



Undertaking Elected Member Duties Safely

A Protocol for Leeds City Councillors

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1.0	Background
	<p>The relationship between Elected Members and the communities they serve has always been at the heart of what being a councillor is all about. The face to face contact, where constituents can share problems and concerns, is vital to making that relationship work. This is also true of other channels of communication such as email and social media.</p> <p>Whilst it is not possible or desirable to interfere with this way of working, it is possible to minimise the risks faced by all public servants in a front facing role i.e. that of violence, aggression or abuse.</p>
2.0	Aims
	<p>Leeds City Council recognises the value of the essential work undertaken by Elected Members and the aim of this protocol is to support Members to perform their duties as safely as possible.</p> <p>In addition to the guidance and training, Leeds City Council has also invested in providing a 'lone working' device for every Elected Member. More details can be found throughout this protocol and in Appendix 1.</p>
3.0	Scope
3.1	<p>Leeds City Council does not employ Elected Members, but does have a duty of care to support them in performing their duties. This protocol applies to all Leeds City Council Elected Members.</p>
3.2	<p>This protocol considers violence, aggression and abuse to include: 'any action, incident or behaviour that departs from reasonable conduct in which an Elected Member is subjected to:</p> <ul style="list-style-type: none"> ➤ Verbal Abuse: swearing, insults, condescending language, malicious allegation; ➤ Aggressive Body Language: Indicating intimidation, contempt or disdain; ➤ Threats: expression of intent to cause harm, including threatening behaviour, verbal or written; ➤ Assault/Attack: Intentional behaviour aimed at physical injury or attack on a person, leading to actual physical or psychological harm (including verbal and threatening behaviour), including, beating, hitting, pushing, shoving, kicking, slapping, stabbing, shooting, biting, sexual assault and impact as a result of a thrown object;

	<ul style="list-style-type: none"> ➤ Harassment: Any act, conduct, statement or request that is unwelcome to an Elected Member and could reasonably be regarded as harassing behaviour of a discriminatory, offensive, humiliating, intimidating or violent nature, or an invasion of privacy; ➤ Receipt of emails, social media, phone calls or letters which constitute any of the above. ➤ Vexatious Complaints: the misuse of established complaints procedures.
4.0	Avoiding or Reducing the Risk – Face to Face Contact
4.1	<p>There are a few guiding principles that can help Elected Members to reduce or avoid the risks associated with undertaking their role.</p> <ul style="list-style-type: none"> ➤ Planning – simply planning for certain activities in advance can have an enormous impact. Think about what you are going to be doing, where you are going, what might have the potential to cause harm and what you can do to address it. ➤ Be aware – just because you had planned to do something in a particular way, does not mean that this cannot be changed. You should be prepared to alter your plans as situations unfold, you receive new information, notice any warning signs, or have a ‘gut feeling’ that something is not quite right. ➤ Respond appropriately – the guidance and training available can assist you to think how you might respond to abuse, a threat or violence. This can sometimes determine how a situation might escalate. ➤ Safety measures – Leeds City Council has invested in a specialist, discreet, ‘lone worker’ solution for all Elected Members. Personal alarms are also available. See Appendix 1. ➤ Help protect others – by reporting incidents of violence, aggression or abuse (see Section 5.0) you can help ensure other Elected Members and even council officers from becoming a victim.
4.2	<p>The next step is to apply the guiding principles to the different scenarios Elected Members may face. Tips for common scenarios are listed below, but more detail can be found in the guidance documents referred to in 10.0.</p> <p>a) A ward surgery held in a community building:</p> <p>Tips:</p> <ul style="list-style-type: none"> ➤ always use a Leeds City Council owned or run building wherever possible; ➤ choose your venue wisely and avoid holding ward surgeries alone in an otherwise empty building;

- Select a building where you have a good and reliable mobile telephone signal – and ideally where there is good access;
- Think about where you are going to park and walk to the venue. Consider changing this from time to time.
- Think carefully about what you need to carry with you.
- If it is a council owned or run building you could liaise with Democratic Services and/or Facilities Management regarding the important safety information and risk assessment for your use;
- If it is a privately owned space the Council's Health and Safety Team can assist with risk assessments and obtaining key safety information;
- Lay out the room in a way that seems less confrontational and always position yourself nearest the door or exit point.
- If you have a companion develop a 'code' so that you can alert them to a potential situation without aggravating the matter further.

b) Meeting people in their own home:

This has the potential to present the greatest risk. There are many reasons, however, why Elected Members, may wish to do this and it is an established practice in Leeds to offer this and not be aware of which houses they may be visiting until the time.

