



Full Council 25 03 24 Agenda Item 9.1

**Councillors' and Officers' guide to handling  
intimidationhandling  
intimidation and keeping safe**

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## DOCUMENT VERSION CONTROL

Document Title: Councillors **and Officers** Guide to handling intimidation and keeping safe

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<a href="#">02.00</a>	March 2024		NM	<a href="#">To include Officers to the policy</a>



## Introduction

Becoming a councillor and ~~-serving-council officer-as-a-councillor~~ is a responsibility, a privilege and a hugely rewarding undertaking. But we are aware that an increasing number of councillors and ~~candidates-officers~~ are being subjected to abuse, threats and public intimidation, undermining the principles of free speech, democratic engagement and debate.

### **Definition of public intimidation as “words and/or behaviour intended or likely to block or deter participation in public debate, which could lead to an individual wanting to withdraw from public life”.**

While debate and having different views is all part of a healthy democracy; abuse, public intimidation and threats are designed to undermine democratic decision making by generating fear in those who represent it. There is existing legislation designed to protect not only councillors but the general public as a whole, and this guide provides some advice on it.

We are aware that due to the scale and nature of public intimidation, many police forces feel under-resourced and unable to tackle it. However, if public intimidation is taking place and a crime has been committed it is important that it is recorded and reported so that the scale and nature of the issue can be better understood.

*Please note that this guide does not take the place of legal advice or personalised advice from the police on offences or personal security. If you are concerned about your personal safety or security as a result of abuse, harassment or intimidation, do contact your local police force*

## General advice on handling intimidation

The most important determining factor in deciding how to respond to intimidation is the impact it is having on you. Regardless of what others may think, if it is having an effect on you, then that is sufficient enough for you to take action.

Key points:

- Councillors and Officers are encouraged to keep a record of any intimidatory communication or behaviour
- Contact with unknown or anonymous individuals should be undertaken with care

## General advice

Below are a suggested set of actions that you could undertake if you consider you are being subjected to intimidation:



- Make sure that your immediate safety is not at risk. Make sure you are safe.
- If possible, record or diarise the encounter or communication. In the case of an email or letter you can copy or save it. A telephone call or face-to-face discussion and social media incident could be written in a diary as soon as possible after the event, recorded, screen-shot or saved. You can also take photos of damage or screen shoot what is on your computer. Even if this is the first or only incident, others may also have been subjected to intimidation and a collective record is important if future action is going to be taken. It is also important that incidents relating to the same individual or individuals should be recorded as such evidence could be critical if the matter gives rise to a criminal prosecution.
- Raise the incident with a view to discussing it or obtaining support from a nominated council officer and/or political group nominated person. This will also help you establish if others have been subjected to the same or similar intimidation.
- If a serious potential crime has occurred, it is advisable to formally report it to the council and/or to the police, particularly in the context of a serious threat to life or anticipated violence.
- If you are concerned about your personal safety, raise this with the council and the police so that there is a record of the impact the incident is having and review your own security and personal safety. This could include your personal or work activities and those of your family.
- Under the Health and Safety at Work Act, councils have a duty to safeguard their staff against potentially violent persons and often have a register with names of such parties. Although councillors are not employees in the legal sense, treating them as such in this instance will enable the council and the councillor to ascertain if the individual or individuals who have intimidated them is on such register and, if not, ensure that that their name is added.
- Every situation will be different, and it will need a personal judgement about whether it is worthwhile to pursue the incident, ignore it or politely acknowledge.
- If the letters or emails continue further steps may need to be considered such as advising the individual that such abuse will result in a referral to the police and the stopping of further correspondence.

#### **Intimidation on the telephone**

- Continue to be polite and try to stay calm – ensuring you are safe



- If you have a recording function on your phone, particularly if it is a mobile phone, switch this on. You can also use your mobile phone to record a landline call by switching on the voice recording function and holding it to the landline phone
- Try to ascertain the complaint if there is one and indicate to the person on the phone that you consider that they are trying to intimidate you and that calls may be recorded
- Try to ascertain the name, address and telephone number if you can
- Remember not to reveal any personal details
- Sometimes a suggestion that the caller refers the matter to the standards personnel committee of the council may result in a solution for the caller
- If the call continues with threats, abuse and/or intimidation, you can terminate the call, indicating to the caller that you will do this
- Make a note of any details of the call you can remember, particularly the person's phone number
- If you are concerned make a report to responsible officer at the council.

#### **Your mental health**

Being abused or intimidated, whether in person or remotely, can have an impact on your mental health. If you are feeling anxious or worried, or if it is affecting your daily routines such as sleeping or eating, or if you have any concerns, do speak to your local GP.

#### **Personal safety and security**

This section sets out some advice for considering and maintaining your personal safety and security. Much of this is common sense, but we hope the reminders will prove useful.

Further information on issues raised here are available, with acknowledgement to, [the LGIU, the Suzy Lamplugh Trust and the National Counter Terrorism Support Office. ProtectUK](#)

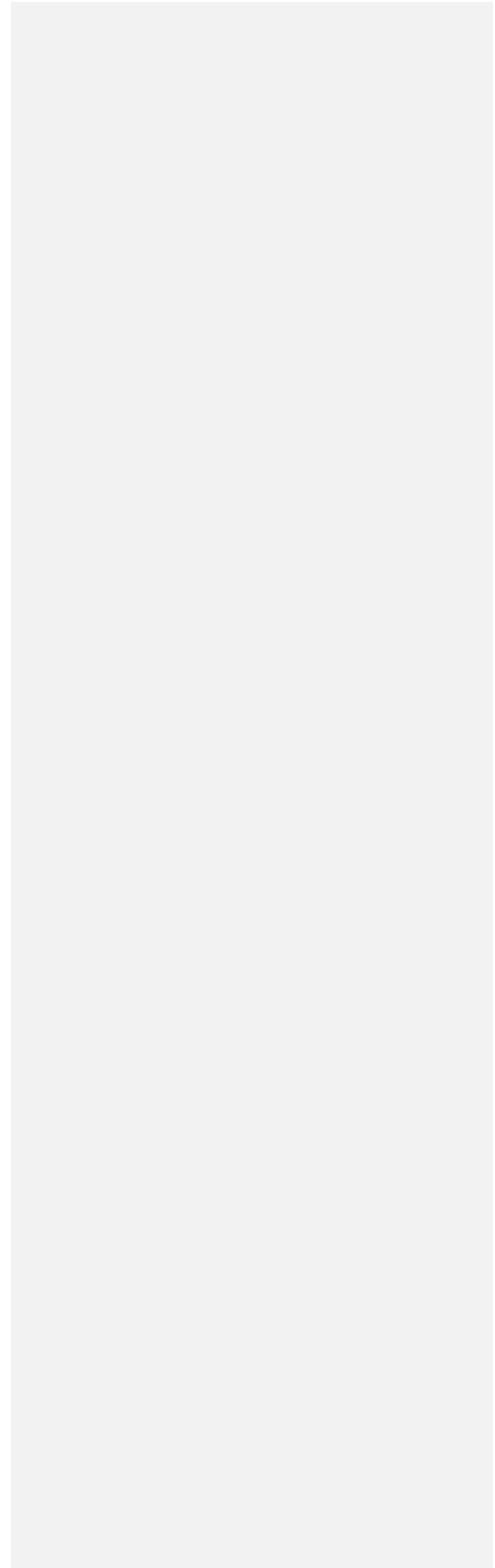
Key points:

- consider your personal safety and security and incorporate it into planning any public duties or interaction, in association with your council



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- much personal safety is common sense, but it is useful to remind yourself of the advice





## 1. Introduction

- 1.1 An important role of a councillor is to keep in touch with their residents and communities. This includes helping individuals with any problems they might have. Often this extends beyond just the delivery of council services. These contacts are usually rewarding and non-adversarial. However, councillors can find themselves in a position where they need to manage angry and frustrated residents who often contact their elected representative when they feel that they have no other avenue to pursue. Councillors may have to deal with constituents on a face to face basis when alone.
- 1.2 Councillors are encouraged to:
- assess the risks to personal safety in carrying out their public duties
  - recognise potential danger from personal contact or internet / postal communication and take appropriate action
  - be proactive in considering personal safety through, for instance, the purchase of personal alarm, ensuring your partner, friend or relative has information on your activities, and ensuring your mobile telephone is charged
  - if possible, vary daily routines, such as leaving and returning home at the same time or on the same route
- 1.3 The purpose of this section of the guidance is to set out what personal safety and security measures you could take to prevent and deal with those rare circumstances when you might find yourself in situations where you are concerned for your safety.
- 1.4 Most councillors will not experience any problems during their term(s) of office, but a little time given to the preparation and planning can reduce any risk.

