you are responsible for letters or emails you send.

- Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action.
- Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.
- Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.
- Do not disclose personal details such as home addresses and telephone numbers.
- Ensure that you handle any personal or sensitive information in line with the council's Data Protection Policy.
- Do not publish or report on meetings which are private or internal (where no members of the public are present or it is of a confidential nature) or are Part 2 reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985).
- Copyright laws still apply online. Placing images or text from a copyrighted source (e.g. extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.
- Don't send or post inappropriate, abusive, bullying, racist or defamatory messages to members of the public, other councillors or officers either in or outside the work environment
- Elections - the council will not promote councillors' social media accounts during the pre-election period and councillors should take extra care with what they post at this time.
- In any biography, the account should state the views are those of the councillor in question and may not represent the views of the council.
- Do not use the council's logo, or any other council related material on a personal account or website.
- Social media must not be used for actions that would put councillors in breach of the council's Code of Conduct. For example, don't publish on social media something you wouldn't want to say face to face, or at a public meeting.

- Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.
- Anyone receiving threats, abuse or harassment via their use of social media should report it to their political group leader, Democratic Services and/or the police.
- It is recommended that in the case of Facebook, councillors wishing to keep their personal life and role as a councillor separate create a Facebook page which members of the public can like rather than using their personal profiles.

This guidance is not exhaustive and if you have any queries you should contact the council's Monitoring Officer.

DRAFT MEMBER GUIDANCE: SOCIAL MEDIA

INTRODUCTION

Social media is a term used to describe websites and online tools which allow people to interact with each other by creating their own content examples of which include but are not limited to:



- Social Networking sites (e.g. Facebook)
- Micro-blogging services (e.g. Twitter)
- Video sharing services (e.g. YouTube)
- Photo sharing services (e.g. Instagram)
- Online gaming and virtual reality (e.g. World of Warcraft)
- Messaging services (e.g. Whatsapp)
- Business Networking sites (e.g. LinkedIn)

It is not a requirement for you to use social media to fulfil your duties as a Councillor however, it can provide an effective platform for understanding, engaging and communicating with the community on issues of general importance.

Online communications can however be susceptible to misinterpretation and misrepresentation which can result in unexpected attention or controversy. In some instances this can then result in a conduct complaint.

This guide has been prepared to provide an overview of the general 'do's' and 'don'ts' of using social media. It should be read in conjunction with the **Members' Code of Conduct** but it **is not** a set of instructions or rules in and of itself, it is only guidance. It does not add additional rules to the Code of Conduct. It is advice and nothing more. Where considering how Social Media use might create an infraction of the Code of Conduct, the existing Code of Conduct rules are the ones which apply in the same way as they do when you are going about your day-to-day business.

A good rule of thumb is – don't say or do anything online that you wouldn't expect to say or do in person.

PRACTICES TO AVOID

The following is a non-exhaustive list of practices which you should avoid when using social media:

- Do not do anything to jeopardise the council's obligations under the Freedom of Information and Data Protection Acts such as citing or referencing residents, partners; or suppliers without their written approval. Be aware that content on such social media websites may be subject to Freedom of Information requests;
- Do not write or report on conversations which could be considered to be discriminatory or otherwise in breach of legislation and guidance designed to protect equal treatment;
- Do not misappropriate or infringe the intellectual property of other organisations and individuals which could create liability for Fenland District Council as well as themselves;
- In the unlikely event that you are using social media for investigatory purposes do not breach the Regulation of Investigatory Powers Act (RIPA) or the Council's related RIPA Policy;
- Do not write or report on conversations, meetings or matters that are meant to be confidential or internal to the council such as those held in exempt session or prior to the publication of reports;
- Where you are involved in making planning, licensing or other quasi-judicial decisions, do not say anything through social media that suggests you have made your mind up on an issue that is due to be formally decided. While your likely view on a particular application may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh all the evidence, and were genuinely persuadable to a different view, otherwise the decision may be later challenged as invalid on grounds of predetermination or bias. If a person has suffered some sort of detriment as a result of such an invalid decision, they may have a claim against the Council for damages;
- Do not represent your personal views, or those of any political party or interest group you belong to, as being those of the Council on any social medium;
- Do not make any personal prejudicial comment in regards to alleged illegal behaviour of any individual who has not been found guilty in a court of law.; and
- Do not *in your role as a Councillor* use social media to promote personal financial interests. This includes the promotion of particular commercial activities that Council representatives may have an interest in.

GOOD PRACTICE

The following is a non-exhaustive list of practices that you **may** wish to consider when using social media:

- Do ensure your official use of social media is compliant with the Members' Code. Put simply – don't say or do anything online that would be a breach of the Code of Conduct offline.
- Be mindful that what you publish will be public for a long time and might be available to read by the general public and can't be retracted once published;

- Be aware that you could be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected member.
- Do use social media to add value to the environment in which you are participating and to provide worthwhile information and perspective to residents;
- Do share Council Press Releases as widely as possible within your social media circles.
- Do use secure passwords and never share your password with anyone. If you are using shared IT equipment don't store your password on the computer;
- Do be aware of your own safety and ensure that anything you publish does not leave you vulnerable. Any Councillor receiving threats, abuse or harassment via their use of social media should report it to their political group leader, Member Services and /or the Police.
- Do be aware that what you say on social media will likely attract interest from the media and may well result in a news story, in the same way comments you make in the council chamber could do. Remember that the press may publish your comments out of context or in a way that is not in keeping with your original meaning or intent. Your comments may be misrepresented, misinterpreted or misused. Consider what you publish in the same way that you consider what you say in person and consider how an unscrupulous individual might be able to twist something innocent you may have said – and then you will be in a better position to judge if the comment should be published.
- Do double-check that information you are publishing on social media *with the suggestion that it is "fact"* is accurate before you publish it. Obviously, this does not apply to things you publish which are clearly personal opinion. If there is any ambiguity over whether you are publishing *fact* or *opinion*, make it clear which is which in the body of the text. In this way you will avoid accusations of "lying" if you are simply expressing a personal view.
- When publishing opinion, engaging in online debate or discussion, or really any sort of interaction on social media – do try to be polite and respectful. Clearly, some discussions have some cut and thrust or rough and tumble, and its acceptable to adjust your tone to the style of the debate – but try to walk the higher road.
- Do try to avoid engaging the council's social media accounts in political conversations, as these accounts are managed by council officers for the benefit of residents and to inform them of services and news. Officers are not able to answer politically motivated questions directed at another member.
- Do try to avoid swearing when speaking in your official capacity as a Councillor on an open public forum.

Neither the Code of Conduct or this Social Media guide are intended to stifle free speech. It is important that elected members are afforded the same rights of free speech as everybody else and it is a vital part of democracy that Members are able to engage in robust debate and passionate discussion. Nor is this guide intended to try and instruct members in how to spend their free personal time or how to engage with other people. The public want elected Members to be honest in both their actions and their views. Therefore, this guide should be seen as simply helpful advice, to assist those less experienced in the positives and pitfalls of social media to get the most out of this important set of communication tools for the modern world.

If you have any doubt or concerns about your use of social media or you would like some further guidance generally or about a particular issue then you can contact **David Wright, Policy and Communications Manager, dwright@fenland.gov.uk**.

DRAFT

Social Media

A Guide for Councillors



Contact

Welsh Local Government Association

The WLGA's primary purposes are to promote a better local government, its reputation and to support authorities in the development of policies and priorities which will improve public service and democracy.

It represents the 22 local authorities in Wales with the 3 fire and rescue authorities and 3 national park authorities as associate members.

Welsh Local Government Association

Local Government House

Drake Walk

Cardiff

CF10 4LG

Tel: 029 2046 8600

www.wlga.wales

We are indebted to the officers and members who have contributed to this guide, particularly in Denbighshire, Flintshire County Council on behalf of North Wales Local Authority Emergency Information Team Chairs. Lawyers in Local Government, the Heads of Democratic Services, Chairs of Democratic Services Committees, the MSO and Lead Members Network, guidance from the LGA and Scottish Improvement Service and The Office of the Welsh Language Commissioner. Also, to Kevin O'Keefe, then of Excelsa Interim Management & Consultancy Ltd, who contributed to the 2013 first edition of this guide.

Contact Sarah Titcombe – Policy and Improvement Officer for Democratic Services.
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Introduction

Social media is changing the world.

It is changing the way we communicate, the way we receive our news and, increasingly, the way we think about ourselves and others. Social media is transforming politics too; it makes politicians and public institutions more accessible, allows individuals to have their voices heard and helps share ideas or promote campaigns, potentially to millions, in an instant.

It is a powerful tool that can do much good but, in the wrong hands, can cause harm too. The growth of online abuse or trolling is a concern, as is the mounting evidence that organisations or even foreign agencies can exploit social media or use 'fake news' to influence public opinion or even affect democratic contests¹.

Social media's influence is growing, not only are the number of active users increasing but it is also being used more effectively as a medium to communicate, engage and mobilise.

