



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Democratic Services Committee

At: Committee Room 5 - Guildhall, Swansea

On: Tuesday, 29 January 2019

Time: 5.00 pm

Chair: Councillor Peter Black CBE

Membership:

Councillors: N J Davies, M Durke, L S Gibbard, J A Hale, S M Jones, E T Kirchner, W G Lewis, S Pritchard, B J Rowlands, G J Tanner, L J Tyler-Lloyd and L V Walton

Agenda

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|----------|---|---------------|
| 1 | Apologies for Absence. | |
| 2 | Disclosures of Personal and Prejudicial Interests.
www.swansea.gov.uk/disclosuresofinterests | |
| 3 | Minutes.
To approve & sign the Minutes of the previous meeting(s) as a correct record. | 1 - 2 |
| 4 | Personal Safety for Councillors. | 3 - 12 |

Next Meeting: Tuesday, 30 April 2019 at 5.00 pm

A handwritten signature in black ink that reads 'Huw Evans'.

Huw Evans
Head of Democratic Services
Monday, 21 January 2019

Contact: Democratic Services - (01792) 636923

Agenda Item 3



City and County of Swansea

Minutes of the Democratic Services Committee

Committee Room 5 - Guildhall, Swansea

Tuesday, 6 November 2018 at 4.30 pm

Present: Councillor P M Black (Chair) Presided

Councillor(s)

N J Davies
S M Jones
G J Tanner

Councillor(s)

L S Gibbard
W G Lewis
L J Tyler-Lloyd

Councillor(s)

J A Hale
S Pritchard
L V Walton

Officer(s)

Huw Evans
Allison Lowe
Tracey Meredith

Head of Democratic Services
Democratic Services Officer
Chief Legal Officer

Apologies for Absence

Councillor(s): M Durke and E T Kirchner

8 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City & County of Swansea, the following interests were declared:

Councillors P M Black, N J Davies, L S Gibbard, J A Hale, S M Jones, W G Lewis, S Pritchard, G J Tanner, L J Tyler-Lloyd and L V Walton declared a Personal Interest in Minute 10 "Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020 – Consultation".

9 Minutes.

Resolved that the Minutes of the Democratic Services Committee held on 31 July 2018 be approved and signed as a correct record.

Matters Arising

Minute 6 – Social Media – A Guide for Members – WLGA First Draft

The Chair informed the Committee that the changes suggested by them at their last meeting had been fed back to the WLGA and incorporated in the final version, which had now been circulated to all Councillors.

10 Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020 - Consultation.

The Head of Democratic Services Committee presented a report to consult and comment on the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020 which commented upon the determinations made affecting the City and County of Swansea and proposed responses.

The comments would form a report to Council followed by a formal reply to the IRPW by their deadline of 27 November 2018. The final IRPW report would be published in February 2019.

Resolved that the report be recommended to Council for approval.

11 Review of Councillors Handbook.

The Head of Democratic Services presented a report in order to review Section A "Councillor and Co-Opted Member Remuneration (Salaries, Allowances & Expenses)" of the Councillors Handbook.

Section A was last reviewed by the Democratic Services Committee on 7 November 2017 with Council adopting the changes at its meeting on 14 December 2017.

The Head of Democratic Services had undertaken a further review of Section A in order to ensure that it was in line with the determinations of the Independent Remuneration Panel for Wales, workable with the Councillors Self Service (Oracle) system and avoids duplication of content with the Members' Schedule of Remuneration.

Resolved that:

- 1) The amendments suggested by the Head of Democratic Services be approved;
- 2) The amended Section A of the Councillors Handbook be recommended to Council for adoption.

The meeting ended at 4.56 pm

Chair

Agenda Item 4



Report of the Head of Democratic Services

Democratic Services Committee - 29 January 2019

Personal Safety for Councillors

Purpose:	To provide guidance to Councillors on issues of Personal Safety and Lone Working.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The Guidance be noted and placed on the Authority's website and emailed to all Councillors.
Report Author:	Huw Evans
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 Incidents of violence towards public figures is rare, however, Councillors have high profile public roles, are constantly interacting with members of the community and can be the victims of verbal or written abuse. They may experience harassment and stalking and online abuse.
- 1.2 This report sets out some useful guidance so that Councillors understand the steps they should take to keep themselves safe. Additional guidance is available from the Corporate Health, Safety and Wellbeing Manager and the Head of Democratic Services.