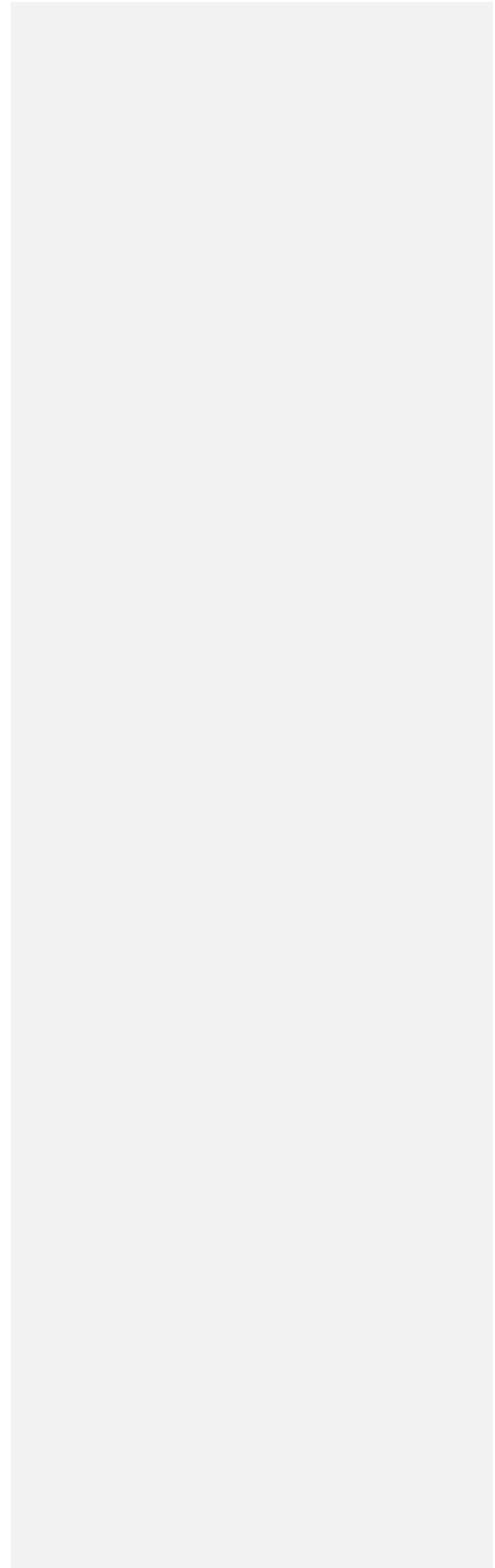
## 2. Ward surgeries

- 2.1 The arrangements you can make will vary according to your local circumstances and it will be a fortunate councillor who can find premises for their surgery which meet every aspect of good practice and are also accessible to their constituents.
- 2.2 The following suggestions are designed to help make a Ward Surgery safer and more effective:
- Not holding surgeries alone in an otherwise empty building. Try



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to get someone to act as receptionist. This not only makes you safer, but also makes it much easier to manage a busy surgery. If you are currently holding surgeries alone, you could discuss how this can be overcome with fellow councillors or council officers.







- If you cannot avoid holding surgeries on your own, you can try to reduce any risk by considering the layout of the room, for example, sitting nearest to the door with the constituents seated on the other
- side of the table. Seating is best set out at an angle of 45 degrees (seating directly opposite can be confrontational). You can make sure there are no heavy items in the room that could be used as weapons and generally declutter the room.
- If possible, a separate and comfortable waiting area for constituents allows for a preliminary assessment.
- Have a plan for any helpers or staff regarding what to do in an emergency that you review and test regularly. This could include having an emergency word or phrase you can use to ask for assistance.
- Have an incident log book to record any incidents. This should include all types of unacceptable behaviour and should be dated, timed and signed in case further action is required.
- You can also undertake personal safety training if you want to have additional skills in dealing with a potentially volatile situation.
- If you are at the stage of looking for suitable premises in which to hold a surgery, the following can help when considering personal safety:
  - council premises (e.g. libraries) during opening hours or other premises where there are many other people about
  - ~~close to members of staff or other people in case you need assistance~~
  - premises that where the names of any visitors for councillors are recorded
  - premises where there is a comfortable waiting area
  - easy access to a landline or an alarm linked to reception
  - a clear and agreed procedure for dealing with a call for assistance
  - is in view of a public area or a reception
  - a vision panel in the door

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- o has a swift means of escape and any visitors are not able to lock the door from the inside.

2.3 It can be useful to make the following personal security checks:

- Are council staff/friends/family aware of where and when I am holding my surgery? And will they check on me if the meeting takes longer than expected? Do they know how to contact me?
- How do I call for help if I need to? Have I got my mobile phone with me, is the battery charged and can I get a signal? Do I have a personal safety alarm with me that is working?
- Is the visitor displaying signs of irrational, aggressive or confrontational behaviour?
- Am I sat at their level and using eye contact and open and gestures to display a helpful attitude?
- Do I think it is safe for me to conduct this surgery? Do I need to consider other options, such as a fellow councillor supporting me during the surgery? Do I need to call the police?
- Have I checked the room to make sure it is set up correctly with no items lying around that could be used as weapons?
- Is my chair nearest the door, so I can get out quickly if I need to?
- Am I aware of the quickest way out of the area or building and is there a safe location identified for me to go in case of any issues?

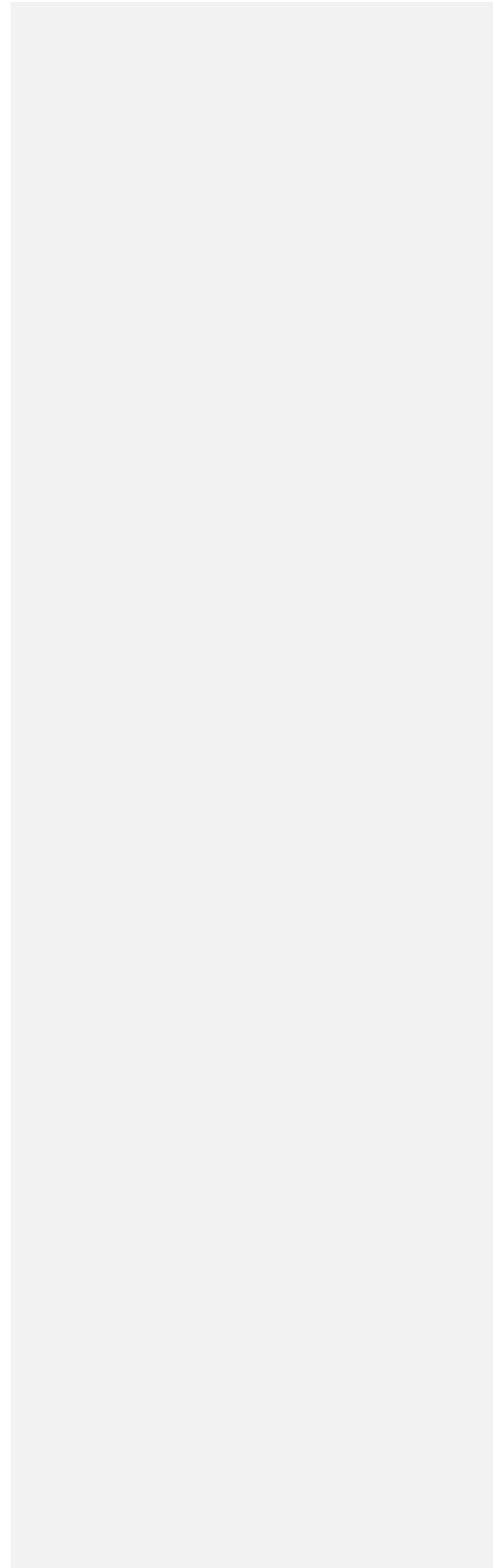
### 3. Dealing with a variety of behaviours