Tips:

- Make sure that you feel comfortable to offer unplanned visits;
- Consider whether a ward colleague can accompany you;
- Do not go into someone's house if there has been previous incidents involving you or others;
- Consider offering alternative, public locations to meet;

If you do go into people's homes:

- Always record where you are going in your 'lone worker' device and follow instructions regarding 'checking in' and 'checking out';
- Note exit points and try and sit closest to the door;
- Be aware of your 'gut feel';
- Don't continue to hold a position on a topic if it is getting heated, be prepared to maintain a 'neutral' position to enable you to leave the property and 'unpick' this later.

c) Callers to you own home:

Leeds City Council does not advise Elected Members to see constituents in their own home. Unexpected callers should not be invited in and told to make a formal appointment.

If you decide to allow such visits please speak to Democratic Services and/or the Health and Safety Team for advice.

	<p>d) Out and about in the community</p> <p>Whilst conducting your Ward duties you should utilise your 'lone working' device so that someone knows you are 'on duty', knows where you plan to be, for how long and what purpose, can trace you in an emergency and so you can raise the alarm. Guidance on the use of the lone working devices can be found in Appendix One.</p> <p>e) Public meetings</p> <p>These should, wherever possible, be planned in advance with assistance from the particular council officers you may be working alongside or the Health and Safety Team.</p> <p>Regular meetings in council buildings e.g. Full Council, Scrutiny, Planning will have been planned very carefully to ensure they are as safe as reasonably practicable. Where a Member has a concern regarding a specific potential or actual threat in advance of meeting then a Member should raise these concerns with the Head of Democratic Services who will liaise with Facilities Management who will assess and deploy security to the meeting.</p> <p>If you have any concerns or ideas to further enhance safety please speak to the Head of Democratic Services.</p> <p>There may also be occasions where you are asked to attend or speak at other events in the city. All events are monitored by a multi-agency Strategic Safety Action Group and you can always check with the Resilience and Emergencies Team in advance as to whether there are any matters of concern.</p>
5.0	Avoiding or Reducing the Risk – Emails and Social Media
5.1	<p>Elected Members can also be subject to abuse, threats, intimidation or attempts to discredit them via email or social media¹. These incidents should be reported and investigated in the same way as face to face incidents. If inappropriate posts are picked up through monitoring by corporate teams e.g. the Digital Access Team or Digital Information Services, they must be reported to the Head of Democratic Services, who will follow the process outlined in 6.0.</p>
5.2	<p>Depending on the nature and content, there are a number of steps that could be taken to reduce risk. These include:</p>

¹ Guidance is available for Elected Members on the use of Social Media – this is attached at Appendix 1.