2. Lone Working Policy

- 2.1 The Authority's Lone Working Policy applies to employees and Councillors. It is set out in **Appendix A** of this report. Councillors are urged to familiarise themselves with the Policy in order to ensure their own personal safety.

- 2.2 The Health and Safety Executive (HSE) have provided the following definition of Lone Working:

“Lone workers are those who work by themselves without close or direct supervision, either employees who work separately from others in an establishment, or mobile workers who work away from a fixed base.”

- 2.3 The purpose of the Lone Working Policy is to ensure that there are adequate systems in place to ensure the Health, Safety and Wellbeing of Lone Workers. It is designed to be read in conjunction with the Guidance note in order to support efforts to reduce the risks of lone working as far as is reasonably practicable.

3. Personal Safety for Councillors

- 3.1 Councillors should be mindful of the risks involved when carrying out their role for example: Visiting people in their homes; Receiving callers to your home; Holding surgeries; Travelling, whether on public or private transport & when alone; and Communicating online.
- 3.2 Attached as **Appendix B** to this report is a useful guide relating to the Personal Safety of Councillors. This guide aims to help Councillors carry out their role safely and effectively.
- 3.3 The purpose of Personal Safety of Councillors guide is to set out what personal safety measures can be taken to prevent and to deal with those rare circumstances when they might find themselves in situations where they become anxious for their safety. In general terms the guidance follows advice given to others who, by virtue of public duties or employment, meet many people whom they do not know.
- 3.4 Some Councillors are concerned that their home address is published on the Authority’s Website. Should a Councillor wish for their home address to be removed, they should contact the Head of Democratic Services. The Head of Democratic Services will arrange for the home address to be replaced by the Democratic Services Team details. However, the Councillors email address and telephone number should remain on the Authority’s website and promoted as necessary save in exceptional circumstances.
- 3.5 Councillors are urged to familiarise themselves with this Guidance in order to ensure their own personal safety.

4. Equality and Engagement Implications

- 4.1 There are no equality or engagement implications associated with this report.

5. Financial Implications

- 5.1 There are no financial implications associated with this report.

6. Legal Implications

6.1 There are no specific legal implications associated with this report.

Background Papers: None.

Appendices:

Appendix A	Lone Working Policy
Appendix B	Personal Safety - Councillors Guide

Lone Working Policy

The purpose of this policy is to ensure that there are adequate systems in place to ensure the health, safety and wellbeing of lone workers. It is designed to be read in conjunction with the Guidance note in order to support efforts to reduce the risks of lone working as far as is reasonably practicable.

1. Introduction

- 1.1 The purpose of this policy is to ensure that there are adequate systems in place to ensure the health, safety and wellbeing of lone workers. It is designed to be read in conjunction with the Guidance note in order to support efforts to reduce the risks of lone working as far as is reasonably practicable.
- 1.2 The City and County of Swansea is committed to providing a safe and secure work environment for its employees, whilst carrying out their duties irrelevant of the workplace location.

2. Policy Statement

- 2.1 In line with the Corporate Health and Safety Policy, the City and County of Swansea (Authority) recognises and accepts its duties and responsibilities to ensure, so far as is reasonably practicable, the health, safety and wellbeing of its employees and others who may be at risk from its activities.
- 2.2 This document is intended to be a framework, with Service Units supplementing it by having in place their own procedures and guidelines, which reflect the principles of this policy and the individual needs of their Service Units.
- 2.3 All Directorates and Services within the Authority must be able to demonstrate compliance with this policy via audit.
- 2.4 Serious and deliberate violation of the Authority's Corporate Health & Safety Policy, health and safety rules and standards will be viewed as gross misconduct under the Disciplinary Policy of the City & County of Swansea.
- 2.5 Managers may choose to delegate their duties but cannot delegate their responsibilities.