- 3.1 It is inevitable that some of the people you will meet will be angry or upset. Calmness in the face of whatever comes up will help you and your constituents.
- 3.2 If you are subjected to offensive, threatening, intimidating, racist, homophobic or derogatory remarks, you are within your rights to bring the meeting to an end and seek assistance. It is recommended that you take a detailed note of the incident and person(s) involved and let your council know about the incident. You can decide if you want to inform the police.
- 3.3 Some constituents seeking a councillor's help may have additional needs or a mental health condition, and it is important that they are still able to seek advice and representation from their councillor. They



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may just require suitable adjustments to be made and for an understanding of the nature of their condition. Advice on supporting





such individuals is available from a number of organisations,  
~~including the Autistic Society and mind.~~

#### 4. Home visits

- 4.1 Councillors do sometimes visit residents in their homes, especially those who are elderly, disabled, have additional needs or where they simply want to see for themselves the conditions that are the subject of complaints.
- 4.2 It is for each councillor to decide whether a particular home visit should be made, especially if the person to be visited is unknown to the councillor. Most councillors trust their own instincts as to whether to meet someone alone. However, if you have any doubts about the safety of the premises you
- 4.2 are to visit and the purpose of the visit is not about the premises itself then arrange for the meeting to take place at a neutral venue.
- 4.3 If a home visit is undertaken, the following general personal safety issues can be considered and planned before the visit:
- arrange the visit during normal working and daylight hours, if possible
  - let somebody know who you are visiting, providing details of address, date and time of visit and expected duration
  - keep a record of your whereabouts. This might include making a call on your mobile during the home visit, telling the resident that there is such a record or that you are expected elsewhere at a specific time. It would be advisable to let colleagues or family members know when you expect to finish.
- 4.4 During a home visit, you can consider the following specific personal safety advice:
- consider calling the person before the meeting to confirm arrangements and establish their mood/state of mind
  - set up a code word or phrase for use on the telephone that you can use to raise the alarm. This needs to be something you have agreed with someone which will alert them that you think you might have a problem
  - park your car so that it can be driven away easily and park in a well-lit area near other vehicles, if possible
  - stay alert when approaching the property, and look around the garden for obvious dangers, for example

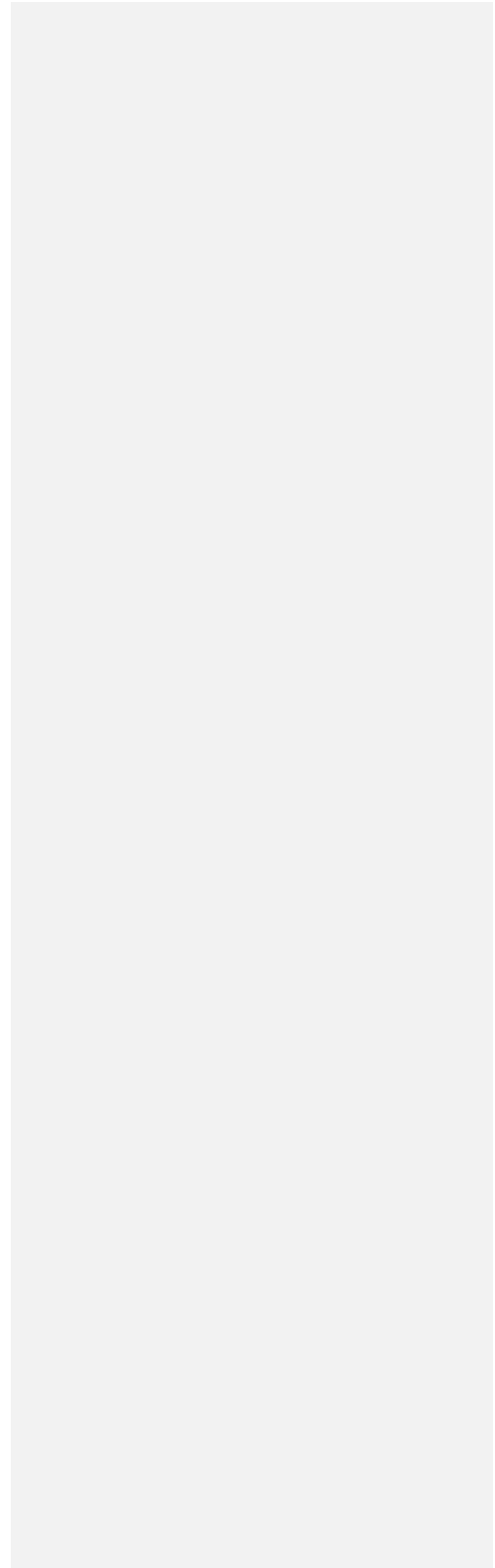
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dogs or prowlers





- after knocking, stand back and to the side of the door and do not stand on the edge of any steps
  - be aware of potential weapons
  - you can ask for any dogs or other pets to be secured
  - assess the situation and mood of the resident. Also note any other people in the property and their mood
  - if in any doubt or you feel threatened, do not enter, make an excuse and leave
  - only sit down when the resident does
  - where possible, sit in an upright chair as this is easier to stand up from. If you have to sit in an armchair or settee, sit on the edge near the arm. This will enable you to stand up more easily
  - take a look for any alternative escape routes
  - if the situation changes and you feel threatened, make an excuse and leave. Back out rather than turning your back on the resident.
- 4.5 If a serious situation occurs, vacate the premises immediately and report the incident.
- 4.6 If you are unable to leave immediately when a serious situation occurs, you can:
- place defensive barriers between yourself and the resident
  - continue talking to the resident, reassuring them that you mean them no harm
  - set off your personal alarm, if you have one, or scream or shout to attract the attention of others. The use of reasonable force to protect yourself can be a last resort.

#### **5. Personal callers to councillors' private homes**

- 5.1 Most councillors seek to maintain a balance between their personal and public lives and do not want to encourage any callers at their private homes. Good publicity by the council as to how to contact councillors and details of ward surgeries reduces the chances of unwanted callers. Contact details for councillors can be found on the council's website, although councillors do not need to show their address on the published election nomination paper or on the council's website.
- 5.2 If a visit is to take place at your private home, it is recommended that



this only takes place via a pre-arranged appointment, ideally with another person in support

- 5.3 It is inadvisable to see an unannounced caller in your home. You can suggest making an appointment, but if you have any doubts as to their intention or if they appear angry/aggressive, then contact the police
- 5.4 If you believe you are safe, you can try to ascertain their name and address
- 5.5 If you believe you are safe, try to ascertain the nature of the issue they want to discuss, conducting any discussion outside the house.
- 5.6 If you do feel under threat you can carry a personal alarm, perhaps keeping it at the door for easy access.
- 5.7 If you have another person with you inside the house they could take a photo of the person or film the encounter, but be aware that this is likely to inflame the situation if the person is aware of it and they may become more aggressive – this should really be a last resort if you want evidence for the police.
- 5.8 If more than one individual who are not known to you turns up unannounced and you are concerned that they pose a threat it is advisable to contact the police and decline to open the door.
- 5.9 Once the incident is over, record as much as you can, including descriptions, should you decide to take any action over the matter. If



you are concerned, report the incident to the council and/or the police.

