



At: Aelodau'r Pwyllgor Safonau

Dyddiad: Dydd Iau, 27 Chwefror  
2020

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Annwyl Gynghorydd

Fe'ch gwahoddir i fynychu cyfarfod y **PWYLLGOR SAFONAU, DYDD GWENER, 6 MAWRTH 2020** am **10.00 am** yn **SIAMBR Y CYNGOR, TY RUSSELL, Y RHYL, SIR DDINBYCH, LL18 3DP.**

Yn gywir iawn

G Williams

Pennaeth Gwasanaethau Cyfreithiol, AD a Democrataidd

## AGENDA

### **RHAN 1: ESTYNNIR GWAHODDIAD I'R WASG AC AELODAU'R CYHOEDD FOD YN BRESENNOL YN Y RHAN HON O'R CYFARFOD**

#### **1 YMDDIHEURIADAU**

#### **2 DATGAN CYSYLLTIAD**

Dylai'r Aelodau ddatgan unrhyw gysylltiad personol neu gysylltiad sy'n rhagfarnu mewn unrhyw fater a nodwyd i'w ystyried yn y cyfarfod hwn.

#### **3 MATERION BRYG FEL Y'U CYTUNWYD GAN Y CADEIRYDD**

Hysbysiad o eitemau y dylid, ym marn y Cadeirydd, eu hystyried yn y cyfarfod fel materion bryg yn unol ag Adran 100B (4) Deddf Llywodraeth Leol, 1972.

#### **4 COFNODION Y CYFARFOD DIWETHAF** (Tudalennau 5 - 8)

Derbyn cofnodion cyfarfodydd y Pwyllgor Safonau a gynhaliwyd ar y 13 Medi 2019 (copi ynghlwm).

#### **5 LLYFR ACHOSION COD YMDDYGIAD OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU** (Tudalennau 9 - 24)

Ystyried adroddiad gan y Swyddog Monitro (copi ynghlwm) yn hysbysu'r aelodau am gyhoeddiad diweddaraf Llyfr Achosion Cod Ymddygiad yr Ombwdsmon.

**6 MOESGARWCH MEWN BYWYD CYHOEDDUS** (Tudalennau 25 - 68)

Ystyried adroddiad gan y Swyddog Monitro (copi yn atodedig) a cheisio barn ar yr ymgyrch Gwarineb Mewn Bywyd Cyhoeddus, sy'n cymryd lle ledled y Deyrnas Unedig.

**7 PRESENOLDEB MEWN CYFARFODYDD**

Nodi presenoldeb aelodau'r Pwyllgor Safonau yng nghyfarfodydd y Fforwm Pwyllgorau Safonau Gogledd Cymru a Chynghorau Sir, Tref a Chymuned a derbyn eu hadroddiadau.

**8 RHAGLEN GWAITH I'R DYFODOL Y PWYLLGOR SAFONAU**  
(Tudalennau 69 - 70)

Ystyried Rhaglen Gwaith i'r Dyfodol y Pwyllgor Safonau (copi ynghlwm).

**9 DYDDIAD Y CYFARFOD NESAF**

Trefnwyd cyfarfod nesaf y Pwyllgor Safonau am 10.00 a.m. ar y 5 Mehefin 2020 yn ystafell bwlgor 4, Neuadd y Sir, Rhuthun

**RHAN 2: EITEM CYFRINACHOL**

Argymhellir, yn unol ag Adran 100A (4) Deddf Llywodraeth Leol 1972, y dylid gwahardd y Wasg a'r Cyhoedd o'r cyfarfod yn ystod trafod y mater canlynol oherwydd y tebygolrwydd y caiff gwybodaeth eithriedig (fel y diffinnir ym Mharagraffau 12 ac 13 Rhan 4 o Atodlen 12A y Ddeddf), ei datgelu.

**10 COD YMDDYGIAD – RHAN 3 DEDDF LLYWODRAETH LEOL 2000**  
(Tudalennau 71 - 84)

Ystyried adroddiad cyfrinachol gan y Swyddog Monitro (copi ynghlwm) sy'n rhoi trosolwg o gwynion yn erbyn aelodau a gyflwynwyd gydag Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

**AELODAU**

Ian Trigger  
Julia Hughes  
Anne Mellor  
Paul Penlington

Andrew Thomas  
Peter Lamb  
Gordon Hughes

**COPIAU I'R:**

Holl Gynghorwyr er gwybodaeth  
Y Wasg a'r Llyfrgelloedd  
Cynghorau Tref a Chymuned

Mae tudalen hwn yn fwriadol wag

## PWYLLGOR SAFONAU

Cofnodion cyfarfod o'r Pwyllgor Safonau a gynhaliwyd yn Ystafell Gynhadledd 1a, Neuadd y Sir, Ffordd Wynnstay, Rhuthin LL15 1YN, ddydd Gwener, 13 Medi 2019 am 10.00 am.