3. Scope

- 3.1 This policy applies to all employees, volunteers, agency staff and **elected members** who are all required to comply.
- 3.2 When considering the terms on which work, services or supplies should be provided to the Authority, the procuring officer will ensure specific provision in the contract concerning the health, safety and wellbeing of the contractor, its staff, City & County of Swansea employees and the public.

4. Definition of Lone Working

4.1 For the purposes of this policy the definition of Lone Working is: "Lone workers are those who work by themselves without close or direct supervision, either employees who work separately from others in an establishment, or mobile workers who work away from a fixed base." (HSE)

4.2 Lone worker roles may include:

- People working separately from others in a building (for example, basement or attic areas) or alone in an office
- Those working in a remote locations, including outdoors
- People who work outside "normal" hours, for example "skeleton" staff
- People who work away from their fixed base without colleagues i.e. social workers, trades people on call
- Travelling alone in the course of their work
- Pool car returns - out of hours working: if a car is to be returned to site after 7pm staff must follow the Pool Car Usage protocol and individual service area guidance.

5. Responsibilities

5.1 Council

5.1.1 Council will nominate one of its members as the portfolio holder for health, safety and wellbeing issues. Council will promote this policy and comply with its provisions.

5.2 Chief Executive

5.2.1 With reference to the Corporate Health and Safety Policy, the Chief Executive is directly responsible for the health, safety and wellbeing of all employees and others who may be affected by the Authority's undertakings.

5.3 Executive Board

5.3.1 The Executive Board will be collectively responsible for strategic health, safety and wellbeing planning and for periodic review of health and safety performance.

5.4 Directors / Chief Officers

5.4.1 Ensure Heads of Service deliver their responsibilities under this policy and report any failings or barriers that may affect compliance to Executive Board.

5.4.2 Ensure that the Heads of Service and all managers comply with procurement procedures for equipment or specialist services in relation to lone working.

5.5 Heads of Service

5.5.1 Ensure that suitable and sufficient arrangements, funds and resources are in place to manage lone working within their Service Unit.

5.5.2 Ensure that risk assessments are undertaken and risks are minimised in those areas of work, or circumstance where a predictable risk from lone working exists.

- 5.5.3 Ensure that adequate monitoring systems are in place to evaluate the effectiveness of local arrangements to minimise the risks related to lone working.
- 5.5.4 Review lone working data, identify trends and take action as appropriate e.g. improve processes.
- 5.5.5 Identify key health and safety risks and specify in the Service business plan, and ensure control measures are implemented to reduce the risk.
- 5.5.6 Ensure that there is effective consultation, and communication between management, trade unions and staff to address risks, and raise awareness of risks e.g. SMT, Team Briefs.

5.6 Managers (as defined by the Corporate Health & Safety Policy)

- 5.6.1 Managers are responsible for ensuring that suitable and sufficient arrangements are in place to implement this policy within their sphere of responsibility.
- 5.6.2 Identify all lone working activities and job roles within area of responsibility, and undertake an appropriate risk assessment in line with the Corporate Guidance for Risk Assessment. Include control measures to minimise the risks.
- 5.6.3 Ensure the provision of appropriate training in relation to lone working to all employees identified as being at risk. Include appropriate violence and aggression training, if identified through risk assessment as control measure.
- 5.6.4 Implement appropriate control systems for monitoring of employees who are lone working. Ensure employees comply with lone working arrangements.
- 5.6.5 Communicate to all employees the systems and the procedures for lone working, and ensure regular updates are provided through the appropriate team briefings. Ensure all new employees are made aware of lone working procedures and arrangements.
- 5.6.6 Support employees who are victims of violence and aggression through the Stress Counselling Team in line with the Stress Management and Counselling Policy.
- 5.6.7 Report all incidents arising from lone working to the Corporate Health, Safety & Wellbeing Service in line with the corporate reporting system.

5.7 Employee

- 5.7.1 Accept and understand their responsibility for reducing the risks from lone working, and to cooperate and comply with any instruction given by management which is provided for reasons of health and safety.
- 5.7.2 Employees will comply with the provisions of all City & County of Swansea health, safety and wellbeing policies.
- 5.7.3 Employees will conduct work in a manner which is safe for themselves, their colleagues and members of the public who may be affected by the employee's acts or omissions.
- 5.7.4 Where identified through risk assessment as a control measure, employees will attend any health and safety training provided and adopt the working practices.