Social media has therefore become a vital tool for councils and councillors to inform and engage with the communities they serve.

Many councillors already use social media and many more are thinking about using it. As a councillor, there are additional things to consider when using it, including the Code of Conduct and managing expectations and workload.

This guidance offers advice for those councillors who are new to social media and some tips for those already using it. Social media is rapidly evolving, so this guidance offers a general overview, some key pointers and principles and references to step-by-step resources online.

¹ <https://www.bbc.co.uk/news/uk-39830727> and <https://www.bbc.co.uk/news/world-us-canada-41355903>

1. What is social media?

Social media is a vast blanket term applied to a range of online multimedia tools; in short, social media allows you to communicate, broadcast or publish to millions in an instant, usually for free and all from a small device in the palm of your hand.

Social media can be set up and accessed via your smartphone, PC, laptop, tablet or smart TV. Social media applications (apps) or platforms allow you to communicate (either with individuals, specific groups or everyone), share information, share photos, create, edit and share audio or videos and play games with others.

Councils now use social media as a matter of course to communicate and consult with their residents who now expect this to be another communication channel, especially for urgent information. Council Twitter feeds include information on community events, school and road closures, job vacancies, sporting events and consultations, as well as details and, occasionally, detailed accounts of council meetings, including links to webcasts. Council scrutiny committees may also be using social media to promote and consult on their activities and undertake service reviews, such as in [Monmouthshire](#) and [Swansea](#).

Although there are some risks to using social media, which will be covered later in this guide, social media can be fun and innovative and can be used as an alternative method of communication and engagement, it can also break down barriers and stereotypes. Councils and other public bodies have used it for positive public relations, for example, it is worth looking at Swansea's [Faces of Swansea](#) social media campaign or the Twitter account [Love the Lagoon](#), or Torfaen's '[In the Depot](#)' video.

Some councils [have asked the public to name snow ploughs](#).

We have social media to thank for [Boaty McBoatface](#)!

Social media has a massive reach and some individuals (typically celebrities or national politicians) have many millions of followers. Social media is growing in usage too, an Office of National Statistics survey in 2017² showed that 66% of people in the UK had used social media in the last 3 months. It's not just younger people who use social media, further research by the ONS showed that there is significant use across all age groups:

²<https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/adhocs/007401socialnetworkingbyagegroup2011to2017>

Age	16-24	25-34	35-44	45-54	55-64	65+	All
%	96	88	83	68	51	27	66

According to Ofcom³, in 2017:



84%
OF WELSH HOUSEHOLDS
HAD ACCESS TO THE
INTERNET



74%
OF ADULTS USED
A SMARTPHONE



21 Hours
ON AVERAGE SPENT
ONLINE EVERY WEEK BY
WELSH INTERNET USERS

Facebook and Twitter are the most widely used social media platforms and therefore the most relevant to councillors. According to Twitter⁴, and Facebook⁵ there are:



AN ESTIMATED
17.1m
TWITTER USERS
IN UK



30m
FACEBOOK USERS IN THE UK
ON MOBILES ALONE...
AND OVER 2.20bn MONTHLY
ACTIVE USERS WORLDWIDE

This guide will therefore focus on Facebook and Twitter for councillors, and will touch on other platforms too.

³ https://www.ofcom.org.uk/data/assets/pdf_file/0027/104985/cmr-2017-wales.pdf

⁴ <https://www.statista.com/statistics/271350/twitter-users-in-the-united-kingdom-uk/>

⁵ <https://zephoria.com/top-15-valuable-facebook-statistics/>

Blogs

A blog (an abbreviation of “web-log”) is essentially an online journal with your latest posts appearing first. It can be a journal of diary entries, thoughts or ideas or somewhere to publish more detailed articles on particular issues. Anyone can add comments to your blog and you can use the site to link or draw attention to other online comments or sources of information. Blogs are most effective when they are regularly maintained and updated.

Blogs tend to be included as part of an existing website or via Facebook, which means it’s easier to promote and encourage broader feedback.

Some leaders or chairs produce blogs via their council websites, for example in [Caerphilly](#), [Rhondda Cynon Taf](#), and [Chairman of Denbighshire County Council](#).

Other councillors publish their own, for example:

- [Cllr Peter Black](#)
- [Deputy Lord Mayor of Swansea 2018-2019](#)
- [Cllr Neil Prior](#)

Keep at it!

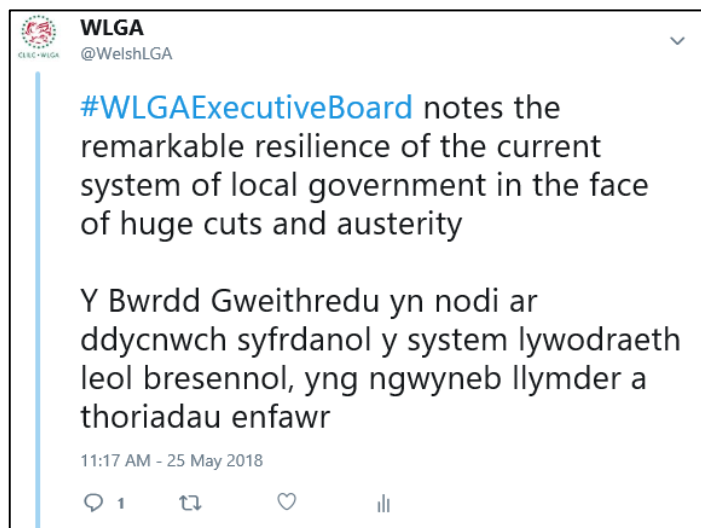
As with all social media, if you start blogging, it’s best to keep it up and keep it up-to-date; all it takes is for someone to find your last blog entry of some years ago and they can criticise you by saying ‘you have nothing else to say’ or ‘you have no new ideas’. If you do stop blogging, think about archiving the material or moving it over to a new social media platform.



Twitter is technically a micro-blog. Twitter allows you to post information, news, photos or videos in messages that are known as **tweets**. Twitter enables you to **follow** people, organisations, news or information that you are interested in and post information and messages of your own. People or organisations in turn can follow you, so they can see all of your tweets; you can even adjust the settings to allow you to be alerted when someone you’re particularly interested in tweets.

Tweets are each limited to 280 characters (characters include letters, numbers, punctuation and spaces). Tweets are not a private means of communication and can be seen by anyone who is following you.

For example:



You can **like** or **retweet** information and someone else's tweets that you would like to pass on to others. For example:



Conversations on the same theme on Twitter are called **threads**. You can search for tweets on a subject that you are interested in by typing your subject into the search box.

Tweets on the same theme are drawn together using **hashtags**. People use the hashtag symbol (#) before a relevant keyword or phrase in their tweet to categorise those tweets and help them show more easily in a Twitter search. Clicking on a hash tagged word in any message shows you other Tweets that include that hashtag.

You can have a private conversation or create a group conversation with anyone who follows you by using the **Direct Message** option. Anyone you do not follow can also send you a Direct

Warning

As a politician, others may consider your tweets 'fair game'. A good rule of thumb is not to commit anything to social media that could at some point be used against you. Even your retweets can be perceived as something you endorse or support.

As with emails, although Direct Messages are private and you may trust the recipients, they can become public if leaked!

Here are some examples of councillors' Twitter accounts:

[@LeaderNewport](#)

[@CllrRobJames](#)

[@PeterFox61](#)

[@Cllrjuliefallon](#)

[@CllrSaif](#)

[@CllrFionaCross](#)

[@elinmwj](#)

[@DebbieWallice](#)

[@Alun_Williams](#)

[@CllrJoshuaPlaid](#)

[@CllrLisaMytton](#)

[@PriorNeil](#)

And some useful organisations:

[@WelshLGA](#)

[@LGAComms](#)

[@WelshGovernment](#)

[@WG_localgov](#)

[@AssemblyWales](#)

[@BBCWalesNews](#)

Message, if you have opted to receive Direct Messages from anyone or you have previously sent that person a Direct Message.

You can **block** or **mute** accounts on Twitter. Once an account has been blocked, those accounts cannot follow you and you cannot follow them. However, even those you have blocked can still access your account through a third party who follows you.

All the details about how twitter works and how you can set up an account can be found [here](#).



Facebook is the most extensively used social network in the world. Essentially, it allows you to easily create your own webpage or group, or an interactive newsletter about you, your life, your interests and friends.

Have a look at these councillors' pages

- [Councillor Neil Prior](#)
- [Councillor Dhanisha Patel](#)
- [Councillor Matthew Dorrance](#)
- [Councillor Steve Churchman](#)

And these authority pages:

- [Wrexham Council](#)
- [Isle of Anglesey County Council](#)
- [Blaenau Gwent County Borough Council](#)
- [Snowdonia National Park](#)
- [Flintshire County Council](#)
- [Vale of Glamorgan Council](#)

To use Facebook, you'll need to create a profile - a **Timeline** where you might add a photo, describe yourself, what you do and your interests. You can also describe your **Status** which would inform your friends about how you are feeling or what you are doing at any given time. You can update this as often as you like.