## YN BRESENNOL

Aelodau Annibynnol: Ian Trigger (Cadeirydd), Julia Hughes, Anne Mellor a Peter Lamb

Aelod o Gyngor Tref / Cymuned: Gordon Hughes

Y Cynghorwyr Andrew Thomas

## HEFYD YN BRESENNOL

Swyddog Monitro (GW) a Rheolwr Gwasanaethau Democrataidd (SP)

### 1 YMDDIHEURIADAU

Cyflwynwyd ymddiheuriad am absenoldeb gan y Cynghorydd Paul Penlington.

### 2 DATGAN CYSYLLTIAD

Atgoffodd yr aelod annibynnol Julia Hughes y pwyllgor fod ganddi gysylltiad cymdeithasol gyda'r cyfreithiwr a gynrychiolodd y Cynghorydd Peter Duffy yng ngwrandawriad y pwyllgor (mewn perthynas â chofnodion y gwrandawriad gan y pwyllgor a gynhaliwyd ar 24 Mehefin 2019 o dan eitem 4 ar y rhaglen).

### 3 MATERION BRYN FEL Y'U CYTUNWYD GAN Y CADEIRYDD

Nid oedd unrhyw fater bryn.

### 4 COFNODION

Cyflwynwyd cofnodion drafft cyfarfod y pwyllgor a gynhaliwyd ar 12 Ebrill a 24 Gorffennaf 2019 (a ddisbarthwyd ymlaen llaw).

#### Materion yn codi

Diolchodd Cadeirydd y Pwyllgor i swyddogion y pwyllgor a'r staff Uned Cymorth Busnes oedd wedi paratoi dogfennaeth y pwyllgor ar gyfer y gwrandawriad ar 24 Gorffennaf 2019. Hefyd diolchodd i'r Swyddog Monitro am ei waith yn egluro pa ffeithiau nad sy'n destun dadl a meysydd yr oedd y pwyllgor angen canolbwyntio arnynt yn ystod y gwrandawriad.

Ar gyfer gwrandawriadau cod ymddygiad ffurfiol tebyg i'r gwrandawriad ym mis Gorffennaf roedd yr Aelodau yn awgrymu:

- Llunio dogfen gyda'r camau a gwybodaeth allweddol, pwyllgor safonau a staff cefnogi angen gwybod am drefnu a chynnal gwrandawriad.

- Argymell defnyddio trefn 'ystafell fwrdd' ar gyfer gwrandawiadau gan fod y drefn cymharol anffurfiol hon wedi gweithio'n dda.
- Y Swyddog Monitro i ddod ag adroddiad i gyfarfod yn y dyfodol ar y gwersi a ddysgwyd o'r gwrandawriad.

Dywedodd y Swyddog Monitro nad oedd y Cynghorydd Duffy wedi apelio yn erbyn penderfyniad y pwyllgor.

***PENDERFYNWYD derbyn a chadarnhau cofnodion cyfarfodydd y Pwyllgor Safonau a gynhaliwyd ar 12 Ebrill 2019 a 24 Gorffennaf 2019 fel cofnod cywir.***

## **5 OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU – LLYFR ACHOS COD YMDDYGIAD**

Cyflwynodd y Swyddog Monitro adroddiad ar Lyfr Achosion Cod Ymddygiad Ombwdsmon Gwasanaethau Cyhoeddus Cymru (dosbarthwyd yn flaenorol). Hysbysodd y Swyddog Monitro mai bwriad y Llyfr Achosion oedd i gynorthwyo aelodau ac eraill i ystyried a yw'r amgylchiadau yr oeddent yn eu hwynebu yn arwain at dorri'r Cod. Roedd hefyd yn rhoi gwybodaeth am y modd yr oedd yr Ombwdsmon a phwyllgorau safonau eraill yng Nghymru yn delio gydag achosion.

Gofynnodd y Cadeirydd sut oedd y crynodebau llyfr achosion wedi eu casglu a theimlwyd bod diffyg manylder mewn manau yn eu gwneud yn llai defnyddiol nag y gallent fod. Cadarnhaodd y Swyddog Monitro bod Ombwdsmon Gwasanaethau Cyhoeddus Cymru wedi llunio'r llyfrau achosion ac nad oedd diffyg manylder yn debyg o fod o ganlyniad i ddiogelu data gan fod y materion yn debyg o fod yn hysbys yn lleol. Ni fyddai achosion na ddilynwyd wedi cynnwys gwybodaeth ychwanegol.