- 5.7.5 Bring to their managers attention and/or trade union representative if they become aware of a work situation where there is a risk to themselves or others which has not been adequately addressed.
- 5.7.6 Not engage in unsafe practices and take unnecessary risks which have the potential to harm themselves, colleagues or members of the public.
- 5.7.7 Report incidents and potential incidents as a result of lone working to the manager and complete relevant documentation for the corporate reporting system.

5.8 Corporate Health, Safety & Wellbeing Manager

- 5.8.1 Will ensure the provision of advice and guidance via the Corporate Health, Safety and Wellbeing Service to those identified as having responsibilities under this policy.
- 5.8.2 To deliver any mandatory health and safety training required by this policy.
- 5.8.3 Collate all data submitted by managers as a requirement of this policy, and ensure its analysis and interpretation.
- 5.8.4 To ensure that all accidents/incidents/near misses reported that are notifiable under RIDDOR are referred to the Health and Safety Executive.
- 5.8.5 To bring to the attention of the Corporate Health, Safety and Wellbeing Champion or Executive Board any known serious or uncontrolled risks.

6. Review and Monitoring

- 6.1 The requirements of this policy will be monitored by way of a risk-prioritised process of auditing. All Service Units within the Authority must be able to demonstrate compliance with this policy.
- 6.2 The training and responsibilities of individuals will be monitored by the Authority through its management and appraisal processes.
- 6.3 Where necessary the Authority will take appropriate action to ensure that this policy is upheld.
- 6.4 This policy will be reviewed by the Corporate Health, Safety & Wellbeing Manager every 3 years or if:
 - New legislation is published or existing legislation is updated.
 - New guidance is published or existing guidance is updated.
 - Research, monitoring or auditing suggests that a review may be required.
 - Incident investigation suggests that a review may be required.

7. Reference

- Lone Working Policy Guidance;
- Health and Safety at Work Act 1974;
- Management of Health and Safety at Work Regulations 1999.

Personal Safety - Councillors Guide

The relationship between Councillors and their communities is at the heart of what being a Councillor is all about. The face-to-face contact when constituents can share problems and concerns is vital to enhancing that relationship. This guide aims to help Councillors carry out their role safely and effectively.

An important role of Councillors is to keep in touch with their 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. Councillors become experienced in calming down and treating with respect and sympathy angry and frustrated residents who often resort to their elected representative when they feel that they are getting nowhere in resolving their problems through other channels.

The purpose of this guide is not to make Councillors nervous, but to set out what personal safety measures can be taken to prevent and to deal with those rare circumstances when they might find themselves in situations where they become anxious for their safety. In general terms the guidance follows advice given to others who, by virtue of public duties or employment, meet many people whom they do not know.

Car Safety and Parking

You need to take the same precautions as most car owners do:

- Have your keys in your hand or easily accessible;
- Consider whether an area will be dark and isolated when you return to your car;
- Park where possible, under street lighting;
- Lock the car doors when you get into the car;
- Take boxes/bags to the car when other people are around;
- Try to park on the left hand side of the road facing the way you want to drive off;
- In a cul de sac do not park facing the dead end;
- Try to park in a space where you will not be blocked in;
- At service stations always lock the car when you go to pay.

Dealing with Emotional Constituents

It is inevitable that some of the people you will meet will be angry or upset. You need to be prepared to handle all types of emotion. For example, it is worth having some tissues on hand.

Councillors have to develop the quiet skill of being concerned about constituents' problems without being so involved that they become too emotional to be of help. Calmness in the face of whatever comes up will help you and your constituents.

You may find that racist or offensive remarks are made. If they are directed at you - do not respond - this will only make the situation worse. Instead, bring the interview to an end as quickly as possible. If they are more general remarks, you should state that this is not acceptable and that you cannot continue the interview. Often this will elicit an apology. Otherwise ask the person to leave. However, you must use your own judgement and if you are alone and in a vulnerable situation do not put yourself at risk no matter how angry the remarks make you.