## 6. Home security

6.1 As a person with a public profile it is advisable to maintain a decent level and awareness of home security. The following is general advice on what to consider in making your home safe and secure:

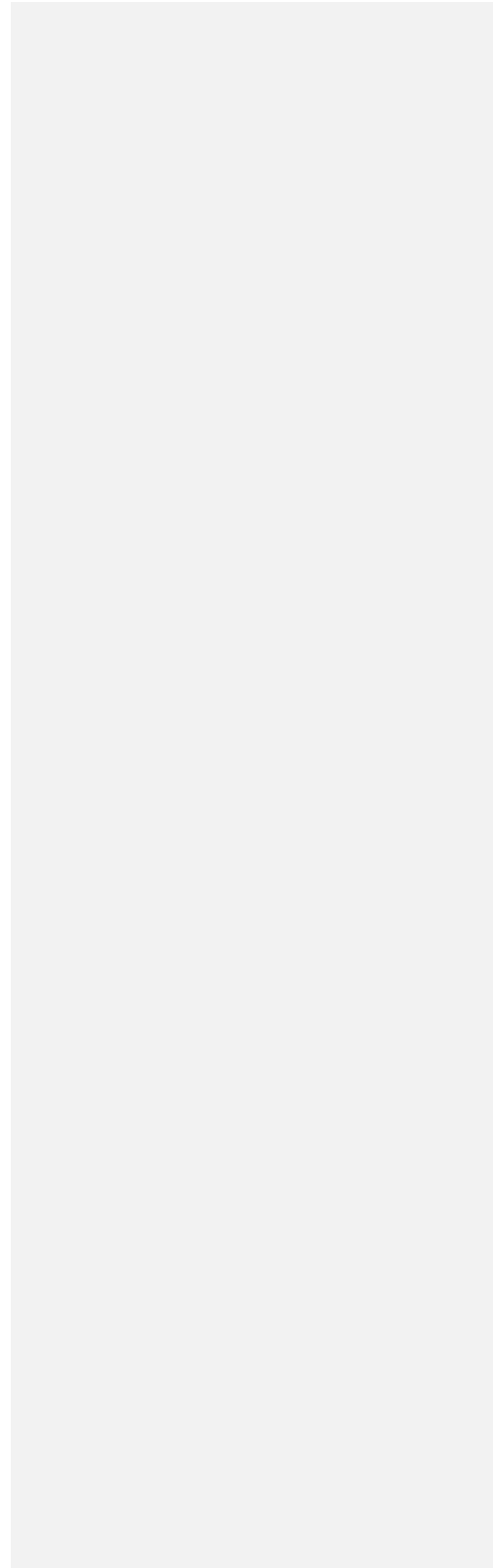
- Try to make it clear via boundaries the difference between public and private space. Front boundaries should be kept low so they don't provide hiding places and to enable good natural surveillance.
- Keep fences and walls in a good state of repair and consider your planting to reduce the availability of handholds and to put off prospective intruders
- Remember to lock your garages, outbuildings, sheds, etc. Ensure they are fitted with high-quality and secure locking devices, and you can add extra locks if you are concerned.
- Ensure tools and ladders, which could be used to access your home, are locked away, and remove anything that could potentially be used to cause damage, such as loose bricks or large stones.
- If possible, keep your dustbin and recycling bins secure until collection day to prevent them being used as climbing aids.
- Obscure the view into your home by fitting blinds, curtains or film including glazed exterior doors. Get into the habit of closing curtains or blinds when occupying a well-lit room.
- Do not label your keys – if you need to identify keys, use a colour-code theme, and keep control of your door keys. Make sure you know who has copies and if you cannot account for all the keys, change the locks. Do not give keys to people you do not know, e.g. trades people.
- If you are planning on installing a home alarm or CCTV, the police recommend that you select an installer who is affiliated to one of the recognised alarm and CCTV inspectorate bodies, such as the [National Security Inspectorate](#) (NSI) or the [Security Systems and Alarms Inspection Board](#) (SSAIB).
- In order to identify visitors at night, good external lighting is recommended, alongside low wattage lighting is recommended to illuminate all external doors, car parking





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and garage areas and footpaths leading to your home.





## 7. Attendance at meetings

- 7.1 Councillors and officers have to attend evening meetings which often finish after dark. It is possible that depending on the nature and outcome of the meeting that members of the public may leave feeling angry or upset. In such instances, councillors and officers may wish to ask to be accompanied to their car or nearest public transport by fellow colleagues ~~or officers~~ who also attended the meeting.

## 8. Demonstrations

- 8.1 It is possible, due to the nature of the difficult decisions that councillors have to make, that you may experience a protest against such decisions. If this does occur:
- stay calm – such protests may feel intimidating but will not necessarily lead to a physical threat
  - remain inside, close and lock doors and windows and draw the curtains/blinds
  - inform the police
  - it is not recommended to confront the protesters
  - if you are concerned that the protest is an aggressive one, and it is safe for you to do so, note descriptions of individuals and vehicles present so you can pass these onto the police.

## 9. Travelling safety

This section sets out generic personal safety advice when travelling.

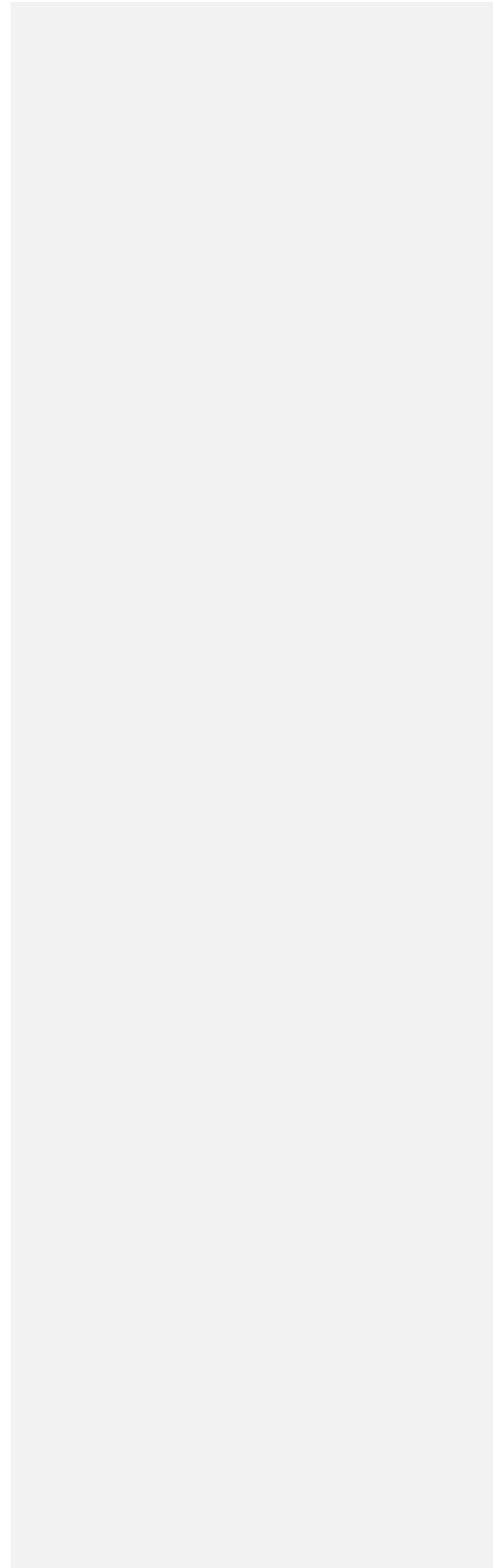
### Car

- 9.1 When travelling the car, it is advisable to consider your personal safety by:
- having your keys in your hand or easily accessible
  - investigating whether an area will be dark and isolated when you return to your car
  - parking where possible, under street lighting and not in dark, deserted streets or isolated car parks
  - parking on the ground floor in multi-storey car parks away from stairs and lifts and reversing into the parking space
  - always locking the car doors when you get into the car and when leaving it
  - taking boxes/bags to the car when other people are around