***PENDERFYNWYD bod y Pwyllgor Safonau yn nodi'r wybodaeth sydd yn Llyfr Achos y Cod Ymddygiad.***

## **6 PRESENOLDEB MEWN CYFARFODYDD**

Dywedodd yr aelod annibynnol Anne Mellor ei bod wedi mynychu Fforwm Pwyllgorau Safonau Gogledd Cymru yn yr Wyddgrug ar 24 Mehefin 2019. Hysbysodd y pwyllgor fod Nick Bennett, Ombwdsmon Gwasanaethau Cyhoeddus Cymru wedi mynychu a rhoi cyflwyniad.

Roedd cyflwyniad Mr Bennett yn cynnwys:

- Pwerau deddfwriaethol newydd yr Ombwdsmon oedd yn ymwneud â:
  - o Gweithredu ar ei fenter ei hun heb dderbyn cwyn
  - o Pwerau i ystyried cwynion ar lafar
  - o Ystyried cwynion iechyd preifat
  - o Yr henoed, cartrefi gofal a phobl ddi-amddiffyn.
- Y gwahaniaeth rhwng trafod cyfeillgar a bwlio gydag arweiniad ar hyn i'w ddosbarthu yn ddiweddarach yn y flwyddyn.
- Pwysigrwydd arweinyddiaeth dda a chyfryngu.
- Barn yr Ombwdsmon bod trefn y Safonau yn gwella.

Trafododd y Fforwm y posibilrwydd o Gydbwyllgor Safonau, gan weld hyn fel posibilrwydd ond y byddai angen manylion pellach.

Byddai'r Fforwm ei hun yn cael ei ailenwi yn Fforwm Safonau Gogledd a Chanolbarth Cymru.

O safbwynt cydbwyllgor safonau, dywedodd y Swyddog Monitro y gallai uno dau bwyllgor safonau fod yn ddewis hyfyw ond y byddai uno mwy na dau angen newidiadau i'r rheoliadau aelodaeth i'w gwneud yn dderbyniol. Roedd yn meddwl y byddai yna werth mewn cydweithio rhwng pwyllgorau safonau hyd yn oed os nad oedd pwyllgorau yn cael eu huno'n ffurfiol. Er enghraifft, atgyfeirio achos i bwyllgor safonau arall a oedd yn fwy addas i dderbyn yr achos.

Cafodd adroddiad 2019 gan y Pwyllgor Safonau mewn Bywyd Cyhoeddus oedd yn adolygu safonau moesegol llywodraeth leol yng Nghymru ei godi, o safbwynt defnydd Sir y Fflint o'r adroddiad i wella safonau yno. Cytunodd y Swyddog Monitro i edrych ar waith Sir y Fflint ar gyfer enghreifftiau a allai fod yn ddefnyddiol yn Sir Ddinbych.

Roedd aelodau'r Pwyllgor Anne Mellor a Julia Hughes wedi mynychu cyfarfod Cyngor Cymuned Llanelidan a gynhaliwyd ar 2 Mai 2019 a rhoddodd adroddiad ar lafar manwl i'r pwyllgor ar y trafodion.

Cyfeiriodd y Swyddog Monitro at wybodaeth ar ollyngiadau a ddosbarthwyd yn flaenorol i glercod cyngor dinas, tref a chymuned a byddai'n ailddosbarthu iddynt.

Dywedodd y Cadeirydd ei fod wedi ymweld â Chyngor Cymuned Llandegla ar 4 Chwefror 2019.

Trafododd yr Aelodau rôl bwysig y clerc ac awgrym Llywodraeth Cymru y gall clercod gael eu cyflogi gan y prif gynghorau. Awgrymodd y Cadeirydd fod rhai cynghorau dinas, tref a chymuned yn ymddangos yn ei chael hi'n anodd o ganlyniad i wrthwynebiad gorbwerus gan unigolion lleol ar faterion unwaith yn unig.

Roedd y pwyllgor wedi penderfynu yn flaenorol i geisio ymweld â phob cyngor dinas, tref a chymuned yn Sir Ddinbych unwaith bob 3 neu 4 blynedd ac roedd yr aelodau wedi nodi'r cynghorau nesaf yr oeddent yn bwriadu ymweld â nhw.