Ward Surgeries

Where ward surgeries are held, the arrangements each Councillor makes will vary according to 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. What follows are suggestions about how to make a surgery safe and effective. Most Councillors will go through their entire service on the Council without experiencing any problems but a little time given to preparation and planning can reduce the already small risk further.

The Basics

1	Do not hold surgeries alone in an otherwise empty building. Try 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 doing surgeries alone, discuss how this can be changed with fellow Councillors or Council Officers.
2	If you cannot avoid doing surgeries on your own, make sure you remember a few simple guidelines. The layout of the room should suit you, i.e. you should sit 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).
3	If there is no separate waiting room, try to ensure that the waiting constituents are as far as possible away from those whom you are talking to.
4	Make sure there are no heavy items in the room that could be used as weapons.
5	Inform the Police when and where your surgeries are held.
6	<p>If you are at the stage of looking for suitable premises in which to hold a surgery, try to get a space with as many as possible of the following features:</p> <ul style="list-style-type: none">• Council premises (e.g. community centres) during opening hours or other premises where there are many other people about.• Premises where the names of any visitors for Councillors are recorded.• Premises where there is a comfortable waiting area.• Try to ensure the surgery (interviewing) room:<ul style="list-style-type: none">○ Is in view of the reception or public area;○ Is connected to the reception by an alarm and there is a procedure for dealing with call for assistance;○ Has a vision panel in the door;○ Has a swift means of escape and any visitors are not able to lock the door from the inside.

Personal Callers

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 as to how to contact Councillors and details of ward surgeries reduces the chances of unwanted callers.

Mail

As with telephone calls, Councillors on rare occasions can become the target of malicious anonymous letters. Any such letters should be given immediately to the Police.

Home Visits

Councillors do sometimes visit residents in their homes, especially those who are elderly, disabled or where they simply want to see for themselves the conditions that are the subject of complaints.

It is for each Councillor to decide whether a particular 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. Sometimes the Councillor might prefer to be accompanied by a ward colleague or invite the person to a more public place. It is always advisable for you to keep a record of your whereabouts. If necessary, you can let the person whom you are visiting know there is such a record or that you are expected at another place by a certain time etc. or make a call on your mobile phone during the visit.

Malicious and Nuisance Telephone Calls

Councillors occasionally get the odd nuisance or abusive call. Although such calls are likely to be rare, you might become the target of a persistent, anonymous caller with a grudge against the Council. These calls need to be dealt with in accordance with Police advice:

- Keep the caller talking;
- Note any clues the caller may provide as to sex, age, accent, etc.;
- Listen for any clues as to the caller's motive and intention;
- Write down the details immediately to assist police at a later stage;
- Listen for background noise that may provide valuable information (e.g. railway sounds, industrial noises, machinery, music, animals);
- Inform the Police;
- Inform the Council.

Reporting Incidents

Any incidents of concern, even if fairly minor or 'near-misses', should be reported to the Police and Head of Democratic Services. This enables the authority to undertake proper monitoring and decide if any action is needed to prevent a recurrence. You may also consider it advisable to warn ward colleagues.

Emergency Contact Details

It is advisable to provide this information to the Head of Democratic Services should it be necessary to contact your family / next of kin in the event of an emergency.

Additional Useful Guidance

[Personal Safety for Members](#): Welsh Local Government Association (WLGA) guidance.

[Personal Safety Guidance for Councillors](#): Local Government Information Unit (LGIU) guidance.

[Personal Safety Advice](#): Susie Lamplugh Trust guidance covers canvassing and campaigning, dealing with aggression, stalking, lone working, personal alarms, hate crime and internet safety.

[Online Abuse Guidance for Councillors](#): WLGA guidance.

[Get Safe Online guidance](#): Government supported website, Get Safe Online. This covers everything from protecting your devices to social networking to information security.

[Recognising the Terrorist Threat Guidance](#): The national counter terrorism security office guidance - dealing with suspect packages and what to do in the event of terrorist threats.

[City and County of Swansea - Corporate Health & Safety Policy](#). Authority's StaffNet Page.