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- always carrying a torch with you





- looking around your vehicle as you approach in case someone is crouching down
- looking inside before entering your vehicle to ensure no one is hiding there (even if the doors were locked)
- avoiding placing handbags, valuables or other such items on the passenger seat
- parking on the left hand side of the road facing the way you want to drive off
- trying to park in a space where you will not be blocked in
- avoiding having identifying stickers in your car
- locking the door at service stations when you go to pay
- ensuring your vehicle has sufficient fuel for the journey and refuel during daylight hours;
- not getting out if you are followed in your vehicle, and ensuring the car is locked, flashing your lights and sounding your horn to attract attention
- not winding down your window if someone taps on it, unless the individual is known to you.
- Be alert to any visual changes to your vehicle. If you notice a suspicious object on or near the vehicle, do not approach or enter it. Contact the police and give them the location and registration number of your vehicle.
- Don't leave laptops, documents, parking permits or papers in unattended vehicles, as they may identify you.

#### **Public transport and taxis**

9.2 When travelling by public transport, it is advisable to consider your personal safety by:

- having the right change or your pass available so that you do not have to bring out your purse or wallet
- ensuring that you know travel times – particularly the details of the last bus / train of the day
- waiting for a bus or train in a well-lit place near other people, whenever possible, and paying attention to your environment
- carrying "emergency" money so that if a bus or train does not turn up, you are able to call a taxi



- sitting on the lower deck and near the driver if a bus is empty or it is after dark
- on trains, choosing carriages that are well-populated and not hesitating to move seats if you feel uncomfortable where you are
- on trains, if you sit next to the door make sure that you keep your mobile telephone close to you. A common crime is for a thief to grab a telephone and make a dash just as doors are closing
- avoiding compartments which have no access to corridors or other parts of the train
- sitting with other people and avoiding empty carriages
- if you do feel threatened, making as much noise as possible to attract the attention of the driver or guard
- if you can, arranging for someone to meet you at the bus stop or train station, particularly if travelling at night or in an unfamiliar area. If this is not possible, try to walking near other people with whom you feel safe, and walk purposefully to your destination
- always carrying the telephone number of a trusted, licensed taxi company with you
- ensuring any pre-booked licensed minicab driver has ID and it that it matches the driver and the vehicle's photographic licence. If it does not, do not get in the cab
- when booking a taxi or minicab, asking for the driver's name, as well as the make and colour of the car. Confirm the driver's details when they arrive – is it the taxi or minicab you ordered?
- sharing a taxi or minicab with a friend and sitting in the back of the car are good safety strategies
- minicabs that pick up fares on the street, without being pre-booked, are illegal, uninsured and potentially very dangerous.

### **Cycling Safety**

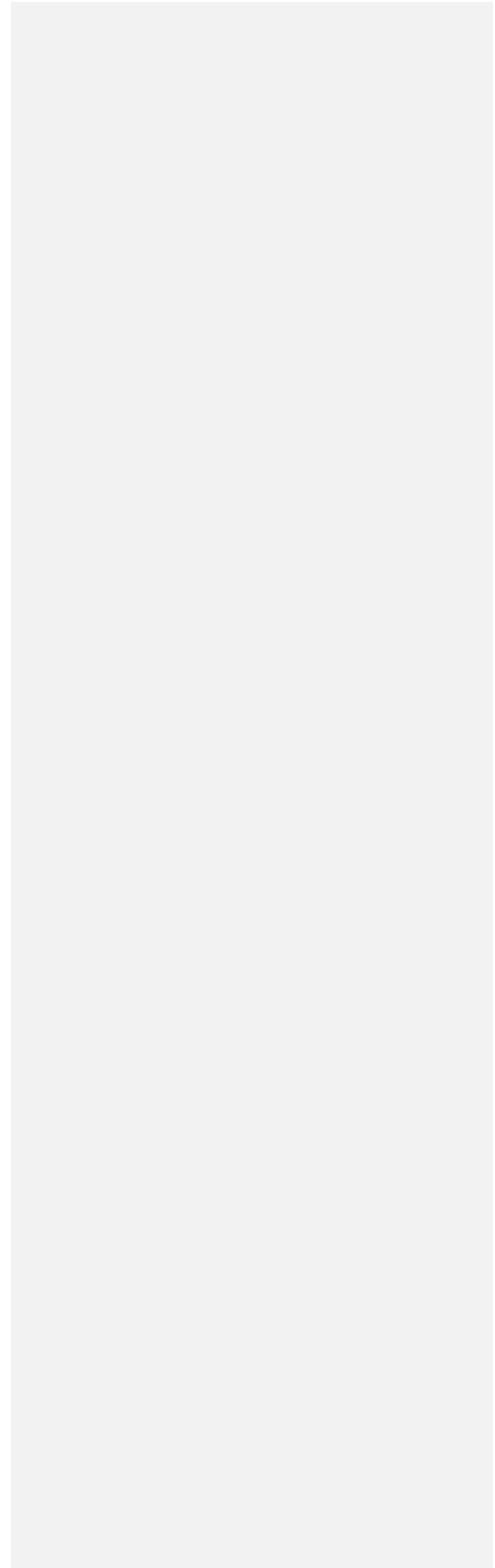
9.3 When travelling by bike, it is advisable to consider your personal safety by:

- keeping your bike in good working order
- wearing a fluorescent belt or jacket and always using lights
- wearing a cycling helmet;



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- securing your bicycle with a good quality chain and padlock.





### **Walking**

9.4 When walking, it is advisable to consider your personal safety by:

- checking that you know where you are going
- considering what your walk will be like at night if you are travelling at that time.
- being prepared to walk a longer way around to keep safe
- wearing comfortable shoes that you can move quickly in, if you need to
- considering carrying a personal alarm, and if you do, making sure that it is accessible
- tucking a scarf or long hair inside your coat
- carrying any bag or handbag across your shoulder

### **10. Reporting incidents**

10.1 If you consider any incident to be severe, contact the police. Even if an incident is not considered serious enough to involve the police, it should always be reported to the council.

10.2 If you have been subject to, or witnessed a hate incident or crime you have a duty to report it. By taking appropriate action you may help to prevent a similar incident reoccurring.

### **Councillors and social media**

This section sets out background information on the use of social media for councillors.

Key points:

- Social media can be very useful in getting feedback on proposals and communicating information about councillors' activities
- Social media is always on, so consider setting personal limits and establishing your own routine
- Councillors are subject to the council's code of conduct when using social media



## 1. Why you may find social media useful

Social media has become an every-day communications tool for councillors and the people they 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.