On Facebook, you can invite people to be your **Friends** and set different levels of access to your account. Some people can see all the information about you or you can make less detail available to others. You can also use Facebook to communicate with groups or individuals. People who find your page, comments or proposals of interest can **Like** you or your latest post, which encourages further use, and is a useful way of taking a straw poll of your ideas. People can also add a **Comment** on your post or **Share** your post on their own timelines.

You may wish to set up a Facebook page about your community, to promote events, announcements or your council activities; many councils and councillors do this and it can be a very effective method to engage and seek views from the community. You should be prepared to receive challenge and criticism however, as it is an open forum and not everyone will agree with your ideas or views; you can however set rules, moderate and edit other people's posts if their language or content is offensive or inappropriate.

You can also set up a Facebook group. When you [create a group](#), you can decide whether to make it publicly available for anyone to join, require administrator approval for members to join or keep it private and by invitation only.

You can send private notes to any "friend" you're connected with on Facebook; they can only be seen by the person to whom they're sent; Facebook's **Messenger** app is increasingly popular. You can also '**Live Chat**' on Facebook. This is a real-time conversation with any of your Facebook friends who happen to be online and signed in at the same time as you are.

Crucially, Facebook lets each user control who can see their personal information and what they post on the network. You can set the level of privacy for different categories of your information and posts and extend different levels of permission to different people who view your site. As a member you might want to differentiate between what you show your close friends and family and members of the public. Find out more and join Facebook [here](#).



WhatsApp is a free messaging app which also allows you to have traditional 'phone conversations'. It is very popular as it allows you to set up groups of friends or colleagues to keep them updated on a particular theme. It may be a quick and easy way, for example, of keeping your political group up to date on key issues. You can download the app from various app stores or visit [the website](#).



YouTube is a video sharing platform. Videos are easy to record via a smartphone and are more easily distributed via Twitter or Facebook, however, some people prefer to use YouTube and it is increasingly being used by councils to post information. Here are some examples:

[Cardiff](#)

[Conwy](#)

[Gwynedd](#)

[Monmouthshire](#)

[Powys](#)

2. Why you may find social media useful

Social media will allow you to open new conversations with the people you represent, and the potential for councillors using social media is huge. Social media allows you to be innovative and responsive as well as providing links to useful sources of information or sign-posting to other organisations.

Don't ignore social media – it's there and won't go away! People are already online and it's growing, and people increasingly expect their councillors to be contactable via social media. If you're not involved people may bypass you or may even 'talk about you' and you'll be missing out on a useful source of intelligence.

- It's a useful way of finding out what people are talking about locally, their concerns and interests.
- It's useful for finding out about breaking news, the latest research or publication or the latest policy announcements from political parties.
- It's a good way of making the electorate more aware of the work you do personally.
- It can help make you appear more human and down-to-earth! People often don't understand what councillors do and may have negative perceptions, but social media can give people a taste of your personal life and remind them that you are just like them, with similar interests – you do need to consider balance though and how much of your personal life you want in the public domain: for example - do you want strangers to be able to identify your family and friends?
- It's an effective way of coordinating campaigns, for example, mobilising support and interest and gathering followers, you can also allow campaign workers access to your Facebook account to post on your, or your campaign's, behalf to share the workload.
- It allows you to have a conversation with a range of people that you would never be able to physically meet and who do not traditionally seek out their local representatives.
- It allows for immediate communication. You can pass on information and receive opinions in minutes. You can forward information from other people equally quickly. "Going Viral" refers to a mass spreading of a piece of information around the world – but be careful, only share information you are confident is correct, Fake News is damaging and there is the risk of defamation if you spread falsehoods.

- The local and sometimes national press will follow councillors on Twitter or Facebook. Social media is a growing source for stories for news outlets as each tweet or comment is effectively a mini-press release. Journalists will know what you are talking about the minute you talk about it.
- Social media is mobile. You can take it around your community, on the train, or to a coffee shop. You can upload pictures and videos, showing for example your role in local events, pictures of potential sites for development, new buildings, local eyesores - a picture tells a thousand words.
- It's free and you probably already have the equipment you need. All you need is time.
- You can receive immediate feedback on your ideas and manifesto to allow you to modify your proposals in line with local thinking.
- Above all, it can be a lot of fun!

What are the drawbacks?

- Having a social media presence means that people can contact you 24/7. This is great in terms of accessibility but means that they may expect you to reply immediately. Technology and social media has raised expectations, people often expect a speedy response and resolution to their query; this expectation, coupled with the fact that social media shows everyone how responsive you are, can create more pressure.
- Using social media can become addictive, many people find themselves answering messages late into the night because they just can't put it down.
- Similarly, too much weight can be given to what goes on in the 'Twittersphere'; sections of Twitter are often described as 'echo chambers' – it may only be a couple of people with a limited number of followers with strong views on a subject who are 'bouncing' off each other – they may be in the minority and not be representative - the rest of the community or the rest of society may be blissfully unaware or may not think in the same way!
- People can post false information, insults or messages that you would not want to be associated with on your social media platforms. These can be spread rapidly via social media.

- Some people say things via social media that they would not say to your face, it's an easy way of taking personal pot shots at councillors. People making these comments are often called 'Trolls' and may not be interested in facts, just in attacking you.
- Councillors, and in particular women councillors, are increasingly the subject of online abuse, bullying and harassment on social media.
- The WLGA has produced a [separate guide](#) on how to deal with online abuse.

It's easier said than done, but try not to get too concerned about what's said online...

You are likely to receive criticism at some point and trolls may try to rile you, but often they will have few followers and their comments may not be seen by many people. Keep calm and the best advice is to ignore, often trolls will crawl back under their bridge...if it does get serious, you can report it

Are you controlling your social media use or is it controlling you?

Recent research has recognised that some people feel out of control in their use of social media⁶.

Ask yourself how comfortable you feel if you cannot access your social media accounts. It is important for councillors to bear in mind that even if the rest of the world seems to be online 24/7, you don't have to be. Being a councillor is a professional role and you can decide how available you want to make yourself. There are some common recommendations for managing your time in front of a screen and you may want to consider some of these:

Top tips to manage social media use

- Establish a routine, check your messages at the same time every day rather than responding to the 'ping' of every new message arriving
- Looking at a screen can disrupt your sleep patterns, consider turning off all screens two hours before going to bed and make the bedroom a screen free zone
- When you are with your residents face to face, give them your undivided attention to help you focus on what's happening where you are and not appear rude.

⁶ <http://www.bbc.com/future/story/20180118-how-much-is-too-much-time-on-social-media>

3. Getting started

A good place to start is to contact your Democratic Services officers and find out what support and training is available.

Choose your medium and sign up. Signing up is very straightforward and will take you less than five minutes! Facebook and Twitter are good places to start.

If you don't already have an account, ask a colleague, friend or family member for advice, ask them to show you how they use social media. You might want to begin with a trial personal account (rather than calling yourself "Councillor Jones") and experiment with family and friends. Make sure that you understand how people find you and who can access your material.

Remember:

On Facebook you can control who has access to different parts of your account. You can manage what the world sees and what your "friends" see.

On Twitter the whole world can see everything you tweet. You can '**Protect my Tweets**', which essentially makes your tweets private to only your current followers, but that defeats the object of using Twitter to engage more widely.

When you are ready to set up your final account, consider the identity you use. The name you give yourself online is important as it allows people to find you. Prefacing your Twitter account with Cllr lets people know exactly who you are and indicates that the Code of Conduct will apply.

Consider:

- Different councillors have different views, but you might want to consider setting up a separate personal and "councillor" account, at least at first - you can talk about the amazing food in the restaurant around the corner to your friends and followers in your informal account, and the plans for the new bypass to your friends and followers on your councillor account.

Separate accounts can help you manage some of the online trolling that is likely to come your way as a councillor – it can be a way of keeping your home life and councillor life separate.

However, many councillors think that some of their personal comments about food, places they've visited, football matches or TV helps break down perceptions of councillors and proves that they are normal like everyone else!

- Make it easy for people to find you online. Many people will start their search for the area that you represent, so make sure you mention your location frequently as this will then be picked up by search engines. You will also want to make sure that your social media account details are on your business cards, posters and flyers.
- Increase your social media following by following other people, retweeting other people's tweets, liking tweets or posts or commenting on people's Facebook posts. Find people on Twitter with links to your community, county or region or with similar interests by searching using the 'hashtag' (#) symbol to prefix your search term for example #llandrindod, #powys #midwales.
- Reach more people on Twitter by timing your tweets when the audience you want to reach are online. Ask your friends for a retweet, use hashtags and include photos for a larger and more noticeable post.
- Be disciplined about making time available to write new content and answer your "friends" and "followers" at a regular time each week to update your Facebook status and throughout the day to check Twitter. If you use your mobile phone, you can set notifications to alert you each time you are mentioned in a tweet.
- If you do not want to be available every hour of the day or night, tell people when your account will be checked, for example you might add "available 9.00-7.00 weekdays" on your profile.
- Decide on what you are going to talk about and how. This could be
 - Weekly updates of your own activities as a councillor - don't forget your pictures! This works better on Facebook as you can include more detail. Remember a tweet is only 280 characters and tends to be more instant and timely.
 - Regular updates on council policies and actions of interest to your community.
 - Links and re-tweets of other relevant national activities.
 - Issues on which you would like feedback.
 - Notice of events and public meetings.

