

# Code of Conduct for Members

## Relations with Officers & Social Media

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**Monitoring Officer**  
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# GOVERNANCE FRAMEWORK

Local Government Act 2000

The Local Authorities (Model Code of  
Conduct) (Wales) Order 2008



# PRINCIPLES OF PUBLIC LIFE

## NOLAN

selflessness

honesty

integrity & propriety

objectivity in decision-making

openness

accountability

leadership

## National Assembly for Wales

Duty to uphold the law

Stewardship of Council resources

Equality & respect for others



# Complying with the Code of Conduct

- Personal responsibility to ensure you understand your obligations
- Commitment to meeting the high standards of conduct expected
- Recognise the constraints imposed by the Code



# Dealing with officers & the Code

- Show respect and consideration for others
- Not use bullying behaviour or harass any person
- Not do anything which compromises, or which is likely to compromise the impartiality of those who work for, or on behalf of, the authority
- Not to disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without express consent
- To have regard to relevant advice of officers when reaching decisions



# Protocol on Member/Officer Relations

Not prescriptive or comprehensive but provides guidance to both members and officers on some of the issues commonly arising

Mutual respect between members and employees

Working relationships to be professional and to observe reasonable standard of courtesy

Neither members nor officers to take unfair advantage of their position



# Members' access to information & to Council documents

## (Section 4 of the Protocol)

- Information/explanation and advice
- Statutory right to information relating to Council business meetings (unless exempt)
- Common law right on “need to know” principle

## Limitations on use of information and documents

- Only use for purpose for which provided
- Must not disclose information given in confidence without express authorisation



# When is information confidential?

Consider the following questions:-

- Is the information published in a report to Council/Executive Board/Committee?
- Is it published on the Council website?
- Is it available from another public source e.g. Welsh Government or Public Service Ombudsman for Wales websites?
- Is it information which a member of the public could obtain?
- Does the information contain personal data?
- Could the information lead to an individual being identified?



# Complaints about breaches

Section 8 of the Protocol

Informal resolution encouraged by:-

- Member may contact Head of Department
- Officer may contact Head of Department

If not resolved or in more serious cases:-

- Chief Executive may be consulted
- Monitoring Officer may be contacted (particularly if complaint is about a Member)
- May contact Group Leader, depending on circumstances



# Public Services Ombudsman for Wales (PSOW) referral

April 2018 - Merthyr Tydfil CBC – Allegation of possible breach relating to showing respect, bullying behaviour, disrepute and creating a disadvantage for others.

A Councillor had made reference to some members of staff being “dead men walking”. Taken with other comments the Complainant had concluded that this phrase referred to him and this put him in fear for his job.

Upon investigation the PSOW concluded that the phrase “dead men walking” had been used but no evidence this was specifically directed at the Complainant or that it was intended to be seen as a threat to anybody’s job.



# PSOW referral

June 2017 - Flintshire CC – allegation of failure to show respect and consideration for others and bullying and harassment

Concerned emails sent by Member to an officer and social media posts. PSOW found they were:-

- distasteful and derogatory
- failed to show respect and consideration for the recipient
- intimidating & malicious
- intended to undermine the recipient

Member found to be in breach by the Adjudication Panel for Wales (APW) and was disqualified for 14 months.



# PSOW referral

Cardiff Council – allegation of failure to show respect and consideration to an officer and bullying behaviour (referral to PSOW by Monitoring Officer)

PSOW investigated and was referred to APW for consideration. The focus of the investigation was on whether an alleged comment made by the Councillor regarding a Council restructure was directed towards a Council officer in a threatening manner. The APW was satisfied that the Councillor's comment amounted to threatening behaviour towards the Council officer and the Councillor was suspended for one month.



# Use of social media

## Benefits

- Convenience
- Ease of use as means of communication
- Reaches wide audience quickly
- Promotes discussion & debate

## Drawbacks

- Loss of control once sent or posted
- Fake news/false information
- You are responsible for what appears on your social media profile
- Re-tweets/sharing by you suggest endorsement
- Trolls & on-line bullying



# PSOW referral

October 2017 - Merthyr Tydfil CBC – allegation of breach in that allegations about a member of the public on Facebook brought the Councillor’s office or authority into disrepute.

PSOW investigated and found that comments were in extremely bad taste. However comments posted on Facebook group of just 3 members and Councillor deeply regretted actions and issued fulsome apology. PSOW found that no breach of code although Councillor may have brought herself into disrepute this had not brought her office or authority into disrepute.

Councillor was advised of her responsibility to take care when expressing her personal opinions.



# Social media – useful information

Social Media – A Guide for Councillors (WLGA)

[Social Media - A Guide for Councillors](#)

Councillors Guide to Handling Online Abuse (WLGA)

[Councillors Guide to Handling Online Abuse](#)

Social Media Protocol for Members (WCBC)

Council's Acceptable Use of ICT Policy (WCBC)



# Any Questions?



[www.wrexham.gov.uk](http://www.wrexham.gov.uk) / [www.wreccsam.gov.uk](http://www.wreccsam.gov.uk)