In addition, it is a useful source of intelligence:

- People will talk about local issues, their concerns and interests.
- You can find out about breaking news, the latest research or publication or the latest policy announcements from organisations such as the LGA.
- People often have little understanding of the councillor role and may have negative perceptions, but social media can give people a taste of your personal life and remind them that you are similar to them.
- Residents can be made aware of and provide feedback to your work and campaigns, including mobilising support and interest and gathering followers.
- You can have conversations with people who do not traditionally seek out their local representatives.
- Social media allows for immediate communication. You can pass on information and receive opinions in minutes. You can forward information from other people equally quickly (bearing in mind that you would then share equal responsibility in law for anything later seen to be untrue or defamatory)
- 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.

### **Online safety, personal security and digital citizenship**

Digital Citizenship, which has begun to be taught in schools, is about engaging in appropriate and responsible behaviour when using technology, and encouraging others to do so as well. It encompasses digital literacy, ethics, etiquette, online safety, norms, rights, culture and more.

In any personal online biography, it is advisable to make clear that the views are those of the councillor in question and may not represent the views of the council. If space allows, you may also want to set out a 'response' policy, such as "I welcome questions via email" and an 'engagement' policy, such as





“abusive content will be removed”.

It is easy to put personal information online, such as your birthday, routines, places you frequent, future visits, holiday destinations, relationships, and opinions, etc, which are then available for anyone in the public domain to access. For personal safety, as well as identity security, you may want to consider whether you share personal information, images of friends and/or family and details of any routines.

Social media posts now include location-based information, particularly from mobilephones, which tells people exactly where you are or where you have been. Again, with personal security in mind, you may want to turn off these notifications.

You can 'search for yourself' to check what information you can find out about yourself, your family or your business on-line. Checking this regularly means you can check what is in the public domain and edit it if necessary.

With respect to personal security, it is advisable not to include on social media details such as your personal phone numbers, home address, details of family members or vehicle details.

A picture paints a thousand words, and a photo can relay personal information you may not want shared on social media. As such, it is advisable to only publish photos of family, friends and colleagues with your consent and theirs, to ensure photos don't reveal your home or places frequented with family members such as schools or care homes, and to disable automatic photo and location tagging so that you have to approve another user identifying you in a photo or being at a specific location. You may also want to make your family and friends aware that you will be following these precautions.

Some people say things via social media that they probably would not say in person, and they can post false information, insults or messages that you would not want to be associated with you. These can multiply and be shared quite rapidly. Councillors, and in particular female councillors, are unfortunately increasingly the subject of online abuse, bullying and harassment on social media. See our section on handling abuse on social media on how to manage this.

Having a social media presence means that people can contact you at any time. This is great in terms of accessibility but means that they may expect you to reply immediately, which can create a sense of pressure. It is useful to set your own rules and limits for how you manage your social media presence.

You can be sent phishing requests and malicious software on social media the same as you can on email, so maintain the same level of vigilance.

Be aware that some individuals post socially unacceptable, defamatory, inciting or even intimidatory remarks to generate online activity on the back



of advertising or promotion of ideologies, brands or events. Similarly, the term “internet troll” is used to refer to a person or group of people who deliberately start arguments or upset people by posting inflammatory or off-topic messages online with the deliberate intent of provoking readers into an emotional response or of otherwise disrupting normal discussion, often for their own amusement.

Be aware of safeguarding because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.

The usual protocols regarding confidential information, copyright, data protection, purdah, exempt reports, etc, apply to social media. Avoid publishing anything where there is doubt or seek permission in advance. This links to the MTC Press and Media Policy <https://www.macclesfield-tc.gov.uk/your-council/governance-documents/press-and-media-policy/>

To be an effective councillor you won't stop meeting people and posting leaflets simply because you are posting online. You will know your residents best—consider which channel works best for them to connect with you, online and offline.

#### **Responsibilities of councillors on social media**

Councillors are personally responsible for the content they publish on any form of social media. 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 defamation action for which you will be personally liable. The same applies if you pass on any similar untrue statements you receive.

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.

You can make use of stringent privacy settings if you do not want your social media to be accessed by the press or public. It is advisable to read the terms of service of any social media site accessed and make sure you understand their confidentiality /privacy settings.

Some councillors choose to have separate social media profiles for personal and council use. It is important to keep in mind, however, that even the strictest privacy settings is no guarantee for posts or actions to remain private. As a rule of thumb, never post anything online you would not be comfortable saying or sharing in a public meeting.

The code of conduct for members and relevant legislation continues to apply online and in social media. If you are referring online in any way to your role as a councillor, you are deemed to be acting in your “official capacity” and any



conduct may fall within the code.

### **Managing and moderating your own group or page**

- 1.1 You may wish to set up your own councillor or community page on Facebook. These are valuable platforms to promote local information, news, events or council developments or seek people's views on community or council proposals.
- 1.2 Members of the community and others can contribute and comment in an interactive manner and whilst most is constructive and uses acceptable language, some individuals may use bad language or 'cross the line' into abuse or harassment.
- 1.3 If you are a Group or Page administrator, Facebook provides you with a range of tools to manage and moderate other people's content or contributions to your Group or Page for more serious breaches of standards.
- 1.4 You can:
  - block certain words or apply a 'profanity filter' in the settings, this will stop such postings appearing in your page
  - hide or delete comments, photos or tags
  - ban or remove someone from your pages

Useful guidance and instructions are available on the 'Banning and Moderation' section of Facebook.

Administering a large Group can be a lot of work, particularly if group members are active. If that's the case, you might want to share the responsibility with other councillors, friends or trusted community members. [Guidance](#) on making other people or administrators is available on Facebook.

### **Handling abuse on social media**

This section provides advice on handling intimidation and abuse online. With thanks to the Welsh LGA for the reproduction of their [guide](#) in the production of this section.

Key points:

- Keep a record of any abuse
- Carefully consider how and whether to respond to inaccurate or defamatory social media comments
- Report any abuse to the social media companies for its deletion or



to raise concerns about an account

### **Introduction**

Any intimidation or abuse on social media is subject to all the same potential criminal prosecutions as other forms of intimidation, with the additional criminal offences relating specifically to electronic communications.

You are best placed to determine whether a post or interaction is abusive or intimidating, and if you feel intimidated you can take action to report it. Good digital citizenship encourages the labelling of abusive and inappropriate online material so that both the perpetrator and others viewing it can also know it is not acceptable.

However, it does not necessarily follow that the police or courts will regard it as intimidatory behaviour in law as they have to apply their own 'average person' tests – also known as 'reasonableness tests' or the '[Clapham omnibus](#)' test.

Every situation will be different, and it will need a personal judgement about whether it is worthwhile to pursue the incident, ignore it or politely acknowledge.

### **Keep a record**

If you have received online abuse, even if you are not overly concerned or if you intend to ignore it, you should consider keeping a record should any incidents escalate in the future. You can simply 'screen shot', 'clip' or 'snip' tweets or posts on your phone, tablet or computer. You may also decide to warn the perpetrator that you are keeping a record of all messages and may refer them to the appropriate authorities, which may stop them posting further comments or might encourage them to delete them.

### **Tackling abuse on social media**

In any situation that arises on social media, you will need to decide whether you want to engage in a discussion or ignore it, and whether the communication is abusive, intimidating or threatening.

When determining whether to engage or ignore, you'll need to balance the risks and likely success of either approach in stopping the situation. Engaging in online discussion could diffuse it through the use of humour or similar, or could inflame the situation further. There is no right or wrong here. However, it is likely that the person posting has less of a following or public profile than you and by engaging you can increase their audience.

If the communication is abusive, intimidating or threatening, then keep a record of it (such as a screen shot). You can post that you find the



communication abusive, intimidatory or threatening if you want to highlight the poor online behaviour, and report it to the social media platform and to the police. You can also make your council aware that you have been subjected to online abuse, intimidation or threats in your role as a councillor so they can keep a record or take action as well. If you think there are threats to your personal safety or security, you can ask for advice from the police.