- Using social media is all about two-way communication, it's good for providing information to your community or flagging up press statements, but it's better as a tool to get useful feedback. You will get feedback and you should expect some people to challenge your ideas or enter into a debate with you online. This is part and parcel of social media.
- Keep your communications clear, positive, polite and professional. Plain language helps. Many people use abbreviations on Twitter – you'll pick these up as you go along!
- On Facebook, you will need to monitor and, if necessary, censor the contributions that other people make to your page; or group and delete them if they do not match your required standards of behaviour or language. Defamatory and offensive language could be attributed to the publisher (that's you!) as well as the original author and could incur financial liability. It is up to you to decide if you want to remove posts that disagree with your political position, however if you do remove them you may be accused of censoring contributions on political grounds.
- It is up to you to decide if you want to remove posts that disagree with your political position, however if you do remove them you may be accused of censoring contributions on political grounds.
- Bear in mind that constituents may find party political point scoring tedious and prefer to hear information about what you are achieving.
- If appropriate, consider setting up an account for your ward with your fellow ward members – this way you can share the administrative tasks.
- If you don't have anything to say...don't say anything. Even though it's tempting to let your followers know how busy you are they will soon become bored with constant updates on your day without some relevant or interesting information.

Monitoring social media

It can be difficult to keep on top of what's happening online; people are posting and tweeting all the time and if you are following many people or organisations, social media can become 'noisy' and you could miss things of interest or significance.

A quick way to check up on things on Twitter is to visit the Twitter page of some of your favourite people, organisations or news outlets to see what they've been saying. You could also search for a particular theme or issue with a hashtag#.

If you're keen to find out what people are saying about you, your local area or local council for example, there are social media management applications that you can use such as [Hootsuite](#) or [Buffer](#). These are simple to set up and use and can allow you to see how often people read or retweet your tweets. It also allows you to schedule tweets, for example, to send a pre-prepared tweet at a certain time of day.

The Welsh Language

As a councillor you will want to use and promote the Welsh language and culture as much as possible. There are also legal requirements which apply to the use of the Welsh language on social media. How these rules apply, depends on the type of work you are doing and which of the Welsh Language Standards apply to your local authority.

When you are representing your local authority, the same standards will apply to you as they do to officers. So, if you are, for example, a cabinet member tweeting about a new policy decision, a mayor blogging about your recent activities on behalf of the council, the chair of a scrutiny committee undertaking a formal consultation on behalf of the committee or letting people know about the forward work programme of the committee, then you may be subject to the standards which apply to the officers in your authority.

This may mean that your communication, including responses to messages, must be translated and the content and format of the message must treat the Welsh language no less favourably than the English language. Your authority will provide you with guidelines for how your local Welsh language standards apply when you are representing the authority – if you are in any doubt, it's best to contact the council for guidance.

If you are acting in the capacity of a ward member, acting on behalf of individuals or communities then the same rules apply as if you were a member of the public. So, regardless of your role on the council, if you are tweeting about a local fete, commenting on a council decision in, for example, your role on a local pressure group, or retweeting a complaint about pot holes then you may communicate in the language of your choice.

The exception to this is when you are communicating in relation to an activity for which you are using council resources (beyond the standard remuneration and equipment provided to you as a member) for example council buildings for a community meeting.

Some of the [practical guidance](#) in the Welsh Language Commissioner's guide for businesses and charities about using Welsh on social media may be useful.

4. Staying safe and dealing with trolls

Some form of online disagreement and criticism is inevitable and, if you're not online, you or your policies may already be subject to debate without you. Disagreement and challenge is a key feature of democratic debate, however, online it can easily spill over into abuse or harassment.

You will therefore need to prepare yourself for some uncomfortable reading, which may cause some upset. You cannot prevent online abuse, but you can take control of how and whether you respond and, if it becomes serious, you can report it.

The WLGA has produced separate guidance on dealing with online abuse which you may find useful. You can read it [here](#).

Some advice

- **Take Control**

Decide for yourself and make it clear on your homepage what you expect from people who are engaging with you on social media. You might say, for example, that whilst you welcome an open and frank exchange of views, any inappropriate comments will be removed and that any comment which is libellous or threatening or becomes harassment will be reported.

- **Remember that you don't have to put up with abuse or harassment just because you are a political figure**

Be prepared to 'Mute', 'Block' or 'Unfriend' abusive users from your account or ask them to remove comments. If a comment crosses the line into abuse or harassment you can report this to Facebook or Twitter or even the police.

- **Respond or ignore?**

When faced with an abusive comment give yourself some time to decide whether to respond or ignore it. Trolls often have few followers or few followers of significance – if you reply it can lead to a tit for tat argument fuelling further confrontation and provides the troll with the "oxygen of publicity" or the satisfaction of seeing you riled. Chances are you'll have far more followers than the troll, so if you reply, all of your followers will be aware of the troll's original tweet. Ignoring the comment can lead to short term allegations of dodging an issue but may succeed in the long term.

Don't feed the troll!

- **Stay calm and polite**

Not every criticism is from a troll – sometimes a frustrated member of the public may be critical or angry with you initially on social media, particularly if they are trying to resolve a council service issue. If you respond constructively, their tone will change and they may even apologise or show you appreciation online.

Bear in mind that for every troll there will be many more legitimate and sensible followers. Think of them when you respond. One approach is to respond with facts only or to refer the troll to a longer factual statement about the situation or a set of “frequently asked questions” that you can post to pre-empt queries. You might want to invite the troll to a public meeting. They may find it harder to be abusive in public. You may also want to remind the troll that you are more than happy to have a political debate in your role as a councillor but that personal comments about you or your family are unacceptable.

The [Facebook](#) and [Twitter Help Pages](#) have full details about how to block users and how to report abuse

A Criminal Offence?

If someone sends threatening, abusive or offensive messages they may be committing an offence. If you receive a message which you consider falls into this category, do not respond to it, check out the guidance provided by the [police](#) and [CPS](#) and if appropriate report it.

5. Support from the council

A good place to start is to contact your Democratic Services officers and find out what support and training is available

Councillors are generally provided with the ICT equipment that they need to do their job. The Independent Remuneration Panel expects that this will include equipment, support and training.

It is also reasonable to expect that you should have access to social media sites via council ICT equipment to enable you to carry out your councillor role more effectively. You do not need the council to set you up with a personal social media account, but you should take advantage of any training or guidance provided to help you use it properly.

Most councils have a social media policy. You will need to abide by this and any social media protocols that may have been agreed when using your “councillor” account.

It’s worth remembering that the council is responsible for any information provided on its website and is subject to legal responsibilities. **You** are personally responsible for the material that you broadcast via your own social media accounts or websites – but more of this later.

Advice will be available to you from a number of council officers. The Monitoring Officer, Head of Democratic Services, the Communications Team and the ICT Manager are likely to have useful advice.

Using social media in an emergency

During emergencies (such as severe weather events, pollution incidents or major fires) partner agencies such as local authorities, police, health, Natural Resources Wales and fire and rescue services will use social media to provide information to help people prepare, keep them informed and to signpost where they can get help.

It’s important during these situations that the most up to date and correct information is communicated to the public and the partner agencies will coordinate the content and timing of the information to be provided.

In an emergency situation, the council will also identify an official spokesperson - an officer or a senior member - who will use the approved information to speak on behalf of the council.

It's always best in these circumstances to restrict your own social media activity to sharing official communications from the partner agencies responding to the situation.

For more information about how your council operates in these circumstances please contact your council's civil contingencies team so that you know what to do in an emergency.

6. Social media and council meetings

Your council's social media policy and/or council constitution will provide you with guidance about if and when you can use social media during council meetings. Other than what your constitution or social media policy says, there is no legal reason why you shouldn't use social media during meetings. However, some common sense does need to apply.

Tweeting on meeting progress and receiving comments from the community can be helpful for transparency and engagement BUT excessive use of Twitter may give people the impression that you are not concentrating on the business in hand or are even relying on guidance from outside the meeting. For that reason, it is probably sensible not to use Twitter during a planning or licensing debate. Committee chairs may want to decide how to address this in their meetings and you should abide by the rules set out in your constitution.

Many politicians tweet their contributions or questions to meetings or debates to keep their followers informed of how they're representing their communities' interests. Remember, you may not need to tweet about the detail of a meeting if the meeting is being webcast. Your council may have official" twitter feeds for live on-line conversations to run alongside the meeting webcast.