Cytunodd y Swyddog Monitro i holi (wrth ddosbarthu'r cyngor ar ollyngiadau) am y dewis iaith mewn cyfarfodydd i gynorthwyo aelodau'r pwyllgor wrth ddewis eu hymweliadau.

Dywedodd y Swyddog Monitro fod Cyngor Sir Ddinbych yn cynnal cyfarfod blynyddol gyda'r cynghorau dinas, tref a chymuned yn fuan a gallai roi cyflwyniad byr ar safonau allweddol. Hefyd cytunodd y gall prif sylwadau'r pwyllgor yn dilyn ymweliad gael eu hanfon at y clerc perthnasol ac y byddai'n holi am argaeledd unrhyw gyfleoedd hyfforddiant a ddarperir gan Sir Ddinbych ar gyfer cynghorau dinas, tref a chymuned.

***PENDERFYNIWYD bod y pwyntiau uchod yn cael eu nodi.***

## **7 RHAGLEN GWAITH I'R DYFODOL Y PWYLLGOR SAFONAU**

Rhoddodd y Swyddog Monitro adroddiad ar raglen gwaith i'r dyfodol y pwyllgor (dosbarthwyd yn flaenorol).

***PENDERFYNWYD: Nodi'r Rhaglen Gwaith i'r Dyfodol.***

## **8 DYDDIAD Y CYFARFOD NESAF**

Cynhelir cyfarfod nesaf y Pwyllgor Safonau ar 6 Rhagfyr 2019 yn Ystafell Gynadledda 1a, Neuadd y Sir, Rhuthun.

### **Gwahardd y wasg a'r cyhoedd**

***PENDERFYNWYD - Yn unol ag Adran 100A (4) Deddf Llywodraeth Leol 1972, bod y Wasg a'r Cyhoedd yn cael eu gwahardd o'r cyfarfod tra bod yr eitem ganlynol o fusnes yn cael ei hystyried, oherwydd ei bod yn debygol y bydd gwybodaeth eithriedig yn cael ei datgelu (fel y'i diffinnir ym mharagraff 12 ac 13 o Ran 4, Atodlen 12A y Ddeddf).***

## **9 COD YMDDYGIAD – RHAN 3 DEDDF LLYWODRAETH LEOL 2000**

Cyflwynodd y Swyddog Monitro adroddiad (a ddosbarthwyd yn flaenorol) i roi trosolwg o gwynion a gyflwynwyd i Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

Dywedodd y Swyddog Monitro am gwynion a gyflwynwyd oedd yn cynnwys cynghorau yn Sir Ddinbych, yn rhoi amlinelliad o natur y cwynion a wnaed a'r camau a gymerwyd gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

Cadarnhaodd y Swyddog Monitro cyfryngau cymdeithasol bod cwynion oedd yn ymwneud â chyfryngau cymdeithasol yn brif ffynhonnell cwynion i'r Ombwdsmon.

***PENDERFYNWYD bod y Pwyllgor Safonau yn nodi cynnwys yr adroddiad.***



<b>Report to</b>	<b>Pwyllgor Safonau</b>
<b>Date of meeting</b>	<b>6 Mawrth 2020</b>
<b>Aelod / Swyddog Arweiniol</b>	<b>Gary Williams, Swyddog Monitro</b>
<b>Awdur yr Adroddiad</b>	<b>Gary Williams, Swyddog Monitro</b>
<b>Teitl</b>	<b>Llyfr Achosion Cod Ymddygiad Ombwdsmon Gwasanaethau Cyhoeddus Cymru</b>

## **1. Am beth mae'r adroddiad yn sôn?**

- 1.1. Mae'r adroddiad yn mwneud â Llyfr Achosion Cod Ymddygiad gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru (yr Ombwdsmon).

## **2. Beth yw'r rheswm dros lunio'r adroddiad hwn?**

- 2.1. Rhoi gwybod i'r Pwyllgor am argraffiad diweddaraf Llyfr Achosion Cod Ymddygiad yr Ombwdsmon.

## **3. What yw'r Argymhellion?**

- 3.1. Bod aelodau'r Pwyllgor yn nodi'r wybodaeth sydd yn Llyfr Achosion y Cod Ymddygiad.