It may be useful to refer to our section on the legislation applicable to harassment and abuse to see if the communication falls into any of the categories so you can describe it to the police in these terms.

Perhaps most distressing is when multiple users all send abusive messages in quick succession or at the same time. This can be overwhelming and the structure of Twitter in particular means that the more posts and retweets, the more others see it, and they can be encouraged to add to the abuse. It can escalate very quickly. There are sadly some who will willingly add to the abuse for their own amusement, even if they are unaware of the details. This is a difficult situation to handle, particularly if the information is being held by another user. If this occurs, you are advised to make a record of the abuse, inform the social media platform, your council and the police if any of the tweets make significant personal threats. You may wish to remove the original post if you can. Often these things burn themselves out very quickly and the perpetrators move onto the next trend or victim.

If someone has posted some inaccurate information about you or the council, and if the information is defamatory (a false statement that could harm your reputation), again, the first step is to gather evidence. You may then want to contact the individual initially to request that the tweet or post be deleted; some individuals may have made a mistake without malice and will remove their post immediately.

Depending on the nature of the tweet or post and the number of followers who may have viewed the tweet, you may wish to seek a correction and/or an apology.

If this approach is unsuccessful or where a defamatory tweet or post causes serious concern or is part of a concerted campaign, in addition to informing your council, you may wish to take legal advice and to issue a "notice and take-down" letter via your solicitor (assuming you are able to locate the perpetrator). Although you may not have the intention of proceeding further, the threat of legal action is often a powerful deterrent and can prompt a swift and successful resolution.

If the tweet or post is a complaint about a council service, you can ask for contact details and pass the information to officers to follow-up on and inform the individual that this is the course of action you are taking. This may help defuse any tensions.



### **Muting or blocking accounts on Twitter**

You may wish to unfollow, mute or even block a person or group who is persistently tweeting you or is being abusive or intimidatory. Guidance about to mute and block is available from Twitter, but in summary:

**Muting** allows you to remove an account's tweets from your timeline but does not go as far as unfollowing or blocking the account. Muted accounts will not know that they have been muted and you can 'unmute' them at any time.

**Blocking** allows you to restrict specific accounts from contacting you, seeing your tweets or following you. Unlike muting, the perpetrators can find out that they have been 'blocked' and may accuse you of avoiding their scrutiny; this may be a small price to pay if their behaviour is checked and can be easily rebutted if necessary.

### **Reporting the abuse on Twitter**

Twitter itself promotes '[Rules](#)' encouraging constructive debate but it explicitly prohibits behaviour "...that crosses the line into abuse, including behaviour that harasses, intimidates, or uses fear to silence another user's voice".

If tweets are so offensive that you believe they violate Twitter's rules, you can [report](#) them to Twitter who may decide to take action. For further information about how to report 'violations' visit Twitter's how to report [violations](#) page.

If someone sends threatening, abusive or offensive messages via any social networking site, they could be committing an offence. The most relevant offences are 'harassment' and 'malicious communications'.

According to the police, harassment means a 'course of conduct' (i.e. two or more related occurrences) and the messages do not necessarily have to be violent in nature, but must be oppressive and need to have caused some alarm or distress.

An offence relating to malicious communications may be a single incident, but for an offence to have been committed, a message must be indecent, grossly offensive, obscene or threatening or menacing.

### **Tackling abuse on Facebook**

Facebook has slightly different '[Community Standards](#)' to Twitter and alternative methods of dealing with complaints.

You are also more likely on Facebook to encounter community or campaign groups or pages which facilitate scrutiny of you, fellow councillors or your local council, and some will have been set up specifically with that purpose in mind. If these groups are not moderated effectively, they can provide a conduit for abuse and harassment.

Your council may have a policy on communicating and engaging with such



groups, particularly if they have been set up to criticise the council, and you can take advice from the council's communications officers.

There is no right or wrong way with regards responding to a group or page which regularly criticises the council or councillors; some believe that it is beneficial to engage constructively, to explain, inform or signpost and hopefully improve awareness, understanding and support, whilst others are more reluctant as it will require emotional energy and time and the likelihood of successful engagement may be limited.

If you are concerned about comments or postings about you in a group or page, you can report the post to the group administrator. If you are concerned about a group that is abusive and you think it has broken Facebook's Community Standards, you can [report](#) the group to Facebook.

Although Facebook encourages respectful behaviour and takes action to protect 'private individuals' from bullying and harassment, it permits 'open and critical discussion of people who are featured in the news or have a large public audience based on their profession or chosen activities' but does take action around 'credible threats' and 'hate speech'.

There are a range of options for you to manage abuse or harassment on Facebook and full instructions are available on the Facebook [help page](#):

- if you want a post removed from Facebook, you can ask the person who posted it to remove it
- if you don't like a story that appears in your news feed, you can [hide it](#)
- if you are not happy with a post you're tagged in, you can [remove the tag](#)
- you can leave a [conversation](#) at any time, though the other people in the conversation will be notified and you will no longer receive messages from the conversation
- you can [unfriend](#) or [block](#) another user; they will no longer be able to tag you or see things you post on your timeline
- If the post goes against Facebook's Community Standards you can report it to Facebook.

### **Tackling abuse on blogs**

Blogs are a quick and easy way for members of the public or councillors to set up mini-websites to discuss and air views on matters of interest.

Occasionally, blogs may take an interest in local, community matters and some have been set up specifically to scrutinise the local council or councillors. At other times, councillors may face negative comments on their own blog.

While scrutiny is a key part of local democracy and accountability, on



occasions, some blogs may make unfair comments or untrue allegations or may include abusive or threatening commentary. Unlike Facebook and Twitter, there are no 'community rules or standards' to moderate or challenge such content.

Depending on the nature of the comments, councillors therefore have several choices:

- ignore them altogether and hope that few people read and become aware of the comments
- engage with the blogger and seek to assure, inform or correct the comments as appropriate. Bear in mind that this course of action may fuel and prolong the debate and abusive comments further
- if you are concerned that the blogger is harassing you, threatening you, spreading malicious communications or is defaming or libelling you, you may wish to record any evidence (such as screen shots) and seek further legal advice or refer the matter to the police.

### **The law**

This section sets out the legislation that applies to intimidation with the aim of helping councillors experiencing intimidation or abuse to classify it according to the legislation.

Key points:

- Threats to kill, rape, serious violence, stalking and property damage are all criminal offences
- Intimidating behaviour that is face-to-face or by letter, telephone call or online is a criminal offence
- Councillors are encouraged to make a record of these incidents and report them. Even if it does not result in a criminal investigation or conviction, it is important that the collective scale of the issue is reported

### **2. Legal background**

Whilst the law on physical and verbal intimidation and abuse is better established and known, the law has been catching up with developments in the area of communication generally and the recent seriousness of intimidation arising from the conduct of our democracy. This includes the speed and available uses of the internet as well as the subsequent significant growth in the use of social media in both promoting political causes and discussions with residents and voters.

Although social media can create a new type of relationship with the





electorate, it can provide a platform, through its remoteness and anonymity, to be used by those wishing to intimidate others.

Councillors are not employees of the council and do not have the benefit of safeguards in employment legislation if they suffer intimidation. However, they should be supported by their council to undertake their duties safely and without fear or intimidation. Their political party may also offer them support.

In undertaking their activities as a councillor, they are protected by the same legislation relating to intimidation or threats as to any member of the public. As councillors are servants of democracy they, arguably, deserve greater support as they undertake their public duties.

#### **Summary of offences and corresponding legislation**

The summary table below sets out the range of offences classed as intimidatory offences. These range from face-to-face encounters to online activity. The guide includes a more detailed explanation of the offences.