Remember that you should not tweet or communicate in any way the content of exempt or confidential business dealt with by local authorities in closed session such as when making formal appointments.

7. Golden rules

- Think before you tweet or post on Facebook. Do not say anything, post views or opinions that you would not be prepared to:
 - Discuss face to face with the person you are speaking about.
 - Write on a placard and carry down your high street and discuss and defend with anyone who sees it.
 - Be prepared to have minuted in a public meeting – remember, Twitter or Facebook effectively publicly minutes everything for you as you go along!
- Remember that once you have said something it may be seen by millions - friends, supporters, political opponents and the press and could be re-tweeted around the world in minutes.
- Keep your messages professional, polite and positive.
- Remember to try to keep tweets and texts separate – many people tweet comments that they would have texted to someone privately before the advent of social media; this may be about meeting up later (do you want all your followers knowing your plans and gate-crashing your lunch!?) through to 'in' jokes or banter that could be misinterpreted.
- Exercise discretion when choosing who to follow on Twitter or 'befriend' on Facebook, for example, some council employees might find it a bit uncomfortable or inappropriate to have a councillor hanging on their every word. If you follow or are Facebook "friends" with council employees, contractors who have been procured to provide services to the council, a company or member of the public making a planning application or pressure groups, this might be construed as having a close personal association with them and therefore a personal interest.
- If you make a mistake admit it. Mistakes happen so don't try to cover it up as there will always be a record of what you've said.

Warning

Don't discuss casework on social media or encourage people to contact you about issues that might be personal to them.

Encourage them to use more secure channels.

- Don't tweet or post on Facebook when you are "tired or emotional"! It's probably sensible to turn off your phone at any time when you think your judgement may be impaired. Even if you exercise social media control, other people will still have their smart phones, so may post a photo or video of you 'enjoying yourself'; you need to let your hair down, but it's just one extra thing to consider as a councillor in the age of social media.
- As with your own leaflets or newsletters, ask permission before taking a picture that you intend to use. NEVER take photos of children without the express permission of their parents based on an understanding of what you intend to use the picture for. Your council will have a policy on taking pictures of children, take advice on this before taking or using pictures.
- Do not allow anyone else access to your social media accounts. Protect your passwords and use robust, unique passwords and change them regularly especially if you use a public or shared computer.
- Just like email, you can be hacked on social media! Be wary about direct messages via Twitter, even from people you know, with messages such as 'Hi, have you seen this photo of you on Twitter?' Delete these before opening, as the spam could then be sent to all of the people you are following. Do not open videos or links on, for example, Facebook Messenger if you are not expecting them. It could be a hack.
- If you had a social media account **before you were elected as a councillor**, it may be sensible to review your historical posts through the lens of your new 'political reputation' as well as the expectations of the code of conduct. You may have posted personal photos of social occasions, shared jokes, retweeted videos or made or re-posted political views that you may no longer agree with. If people see such historical posts, it may cause embarrassment or reputational damage not only to yourself but also to the council. It could even be referred to the Ombudsman as a potential breach of the Code of Conduct. Bear in mind that although you posted your comments before you were a councillor, your social media account is essentially still broadcasting them, and they may still be re-posted by other people.

THINK before you post; even if you later delete your post, someone may have already taken a screen shot.

CHECK before you share or retweet information. Is it true? Who said it and why?

Do you trust the source?

8. Keep on the right side of the law...

Councillors new to social media tend to be concerned about the legal implications. It is an important consideration, and some councillors and other politicians have fallen foul of the law, but with careful use and following some ground-rules you will be fine!

The style of communication employed in the social media environment tends to be fast and informal. Messages can appear lightweight and transitory.

Whenever you post something on social media, it becomes a publication, you have effectively made a broadcast. As it is now in the public domain, it is subject to both the **Code of Conduct** and to various **laws**.

Code of Conduct

If you conduct yourself on Twitter or Facebook as you would in person on the street or in your leaflets, then you will be fine.

Remember that according to guidance from the Ombudsman, the Code of Conduct applies to you whenever you are "Conducting the business of your authority, acting, claiming to act or give the impression you are acting in your official capacity as a member or representative of your authority" Also the Code applies if you "Conduct yourself in a manner which could reasonably be regarded as bringing your office or your authority into disrepute"⁷

If you can be identified as a councillor when you are using social media, either by your account name or how you describe yourself or by what you comment upon and how you comment, the requirements of the Code of Conduct apply. If you say something that could be regarded as bringing your office or authority into disrepute the Code applies even if you are not apparently acting in your official capacity or do not identify yourself as a member.

Remember that the Ombudsman's guidance states that "Making unfair or inaccurate criticism of your authority in a public arena might well be regarded as bringing your authority into disrepute"

⁷ <https://www.ombudsman.wales/guidance-policies/>

In the same way that you are required to act in council meetings or in your communities you should:

- **Show respect for others** - do not use social media to be rude or disrespectful
- Not disclose confidential information about people or the council
- **Not bully or intimidate others** - repeated negative comments about or to individuals could be interpreted as bullying or intimidation
- Not try to secure a benefit for yourself or a disadvantage for others
- **Abide by the laws of equality** - do not publish anything that might be seen as racist, sexist, ageist, homophobic, anti-faith or offensive to any of the groups with protected characteristics defined in the Equality Act 2010. Even as a joke or “tongue in cheek”

Predetermination

As a councillor, you are aware that when you act in a quasi-judicial capacity, for example on a planning or licensing committee, you should not make up your mind about an issue that is to be formally decided upon before you had heard all the relevant information. You are allowed to be predisposed to a particular view but not to have gone so far as to have predetermined your position.

It is important to remember therefore, that anything relevant you might have said about particular issues on social media could be used as evidence of your having made up your mind in advance of hearing all the relevant information.

Don't become a troll yourself!

Social media is a great tool for councillors to challenge and scrutinise, but always think about what you are saying, how you are saying it, how often and about whom. If you are perceived to be too aggressive or too confrontational or too frequent, it could begin to damage your reputation, undermine your relationship with colleagues or you could risk breaching the Code of Conduct in terms of bullying, intimidation or lack of respect for others.

It's therefore not appropriate for you to use social media to criticise your council's officers, who often will not be in a position to defend or respond publicly.

Many councils have apps or member referral services; it is often best to use these mechanisms to request council services or report local concerns as you are likely to receive a resolution to your request.

Criminal Offences

Don't panic! These generally apply to you already in your conduct as a councillor, but it is worth considering them as they apply to social media:

Harassment - It is a criminal offence to repeatedly pursue a campaign against someone where this is likely to cause alarm, harassment nuisance or distress.

Data Protection and the General Data Protection Regulation. - It is illegal to publish personal data about individuals unless they have given you their consent. This might apply to your constituents or service users. As a councillor you are a data controller in your own right and therefore personally responsible for what you publish. Make sure you understand the requirements of the GDPR and Data Protection Act. There is more information about this [here](#).

Contact the Data Protection Officer in your council for more information.

Incitement - It is a criminal offence to incite any criminal act.

Discrimination and Racially Aggravated Offences (or any other protected Characteristic) - It is a criminal offence to make a discriminatory remark about anyone based on a "Protected Characteristic" as defined in The Equality Act 2010 (such as their race, religion, sexual orientation etc).

Malicious & Obscene Communications - It is a criminal offence to send malicious or obscene communications.

Remember

If you receive a message or someone posts something on your page that you consider to be unsuitable remove it as soon as possible. If you "like" or appear to endorse or retweet a message or image you are regarded as having published it, and will face any legal consequences. It is therefore important to regularly check and moderate any site on which others can post. If you are in any doubt about how to deal with a message you receive, consult your Monitoring Officer.

Civil Law

This is where things get riskier for anyone who uses Twitter or Facebook, whether they are councillors, members of the public or celebrities:

Defamation - It is against the law to make a false statement about someone which damages their personal or professional reputation. **Crucially - even if you simply retweet or pass on information originally posted by others, you may still be held equally as responsible as the original commentator.** This can also apply to publishing images. If found liable to another person, you could be ordered to pay large sums of money as damages.

Copyright - The legal ownership of the contents of documents, photos, videos and music belong to the person who created them. You could be in breach of copyright if you reproduce such material without the owner's permission. Always ask for written consent before you use someone else's material.

Political Comment and Electioneering - Remember that although it is acceptable to make political points or canvass votes via your own social media accounts this will not be permissible if you are using this via council supplied computer equipment, certainly in the run-up to elections. The Electoral Commission has further information about the return on expenditure that candidates need to provide on advertising or campaign literature.

Beware of Fake News!

Social media is breeding ground for fake news or 'click bait' (where a deliberately salacious headline with a link tries to draw you in, often to a very mundane news item accompanied by lots of pop-up adverts); view all news or gossip with a discerning eye – it could be embarrassing if you retweet or promote fake news and, worse, you could be breaking the law if you circulate false statements about someone, even if you are just retweeting something someone else has posted.