	<ul style="list-style-type: none"> • asking the Digital Access Team to remove inappropriate comments from LCC accounts e.g. Facebook, Twitter; • informing the senders of such emails that the emails are not acceptable and of the consequences of continuing to send them e.g. legal action; • requesting that the Digital Information Services Team, where appropriate, to consider blocking email addresses, the setting up of a suitable filter or quarantining emails from specific addresses; • referring the matter to the police to determine whether any action should be taken, whether by way of criminal proceedings or otherwise.
6.0	Reporting, Investigating and Responding to Incidents of Violence, Aggression or Abuse
6.1	<p>All incidents of violence, aggression and abuse whilst carrying out Elected Member duties, whether or not resulting in personal injury, should be reported to the Head of Democratic Services or Group Support Managers as soon as possible. Such incidents could come by way of social media, emails or anti-social behaviour, in addition to physical or verbal abuse.</p> <p>Most violent incidents and threats of violence should also be reported to the police.</p> <p>Reporting of all incidents is essential as this may help to prevent another incident or even a more serious incident to a cross-party colleague.</p>
6.2	<p>The Head of Democratic Services or their team, with support from the LCC Health and Safety Team, should take such of the following steps as appropriate in the specific circumstances:</p> <ul style="list-style-type: none"> ➤ RESPOND – to the immediate incident, report the matter to the police after discussion with the Elected Member and/or take advice from Legal Services if appropriate. The Monitoring Officer will be made aware of the incident and the Member advised of the provisions for homes address details to be withheld from the Public Register of Interests. ➤ ADVISE – the Elected Member to seek immediate medical advice if they have been physically assaulted or have any concerns about contracting a blood borne virus during an assault – the Council’s Occupational Health Service can also provide confidential help and support; ➤ INFORM - in the case of violent incidents, notify the Chief Executive, Leader of the Council and Group Leader of the Member concerned

	<p>immediately and, after discussion with the Elected Member, the incident should always be reported to the police;</p> <ul style="list-style-type: none"> ➤ ASSIST - assist any police investigation and take advice from Legal Services and/or the Safer Leeds Team. ➤ SHARE - information where this is necessary and proportionate with other Elected Members, council services and external agencies to reduce the likelihood of others being affected (see Section 8.0 below); ➤ REPORT - complete the appropriate incident form (CF50a em) and submit it to both the Business Support Centre (BSC) at BSC.HR.Employee.Matters@leeds.gov.uk and the Customer Relations Team at cf50a@leeds.gov.uk ➤ REPORT - consider whether a referral to the Anti-Social Behaviour Team is required or the additional completion of a Hate Crime Reporting Form; ➤ SUPPORT - the Elected Member who has been affected (or other Elected Members or council staff who may have witnessed it). This may include: <ul style="list-style-type: none"> ✓ reminding them of the ability to self-refer to the independent, confidential, Employee Assistance/Counselling Service commissioned by the council (or making a referral on their behalf); ✓ considering temporary alternative methods of how they may interact with members of the public; ✓ offer for a member of staff to accompany the Member concerned to the Police Station if a visit is required; ✓ offer further training/guidance on safe working. ➤ EXPLORE - the circumstances surrounding each incident to decide whether any further action needs to be taken or any existing guidance needs to be reviewed; ➤ REVIEW – procedures and arrangements to support Elected Members. ➤ ASSESS - whether further training should be offered.
7.0	Sharing Information
7.1	It is important that information about potentially violent or aggressive people is shared between Elected Members and council services and other agencies where this is relevant and proportionate. Information must

	<p>be recorded, managed and reviewed in line with the prevailing data protection legislation.</p> <p>The Head of Democratic Services should, where appropriate:</p> <ul style="list-style-type: none"> ➤ Inform the Customer Relations Team (Communities and Environments) as detailed in 5.4; ➤ Utilise any available 'cautionary contact markers' on service or council-wide databases; ➤ Ensure all other Elected Members are made aware.
8.0	Training
8.1	<p>Training is available for Elected Members as part of the Member Development Programme or bespoke training can be arranged. For details contact the Head of Democratic Services.</p> <p>The training is arranged by the council's Health and Safety Team and can include:</p> <ul style="list-style-type: none"> ➤ Guidance on carrying out duties safely; ➤ Basic risk assessment techniques – both for planning and responding to unfolding situations; ➤ Avoidance and de-escalation techniques; ➤ Basic techniques for getting free from an assault; ➤ Guidance on the use of the 'lone working' device issued by LCC.
9.0	Monitoring
9.1	<p>The Head of Democratic Services, with assistance from the Health and Safety Team, will periodically review reports from Elected Members of violence or aggression and monitor trends. This will help review the effectiveness of existing safeguards.</p> <p>This information will be considered annually by the Member Management Committee.</p> <p>Corporate Leadership Team will be updated as part of the usual health and safety performance reporting arrangements.</p>
10.0	Other Relevant Guidance
10.1	Appendix 1 - Social Media Guidance Note for Elected Members
10.1	Appendix 2 – 'Lone Worker' device guidance.
10.1	Appendix 3 – provides basic advice on things to be considered as part of a risk assessment.