<b>Offence</b>	<b>Legislation</b>	<b>Comment</b>
The Act defines anti-social behaviour as "conduct that has caused, or is likely to cause, harassment, alarm or distress to any person"	Anti-social Behaviour, Crime and Policing Act 2014	
Improper use of public electronic communications network	Communications Act 2003 – Section 127	Sending a message which is grossly offensive or of an



Offence	Legislation	Comment
		indecent, obscene or menacing character.
Racially or religiously aggravated offences	Crime and Disorder Act 1998 – Sections 28 – 32	Hate crimes relating to racial or religious issues. Crimes relating to disability, transgender status or sexual orientation, treated as factors in sentencing. Subject to Law Commission review.
Restraining orders on conviction or on acquittal	Protection from Harassment Act 1997 – Sections 5 and 5A	Section 5A inserted in Domestic Violence Crime and Victims Act 2004 and both sections give court wide discretion to restrain defendant from contact with victim.
Stalking, involving fear of violence or serious alarm or distress	Protection from Harassment Act 1997 – Section 4A	Inserted by Protection of Freedom Act 2012, also requiring conduct “on at least two occasions”.
Harassment which puts people in fear of violence	Protection from Harassment Act 1997 – Section 4	Requirement that the conduct has taken place “on at least two occasions”.
Offence of stalking	Protection from Harassment Act 1997 – Section 2A	Inserted by Protection of Freedom Act 2012 and examples are detailed in 1997 Act



Prohibition of harassment	Protection from Harassment Act 1997 – Section 1	Applies when one or more people are subjected to harassment
Intimidation arising from investigation into or given evidence about an offence	Criminal Justice and Public Order Act 1994 – Section 51	Applies if intimidation is reported to police and prosecution takes place
Unauthorised access to computer material	Computer Misuse Act 1990 – Section 1	Hacking into computer
Common assault and battery	Criminal Justice Act – Section 39	Common law offence which includes fear of, rather than actual, violence
Sending letters or other communications with intent to cause distress or anxiety	Malicious Communications Act 1988 – Section 1	Electronic communications and networks included in Criminal Justice and Police Act 2001 and Communications Act 2003
Using threatening, abusive words or behaviour which may cause unlawful violence or harassment and alarm	Public Order Act 1986 – Section 4 and Section 4A	Applies for displaying any written material such as banners or posters
Threats to destroy or damage property	Criminal Damage Act 1971 – Section 2	“Without lawful excuse” or which could endanger life
Destroying or damaging property	Criminal Damage Act 1971 – Section 1	“Without lawful excuse” or being reckless as to action. Arson could, also, amount to threat to kill



Threats to kill	Offences Against the Person Act 1861 – Section 16	Threat “without lawful excuse”
<b>Possible future legislation</b>		
<b>Offence</b>	<b>Legislation</b>	<b>Comment</b>
Intimidating parliamentary candidates or party campaigns	Government consultation following Committee on Standards in Public Life 2017 report	The LGA is lobbying that this should apply to local elections and candidates
Action to regulate removal of illegal and unacceptable online content	Government consulting on its Online Harms White Paper	Likely to be subject to resistance from the tech companies

**Balancing freedom of speech and its limitations**

The right to freedom of expression is a fundamental human right of the greatest importance and a lynchpin of any democracy. However, it is not an absolute right as indicated in the three articles numbered 9, 10 and 14 of the European Convention on Human Rights. The key elements appear in article 10, which sets out that the freedom includes the right to hold opinions and to receive and impart information and ideas without interference from a public council.

The elements that have a bearing on councils are:

- Interests of public safety
- Prevention or disorder or crime
- Protection of health or morals
- Protection of the reputation or rights of others
- Preventing the disclosure of information received in confidence

All the above have been incorporated within our legislation and thus restrict the extent to which freedom of speech is permitted.

**Severity of intimidation**



If you are feeling intimidated, then that experience is legitimate and should be your own test as to whether you want to report the situation. In determining whether an act is classed as intimidation in law, the police and the courts will apply their own tests based on the existing legislation and 'reasonableness'. However, legislation, guidance and case law evolves and this should not put you off reporting a situation and seeking a resolution should you feel you have been intimidated. In summary:

Threats to kill, rape, serious violence or actual common assault, damage to property (such as arson) should be reported to the police. Councillors may wish to review their own personal safety precautions and possibly those of their family.

Harassment and stalking would also require police involvement, particularly if there were a number of occurrences.

Action following intimidation arising from both face-to-face and online contact will depend upon the circumstances such as the number of communications or contacts, extent of obscene or violent language and whether the activity continued for a period of time including whether the abuser resorted to more than one method of abuse.

Councillors are encouraged to record all instances that cause concern and in reporting to the police consider the requirement for detailed evidence to prove the case "beyond all reasonable doubt".

There have been a number of cases arising from the provisions of the 1997 Protection from Harassment Act where judges have provided guidance as to when the intimidation complained about should require the involvement of the civil or criminal law. The judge in the case of *Dowson and Others v Chief Constable of Northumbria* [2010] EWHC 26 set out six steps under the 1997 Act:

1. there must be conduct which occurs on at least two occasions
2. which is targeted at the individual
3. which is calculated in an objective sense to cause alarm or distress, and
4. which is objectively judged to be oppressive and unacceptable
5. what is oppressive and unacceptable may depend on the social or working context in which the conduct occurs
6. a line is to be drawn between conduct which is unattractive and unreasonable, and conduct which has been described in various ways such as "torment" of the victim, "or an order which would sustain criminal liability".



Although the courts look at the conduct from an objective point of view, the victim's reaction to the intimidation will be subjective and it will be for that individual to decide upon the action which is taken. The courts will also take a view on whether the perpetrator knows or ought to know that his conduct amounts to harassment.

### **Working with the police**

The research undertaken in the development of this guide found that the police response to councillor intimidation varied across the country.

We are aware that some police forces are reviewing their responses to such threats, and that the issue is being looked at by Government. The LGA highlighted this issue in its [response](#) to the consultation on '[protecting the debate: consultation on intimidation, influence and information](#)'.

It is recommended that councils are proactive with their local police force and police crime commissioner in establishing protocols for how councillors should report intimidation and threats that are made to them in their role as a councillor. The police can also provide upfront and more detailed advice on how to respond and the factors that will determine their response to any threats, abuse or intimidation.

### **LINKS TO KEY SOCIAL MEDIA:**

#### **Facebook policies and guidelines**

<https://en-gb.facebook.com/communitystandards/> - what is or isn't against Facebook's rules

<https://newsroom.fb.com/news/2018/08/enforcing-our-community-standards/> - what action Facebook takes to respond to abuse

<https://en-gb.facebook.com/safety/tools> - the methods of protection on Facebook

<https://en-gb.facebook.com/help/122006714548814> – a guide to how users ought to respond to safety issues

#### **Instagram policies and guidelines**

<https://help.instagram.com/477434105621119/> - overview of the user standards, and also articles about how individuals should respond to abuse

[https://help.instagram.com/196883487377501/?helpref=hc\\_fnav&bc\[0\]=3683906265\\_77968&bc\[1\]=1757120787856285](https://help.instagram.com/196883487377501/?helpref=hc_fnav&bc[0]=3683906265_77968&bc[1]=1757120787856285) – overview of privacy settings



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### Twitter policies and guidelines

<https://help.twitter.com/en/rules-and-policies#twitter-rules> &  
<https://help.twitter.com/en/safety-and-security#hacked-account> – Twitter's  
policies on abuse

[https://help.twitter.com/en/managing-your-account/suspended-  
twitter-accounts](https://help.twitter.com/en/managing-your-account/suspended-twitter-accounts) -account suspension on twitter as a punishment

### Digital citizenship

<https://www.virtuallibrary.info/digital-citizenship.html#>

Field CodeChanged