9. Further information, interesting sites and sources of help

Bear in mind that information, sites and terminology change quickly. The next big social media platform will soon be on its way. Here are some current examples of information and useful sites but bear in mind that they may be quickly out of date.

Social Media websites

[Sign up to Twitter here](#)

[Sign up to Facebook here](#)

[Social Media Checklist for Councillors](#) (Local Government Association)

[#FollowMe - A guide to social media for elected members in Scotland](#)
(Scottish Improvement Service)

[Nextdoor](#) is a social network for neighbourhoods where people who live within the same or neighbouring communities can share information, organise events and take opinion polls. It's a useful platform for members to raise awareness and tap into what is interesting or concerning local residents.

10. Links

Here is a list of the links that were used in this guide:

Monmouthshire County Council - https://twitter.com/Mon_CC_Scrutiny

Swansea Council - <https://twitter.com/SwanseaScrutiny>

'Faces of Swansea Council 2018' Twitter campaign - <https://twitter.com/hashtag/facesofswansecouncil2018>

Love the Lagoon - <https://twitter.com/lovethelagoon?lang=en>

'In the Depot' campaign, Torfaen County Borough Council - <https://www.youtube.com/watch?v=G6UerjFCLdI>

Naming gritting lorries, BBC News - <https://www.bbc.co.uk/news/uk-england-south-yorkshire-42026485>

Public using social media to choose the name 'Boaty McBoatface', BBC News - <https://www.bbc.co.uk/news/uk-england-36064659>

Blogs

Caerphilly County Borough Council Leader's blog - <http://www.caerphilly.gov.uk/My-Council/Councillors-and-committees/Leader-s-blog>

Rhondda Cynon Taff County Borough Council Leader's blog - <https://www.rctcbc.gov.uk/EN/Council/TheLeadersBlog/RhonddaCynonTafCouncilLeadersBlog.aspx>

Denbighshire County Council Chairman blog - <https://denbighshirecouncilchairman.wordpress.com/>

Cllr Peter Black - <http://peterblack.blogspot.com/>

Deputy Lord Mayor of Swansea 2018-19 - <http://swanseamayoralmusing.blogspot.com/>

Cllr Neil Prior - <https://www.linkedin.com/pulse/year-county-councillor-surviving-thriving-elected-life-neil-prior/?published=t>

Councillor Twitter accounts

Cllr Debbie Wilcox - <https://www.twitter.com/LeaderNewport>

Cllr Rob James - <https://twitter.com/CllrRobJames>

Cllr Peter Fox - <https://twitter.com/PeterFox61>

Cllr Julie Fallon - <https://twitter.com/Cllrjuliefallon>

Cllr Saifur Rahaman - <https://twitter.com/CllrSaif>

CLlr Fiona Cross - <https://twitter.com/CLlrFionaCross>
CLlr Elin Walker Jones - <https://twitter.com/elinmwj>
CLlr Debbie Wallice - <https://twitter.com/DebbieWallice>
CLlr Alun Williams - https://twitter.com/Alun_Williams
CLlr Joshua Davies - <https://twitter.com/CLlrJoshuaPlaid>
CLlr Lisa Mytton - <https://twitter.com/CLlrLisaMytton>

Useful organisations' Twitter accounts

Welsh Local Government Association - <https://www.twitter.com/WelshLGA>
Local Government Association - <https://www.twitter.com/LGACOMMS>
Welsh Government - <https://www.twitter.com/WelshGovernment>
Local Government Section, Welsh Government - https://www.twitter.com/WG_localgov
National Assembly for Wales - <https://www.twitter.com/AssemblyWales>
BBC Wales News - <https://www.twitter.com/BBCWalesNews>

Councillor Facebook pages

CLlr Neil Prior - <https://www.facebook.com/cllrneilprior/>
CLlr Dhanisha Patel - <http://www.facebook.com/dhanisha4ogmore/>
CLlr Matthew Dorrance - <https://www.facebook.com/CLlrMatthewDorrance/>
CLlr Steve Churchman - <https://www.facebook.com/councillorstevechurchman/>

Local Authority Facebook pages

Wrexham Council - <http://www.facebook.com/wrexhamcouncil/>
Isle of Anglesey County Council - <http://www.facebook.com/IOACC/>
Snowdonia National Park - <https://en-gb.facebook.com/visitsnowdonia>
Flintshire County Council - <https://www.facebook.com/Flintshire-County-Council-124912774260207/>
Vale of Glamorgan Council - <https://www.facebook.com/valeofglamorgancouncil/>

Council YouTube pages

Cardiff Council - <https://www.youtube.com/user/cardiffcouncil/featured>

Conwy County Borough Council - <https://www.youtube.com/user/ConwyWeb>

Gwynedd Council - <https://www.youtube.com/user/CyngorGwynedd>

Monmouthshire County Council -
https://www.youtube.com/channel/UCZHCKKCI7DqtxDabOkj_Esg/featured

Powys County Council - https://www.youtube.com/channel/UCop_U-YVW7OB0jRIt3b8f1Q

Social media support pages

Facebook support pages - <https://en-gb.facebook.com/help/tools>

Twitter support pages - <https://help.twitter.com/en/safety-and-security/cyber-bullying-and-online-abuse>

Welsh Language

Welsh Language Commissioner guidelines on using the Welsh language on social media -
<http://www.comisiynyddygyymraeg.cymru/hybu/SiteCollectionDocuments/Using%20Welsh%20on%20Social%20Media%20SA.pdf>

Guidelines

WLGA Councillors' Guide to Handling Online Abuse -
<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1504>

Police social media guidelines - <https://www.askthe.police.uk/content/Q770.htm>

Crown Prosecution Service guidelines on social media communications -
http://www.cps.gov.uk/legal/a_to_c/communications_sent_via_social_media/

The General Data Protection Regulation - Information for Councillors, WLGA -
<https://www.wlga.wales/gdpr-information-for-councillors>

Local Government Association (LGA) social media guidelines -
<https://www.local.gov.uk/our-support/guidance-and-resources/comms-hub-communications-support/digital-communications/social-1>

Scottish Improvement Service Social Media guide for elected members -
http://www.improvementservice.org.uk/documents/elected_members/follow-me-guide-to-social-media-for-elected-members.pdf

Useful links for social media websites

Twitter - <https://twitter.com/>

Facebook - <https://en-gb.facebook.com/>

Nextdoor - https://nextdoor.co.uk/about_us/

WhatsApp - <http://www.whatsapp.com/>

Hootsuite - <https://hootsuite.com/>

Buffer - <https://buffer.com/>

PETITIONS SCHEME

To: Constitution and Ethics Committee

Meeting Date: 1st October 2019

From: Director of Governance and Legal Services and
Monitoring Officer

Electoral division(s): All

Purpose: To consider revisions to the Council's Petitions Scheme.

Recommendation: The Constitution and Ethics Committee is asked to consider amendments to the Constitution, as set out in Appendix 1, and recommend any changes to full Council, if appropriate.

<i>Officer contact:</i>		<i>Member contact:</i>	
Name:	Michelle Rowe	Name:	Councillor Lis Every
Post:	Democratic Services Manager	Chairman:	Constitution and Ethics Committee
Email:	michelle.rowe@cambridgeshire.gov.uk	Email:	lis.every@cambridgeshire.gov.uk
Tel:	01223 699180	Tel:	01223 706398 (office)

1. BACKGROUND

- 1.1 The Council adopted its current Petition Scheme on 18 May 2010 in line with the requirements of the Local Democracy, Economic Development and Construction Act 2009. The Localism Act 2011 (Chapter 10, Section 46) repealed the requirements in the 2009 Act regarding Petition Schemes. However, many local authorities have kept their petition schemes in place or replaced them with more general guidance and it is considered best practice to do so.
- 1.2 The Scheme can be revised at any time, but it must be approved by full Council, and published on the Council's website and by any other method appropriate for bringing it to the attention of those who live, work, or study in its area.

2. MAIN ISSUES

- 2.1 It is felt that the current scheme does not provide sufficient clarity and could be made more succinct. Officers have reviewed the schemes of other authorities to identify good practice. The revised scheme is set out in **Appendix 1** (Additions in bold and deletions shown in strikethrough). In proposing revisions to the scheme, the following are highlighted:
- The need to list first electronic petitions, as most petitions are now submitted in this form. The focus is on using the Council's free ePetitions facility which will ensure that petitions are submitted in the correct format in order to meet the requirements of the Scheme.
 - The Council's response to a petition has been moved to after the submission of a petition.
 - The need to record business, school or college addresses if a person signing a petition does not live within the Council's area has been highlighted. Officers often have to disallow signatures because this information has not been provided.
 - The need to clarify that petitions with fewer than 50 signatures will still be considered but without the right to speak.
 - The need to provide an opportunity for the petitioner to seek an informal review by the Monitoring Officer if he/she believes the petition has not been dealt with in accordance with this scheme.
 - The need to clarify how long petitions will be kept and the arrangements for storage.