10.2	Appendix 4 The Local Government Information Unit – Personal Safety for Elected Members.
10.3	Appendix 5 – CF50a(EM) Form – for reporting incidents.
10.4	Appendix 6 – key contacts referred to in this protocol.

Appendices 1, 2, 4 and 5 can be found in separate documents.

Appendices 3 and 6 can be found below.

APPENDIX THREE RISK ASSESSMENT AND LONE WORKING ADVICE

1. RISK ASSESSMENT - *factors to be taken into account when undertaking a risk assessment in relation to managing violence, aggression and abuse.*

Factors to be considered include:

a) **Intelligence** – is there any relevant information provided by other council services or external agencies regarding potentially violent persons or dangerous areas or premises.

b) **The physical environment in buildings**, for example:

- security of entrances and car parking areas;
- lighting and ventilation of public spaces;
- waiting areas and interview rooms;
- controlled access;
- whether protective security screens are required and desirable;
- availability, and proper functioning of panic alarms and other communication systems
- CCTV;
- means of rapid escape from rooms, or containment of the perpetrator, if violence occurs;
- whether security staff are present or required;
- the presence of everyday objects, e.g., sharp or heavy objects (including furniture), which could be used as weapons or missiles;
- the proximity and availability of other people and their ability to see the entrances of public and waiting areas, interview rooms, receptions etc. to hear disturbances and raise the alarm.

c) **The visit/communication:**

- the purpose of the interaction, could it be confrontational;
- does the meeting need to take place. If so, can it be held on council premises;
- does the work require lone working, especially during the hours of darkness
- is the lone working device available and fully charged;
- the geographical location, character of the area and nature of the visit;
- is private or public transport being used to get to a venue;
- should visits be undertaken in pairs.

d) **You:**

- Are you familiar with the protocol and other advice/guidance;
- Do you know how to find any relevant and available information on potentially violent persons;

- Have you received appropriate training on undertaking your duties safely and the use of the lone working device;
- Are you aware of the emergency procedure in the event of an incident;
- Do you know when and how to report an incident?

2. UNDERTAKING DUTIES ALONE

The following factors should be considered:

- arrange visits during hours of daylight, wherever this is possible;
- instigate accompanied visits where risks cannot be made tolerable by other means. Such situations may include:
 - attending public meetings;
 - making visits to unfamiliar/isolated locations;
 - making visits to meet persons unknown;
 - making visits to known 'potentially violent persons';
 - Undertaking visits which could lead to 'heated' situations.
- as a last resort, in exceptional circumstances, you may need to consider how your role can be fulfilled in an alternative way for an individual if there is a real risk to your personal safety of staff, that cannot be suitably controlled by introducing any reasonable measures;
- Elected members are strongly advised to always use their lone working device and follow the guidance on its use.

**APPENDIX SIX
KEY CONTACTS**

Service	Name(s)	Telephone Number
Civic and Member Support	Head of Democratic Services: Andy Hodson Group Support Managers: Ian Kirk, Labour Group Rob Clayton, Conservative Group Andrea Holgate, Small Groups incl. Lib Dem, MBI, Green and Garforth & Swillington Independents	0113 37 88660 0113 37 88790 0113 37 88790 0113 37 88779
Member Development	Member Development Officer: Sarabjit Kundan	0113 37 88668
Health and Safety	Head of Health and Safety: Chris Ingham H&S Manager: Jeff Thompson	07891 275274 07891 271243
Legal Services		
Police Liaison/Safer Leeds	Paul Money, Chief Officer, Safer Leeds	01333781222
Facilities Management	Head of Facilities: Richard Jackson	01133788826
Digital Access Team		
Occupational Health	Occupational Health Manager: Ian Cawthorne	07891 275722
Employee Assistance Programme	HELP	0800 028 5149