Source Documents	Location
Council – 18 May 2010	https://www.cambridgeshire.gov.uk/council/councillors-&-meetings/council-meetings/
Constitution	https://www.cambridgeshire.gov.uk/council/council-structure/council-s-constitution/

9.4 **Petition Scheme**

~~The Council will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition and it meets the criteria set out below.~~

Anyone living, working or studying in the Council's area who wishes to raise an issue or have their views heard on a council matter can create or submit a petition. Petitions are accepted via the Council's website, in paper form, or by a combination of these.

Electronic petitions will also be accepted provided they are:

- submitted using the **Council's free** ePetitions facility; or
- submitted as one document, containing ~~either all the local persons' individual e-mails received by the organiser on a specific date – these must include the individual names and addresses in order to be valid, or if a standard template e-mail has been used,~~ the list of names, postal addresses and e-mail addresses of those supporting the petition. These petitions should be sent to: DemocraticServices@cambridgeshire.gov.uk.

Paper petitions can be sent to:

The Petitions Officer
Cambridgeshire County Council
Box Number SH1102
Shire Hall
Castle Hill
Cambridge
CB3 0AP

~~When a petition is received the Council may consider undertaking one, or more of the following actions:~~

- ~~taking action as requested in the petition~~
- ~~meeting with petitioners~~
- ~~referring the petition to Full Council or one of the Council's Committees~~
- ~~calling a referendum [A referendum on constitutional change could be triggered with a petition submitted by 5% of the local government electors registered in the local authority's area.]~~

~~Petitions will not be referred to extraordinary or special meetings of Full Council, or to the first annual meeting of a new Council.~~

Once a petition has been received, it the Petition Officer will **be assigned** the petition to a Democratic Services Officer, who will be responsible for advising the Petition Organiser on the action to be taken by the authority. A Democratic Services Officer will acknowledge and advise the Petition Organiser within 10 working days.

Petition Guidelines – Types of Petition

Ordinary Petitions

The petition must relate to functions for which the Council has powers or duties [more information on council structure is available in the 'Your council' section of www.cambridgeshire.gov.uk], or to improvements in the economic, social or environmental welfare of Cambridgeshire, to which ~~it the Council, or any of its partners,~~ can contribute.

Format of Petitions

Petitions submitted to the Council must include **a clear and concise statement covering the subject of the petition. It should state:** ~~the following:~~

- ~~A clear statement of your concerns and i.e. what they you want the Council to do.~~
 - what action the petitioners wish the Council to take
 - ~~t~~The name and contact details (**either postal address or e-mail**) of the Petition Organiser, who should be a local person*. ~~This may be either a postal address or e-mail. This is the person we will contact to explain how we will respond to the petition and to discuss matters of process.~~
 - ~~t~~The name (preferably in block capitals) and full address of each local person* who signs it. ~~This will help the Council assess the extent to which the views expressed represent a particular locality. Where the petition is in paper form, this should include an actual signature. Where the petition is submitted in electronic form a list of the names and addresses will suffice.~~

* *A 'local person' is anyone who lives, owns a business, or works in the area (~~business address to be recorded where appropriate~~), or who attends a school or college in the area at the time the petition is submitted (**business, school or college to be recorded where appropriate as addresses not within the Council's area will not be counted**).*

How will the Council responds to petitions

The Council's response will depend on what the petition asks for, but it will include one or more of the following: ~~When a petition is received the Council may consider undertaking one, or more of the following actions:~~

- take action as requested in the petition
- meet with petitioners
- refer the petition to Full Council or one of the Council's Committees
- call a referendum [A referendum on constitutional change could be triggered with a petition submitted by 5% of the local government electors registered in the local authority's area.]

Petitions will not be referred to extraordinary or special meetings of Full Council, or to the first annual meeting of a new Council.

Speaking at Council/Committee Meetings

The Petition Organiser, or their nominee** will be able to speak at the meeting providing the following conditions are met:

- The petition must relate to the powers and duties of that committee / body.
- The petition must be signed by at least 50 'local people' *** who have an interest in the subject of the petition - the addresses of the signatories must be included for this purpose. **Petitions with fewer than 50 signatures will still be considered but there is no right to speak.**
- The petition must be received by no later than 9.00 a.m. five working days before the meeting.
- The petition must be accepted by the Chairman/woman of the Committee for presentation at the meeting. This is likely to be agreed unless there are exceptional circumstances.

*** County Councillors will not usually be allowed to speak to petitions under this procedure as they have other opportunities to make their views known. This may however be allowed where the Councillor has a prejudicial interest preventing them from speaking to a report, or where the Petition Organiser or other representative of the petitioners is unable to attend the meeting. In these circumstances the Chairman/woman of the meeting concerned will be consulted and asked to exercise their discretion to allow a County Councillor to present the petition.*

**** A 'local person' is anyone who lives, owns a business, or works in the area (~~business address to be recorded where appropriate~~), or who attends a school or college in the area at the time the petition is submitted (**business, school or college address to be recorded where appropriate**).*

Process at the Meeting

Time for presenting a petition will be limited to three minutes. If there is an item / report on the agenda which relates to the petition, the Petition Organiser will usually be asked to make their presentation at the beginning of that item. **If there is no relevant item on the agenda, petitions will usually be heard at the start of the meeting.** ~~The meeting will take into account the views expressed in the petition when reaching a decision on the issue. Time for presenting a petition will be limited to three minutes. The Chairman/woman of the meeting may extend the time allowed, but only in exceptional circumstances. Once they have spoken to the meeting, Councillors may wish to ask them questions about the petition. The person presenting the petition will not be allowed to take part in the subsequent debate. on the petition unless the Chairman/woman considers it appropriate with the agreement of the Committee.~~

~~However the petition will be considered informally by the relevant officer and Councillors following the meeting. This could involve a report being made to a future meeting of the Committee.~~

Petition Organisers will either receive **a written response** from the Chairman/woman of the meeting ~~a written confirmation of the outcome of their petition within ten working days of the meeting, or where the outcome is not yet known, will within ten working days. of the meeting receive an update on the action proposed, and written confirmation of the outcome from the Chairman/woman as soon as reasonably possible.~~

~~If your petition is about something over which the Council has no direct control, the Council will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible, will liaise with these partners to respond to your petition. If the Council is not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then it will set out the reasons for this in the Council's response to the Petition Organiser.~~

Petitions for Debate at Council

If a petition contains at least 3,000 signatures, the Petition Organiser can ask for it to be debated at a meeting of Full Council. ~~This means that the issue raised in the petition will be discussed at a public meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will be deferred to the following meeting.~~

~~The Petition Organiser, or nominee, may speak to a petition presented at the Council meeting provided that the above conditions are met.~~

The Petition Organiser, or nominee, will be given five minutes to present the petition at the meeting and the petition may be discussed by Councillors for a maximum of up to 15 minutes.

The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the relevant committee. Where the Petition Organiser does not attend the meeting, they will receive written confirmation of this decision within ten working days of the meeting.

Exclusions

Certain petitions are not covered by this Scheme and are dealt with under separate processes. These are:

- Petitions relating to planning applications. These are considered by the Council's Planning Committee. You can find further details on how to make your views known to the Committee on the Planning pages of the Council's website, or ask the Democratic Services team for information.
- Petitions relating to traffic regulation orders. These are considered by the Assistant Director, Highways in consultation with the Local Members for all districts except Cambridge City.
- Petitions in response to consultation on a specific issue or proposal. These should be sent to the return address as detailed in the relevant consultation document.
- Statutory petitions (for example requesting a referendum on having an elected mayor)
- A matter whether there is an existing right of appeal

The Council will not consider:

- Petitions that do not follow the guidelines set out in this Petition Scheme.

- Petitions that do not relate **to a matter for which the local authority has a responsibility, or which affects the County and is something the Council is able to** ~~of the authority, or over which the authority has some influence.~~
- Petitions disclosing matters that are personal or confidential.
- Petitions which are in the opinion of the Monitoring Officer, in consultation with the relevant committee Chairman/woman, to be libellous, rude, offensive, vexatious, abusive or otherwise inappropriate, or which are in breach of the Council's statutory duties in respect of equality, diversity and inclusion.
- Petitions from, or submitted on behalf of a business, or person, where the main purpose of the petition is to influence a forthcoming commercial decision of the Council, or the terms and conditions of a commercial transaction.
- Duplicate petitions. Where more than one petition is received in time for a particular meeting, each supporting the same outcome, each Petition Organiser will be treated as an independent Petition Organiser, but only the organiser of the first petition to be received will be invited to address the relevant meeting.
- Repeat petitions. Petitions will not normally be considered within six months of another petition on the same matter having been considered by Full Council, or a committee of the Council.
- Where any of the above applies, the Council's Petitions Officer will contact the Petition Organiser to explain the reasons behind the decision.

Informal Review

If the petitioner believes the petition has not been dealt with in accordance with this scheme. The lead petitioner should seek an informal review by the Monitoring Officer, who will inform them of any decision arising from the review within ten working days.

General Data Protection Regulation

People signing a petition are consenting to Cambridgeshire County Council holding and processing their personal data. All personal information will be kept safe and secure for a period of four years. It is the responsibility of the petition organiser to ensure that people signing the petition are consenting to this and they are aware how Cambridgeshire County Council will be holding their personal data.

SELECTION AND APPOINTMENT OF INDEPENDENT PERSON(S)

To: Constitution and Ethics Committee

Meeting Date: 1 October 2019

From: Director of Governance and Legal Services and
Monitoring Officer

Purpose: To consider what arrangements for the appointment of an Independent Person(s) should be recommended to Council in preparation for the expiry of the current appointments on 15 October 2019.

Recommendation: The Committee is asked to recommend to Council to:

- a) Extend the current appointment of Gillian Holmes as Independent Person to 15 October 2022; and
- b) Appoint Grant Osbourn as an Independent Person to 15 October 2022.

<i>Officer contact:</i>		<i>Member contact:</i>	
Name:	Michelle Rowe	Name:	Councillor Lis Every
Post:	Democratic Services Manager	Chairman:	Constitution and Ethics Committee
Email:	michelle.rowe@cambridgeshire.gov.uk	Email:	lis.every@cambridgeshire.gov.uk
Tel:	01223 699180	Tel:	01223 706398 (office)

1. BACKGROUND

- 1.1 The Committee considered a report on the arrangements for the appointment of an Independent Person(s) at its meeting on 4 April 2019. Following a recommendation from the Committee, Full Council approved on 14 May 2019 an amendment to the Committee's Terms of Reference in the Constitution as set out below:
- Authority to select and recommend to Council persons for appointment as an Independent Person.
- 1.2 On the recommendation of the Committee, Full Council also agreed to:
- Set the level of remuneration at £500 for each Independent Person so that it could be included in information supplied to applicants for the post of Independent Person.
- 1.3 At this meeting, the Committee agreed to authorise the Monitoring Officer, in consultation with the Chairman/woman of the Constitution and Ethics Committee, to take all necessary steps towards the selection of suitable candidates to be recommended to Full Council for appointment as an Independent Person. Council was informed that the Committee would recommend names for appointment to be presented to Council in October.
- 1.4 In line with when the position was last advertised in 2012, the Cambridgeshire and Peterborough Fire Authority asked to be included as part of the process to avoid it having to advertise separately.
- 1.5 At its last meeting, the Committee considered a report outlining the interview process for the selection and appointment of an Independent Person. It agreed the interview process including the following as set out in the report:
- The advert and advertising process;
 - The establishment of a four member interview panel;
 - The application pack; and
 - The timetable

2. ADVERTISING FOR AN INDEPENDENT PERSON

- 2.1 The advert set out below was placed on the front of the Council and Cambridgeshire Fire and Rescue Service's websites:

APPOINTMENT OF INDEPENDENT PERSON

Cambridgeshire County Council and Cambridgeshire and Peterborough Fire Authority are looking to appoint an Independent Person to help the Monitoring Officer of both organisations in assessing complaints of alleged misconduct by members of the Council and Fire Authority.

The Council and the Fire Authority have a code of conduct setting out the standards of behaviour expected of its members. If a complaint is made, the Independent Person is consulted for an independent and impartial view before a decision is made on what to do.

We are looking for someone with the experience and knowledge that the public would recognise and respect as bringing an impartial and informed perspective.

To ensure your voice is independent there are restrictions on who can apply; you must not have been a member or an officer of the Council and or Fire Authority within the last five years, or be a relative or a close friend of such a member or officer. The appointment will come into effect on 15 October 2019 for the Council and 7 November 2019 for the Fire Authority for an initial period of two years, with the possibility that the period may be extended. Appropriate training will be given. The Council and the Fire Authority currently pay a small allowance of £500 and £250 per year respectively and will reimburse necessary travel expenses.

If you are interested in being an Independent Person please contact Michelle Rowe, Democratic Services Manager for an information pack and application form.

Telephone: 01223 699180 Email: michelle.rowe@cambridgeshire.gov.uk

Completed application forms must be received by **Friday 31 July 2019**. Interviews for short-listed candidates will take place on Monday 2 September 2019. Short-listed applicants will be advised of the time of interview in due course.

- 2.2 As part of the advertising process, the Communications and Marketing Advisor posted messages on social media including reminder messages throughout the month.
- 2.3 Unfortunately, the Council did not receive any applications for the position. On the advice of the Monitoring Officer, the Democratic Services Manager contacted Cambridge City Council, and East Cambridgeshire, Fenland, Huntingdonshire and South Cambridgeshire District Councils to see whether their Independent Person(s) would be interested in the role. The Council received one expression of interest from the Independent Person for South Cambridgeshire District Council.
- 2.4 The Panel nominated by the Committee was sent the application pack for the Independent Person for South Cambridgeshire District Council for consideration. All members of the Panel have confirmed that they are happy to recommend his appointment to the Committee without the need for an interview.

3. CURRENT ISSUES

- 3.1 Arrangements are needed for Full Council to appoint one or more independent persons beyond 15 October 2019.
- 3.2 Responsibility for appointing the independent person(s) rests with Council and cannot be delegated.
- 3.3 It is recommended that the appointment of Gillian Holmes as Independent Person be extended to 15 October 2022.
- 3.4 Members of the Panel agreed to recommend the appointment of Grant Osbourn to the Committee for approval for recommendation to full Council.

Source Documents	Location
Constitution and Ethics Committee – 4 April and 27 June 2019	https://cambridgeshire.cmis.uk.com/cc_c_live/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/10/Default.aspx
Council – 14 May 2019	County Council meeting 14/05/2019
Chapter 7 of the Localism Act 2011	http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7
Local Government Ethical Standards – A Review by the Committee on Standards in Public Life	https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life

A REVIEW OF THE COMPLAINTS RECEIVED UNDER THE MEMBERS' CODE OF CONDUCT TO END OF SEPTEMBER 2019

To: **Constitution and Ethics Committee**

Meeting Date: **1 October 2019**

From: **Monitoring Officer**

Electoral division(s): **All**

Purpose: **To brief the Constitution and Ethics Committee on the number and nature of the complaints received about Members under the Code of Conduct from July 2019 to September 2019 along with details of other complaints which have been concluded.**

Recommendation: **The Constitution and Ethics Committee is recommended to:**

Note the contents of this report.

<i>Officer contact:</i>	
Name:	Fiona McMillan
Post:	Monitoring Officer
Email:	fiona.mcmillan@peterborough.gov.uk
Tel:	01733 452361 (office)

1. INTRODUCTION

- 1.1. The Localism Act ("the Act") places a statutory duty on the County Council to promote and maintain high standards of conduct amongst its Members and co-opted Members. This includes the obligation on the County Council to have in place a Code of Conduct setting out the standard of conduct expected of Members when acting in their capacity as County Councillors.
- 1.2. The requirements of the Act are supported by Article 2 of the Constitution, Members of the Council, and by Part 5.1, Members' Code of Conduct. The Constitution and Ethics Committee's terms of reference give it authority to monitor the operation of the Code of Conduct and the complaints received under it.
- 1.3. This report serves to provide the Constitution and Ethics Committee with an overview of the complaints received under the Code of Conduct from July 2019 when it last met to 19 September 2019.

2. OVERVIEW OF COMPLAINTS

- 2.1. Since the end of June 2019 one new complaint has been received in relation to a county councillor which is currently being assessed.
- 2.2. No other complaints are currently in progress.
- 2.3. The publication of details of complaints only takes place after conclusion of the complaint to reduce speculation on limited information, ensure there is no compromise of any assessment or investigation, and that the Data Protection Act 1998 is complied with.

Source Documents	Location
Decision Notices	Published on the Council's website at https://www.cambridgeshire.gov.uk/council/contact-us/complain-about-a-councillor-or-co-opted-member/

CONSTITUTION AND ETHICS COMMITTEE AGENDA PLAN
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Updated on 23rd September 2019

01.10.19	AGENDA ITEMS		
	1.	Apologies and Declarations of Interest	
	2.	Minutes of Previous Meeting	
	3.	Social Media Code for Councillors	F McMillan
	4.	Petitions	M Rowe
	5.	Nominations for Independent Person(s)	M Rowe
	6.	Quarterly report on investigation of complaints	F McMillan
	7.	Agenda Plan	

21.11.19	AGENDA ITEMS		
	1.	Apologies and Declarations of Interest	
	2.	Minutes of Previous Meeting	
	3.	Agenda Plan	

30.01.20	AGENDA ITEMS		
	1.	Apologies and Declarations of Interest	
	2.	Minutes of Previous Meeting	
	3.	Quarterly report on investigation of complaints	F McMillan
	4.	Agenda Plan	

07.04.20	AGENDA ITEMS		
	1.	Apologies and Declarations of Interest	
	2.	Minutes of Previous Meeting	
	3.	Quarterly report on investigation of complaints	F McMillan
	4.	Agenda Plan	