## **4. Manylion yr Adroddiad**

- 4.1. Ers 2013 mae'r Ombwdsmon wedi llunio Llyfr Achosion Cod Ymddygiad (y Llyfr Achosion). Am beth amser cyn hynny bu'r Ombwdsmon yn cynhyrchu llyfr achosion oedd yn ymwneud â'r cwynion y bu'n ymchwilio iddynt o safbwynt camweinyddu honedig gan gyrrff cyhoeddus. Yn dilyn galwadau i ddefnyddio dull tebyg o safbwynt cwynion cod ymddygiad, dechreuodd yr Ombwdsmon gyhoeddi'r Llyfr Achosion yn 2013.
- 4.2. Yn wreiddiol, roedd y Llyfr Achosion yn cael ei gyhoeddi ddwywaith y flwyddyn, fodd bynnag mae'r Ombwdsmon wedi penderfynu cynhyrchu'r llyfr achosion yn chwarterol o fis Ebrill 2015. Mae'r Llyfr Achosion yn cynnwys crynodeb o bob achos y mae'r Ombwdsmon wedi cwblhau ymchwiliad iddynt yn ystod y cyfnod perthnasol.
- 4.3. Cynhyrchwyd y Llyfr Achosion i gynorthwyo Aelodau ac eraill i ystyried a yw'r amgylchiadau y maent yn eu hwynebu yn arwain at dorri'r Cod. Roedd hyn yn ychwanegiad i gyhoeddi esiamplau gwirioneddol yng Nghlanllaw Ombwdsman Gwasanaethau Cyhoeddus Cymru ynglŷn â'r Cod.

- 4.4. Mae'r Llyfr Achosion hefyd yn cynorthwyo Pwyllgorau Safonau awdurdodau lleol trwy roi mynediad iddynt at wybodaeth am y ffordd mae Pwyllgorau Safonau eraill yng Nghymru yn gosod cosbau a chael gwared ar achosion ac yn helpu i esbonio pam, mewn rhai achosion, y gall yr Ombwdsmon wrthod ymchwilio achosion honedig o dorri rheolau ar y sail nad yw honiadau blaenorol tebyg wedi arwain at gosb.
- 4.5. Mae Atodiad 1 yr adroddiad hwn yn cynnwys Rhifyn 21 o'r Coflyfr a gyhoeddwyd ym mis Medi 2019 yn cwmpasu'r cyfnod rhwng Ebrill 2019 a Mehefin 2019. Bydd yr Aelodau'n sylwi bod pum crynodeb achos yn y rhifyn hwn o'r Coflyfr, a bod tri ohonynt wedi arwain at ganfyddiad nad oedd unrhyw dystiolaeth o dorri amodau, un nad oedd angen gweithredu, ac un a gyfeiriwyd at Bwyllgor Safonau. Nid oedd un o'r achosion hyn yn ymwneud â chynghorwyr yn Sir Ddinbych.
- 4.6. Mae Atodiad 2 i'r adroddiad hwn yn cynnwys Rhifyn 22 o'r Coflyfr a gyhoeddwyd ym mis Hydref 2019 yn cwmpasu'r cyfnod rhwng Gorffennaf 2019 a Medi 2019. Ceir deuddeg crynodeb achos yn y rhifyn hwn o'r Coflyfr, ac arweiniodd pump ohonynt at ganfyddiad nad oedd dystiolaeth o dorri'r cod ymddygiad a phedwar nad oedd angen gweithredu. Atgyfeiriwyd dau achos i Bwyllgor Safonau ac un a gyfeiriwyd at Banel Dyfarnu Cymru.
- 4.7. O'r achosion lle na chanfuwyd dystiolaeth o doriad, roedd un yn ymwneud â chynghorydd Sir Ddinbych ac un i aelod o Gyngor Tref Prestatyn. Roedd y ddau achos yn ymwneud â honiadau yn ymwneud â chydraddoldeb a methiant i ddangos parch ac ystyriaeth.
- 4.8. Roedd un o'r achosion a gyfeiriwyd at Bwyllgor Safonau yn ymwneud ag aelod o Gyngor Tref Prestatyn y canfuwyd ei fod wedi methu â dangos parch ac ystyriaeth a'i fod wedi dwyn anfri ar y Cyngor. Bydd Aelodau'r Pwyllgor yn cofio'r gwrandawriad mewn perthynas â'r mater hwn a'r sancsiwn a osodir ar waharddiad o bedwar mis. Bydd yr Aelodau'n sylwi bod yr achos arall a gyfeiriwyd at Bwyllgor Safonau yn ystod yr un cyfnod a oedd yn cynnwys aelod o Gyngor Tref Castell-nedd hefyd yn cynnwys cyhuddiadau o beidio â dangos parch ac ystyriaeth ac yn arwain at yr un sancsiwn â'r hyn a osodir gan y Pwyllgor yma.
- 4.9. Roedd yr un achos a gyfeiriwyd at Banel Dyfarnu Cymru yn cynnwys cynghorydd o Gyngor Cymuned Matharn. Roedd y cynghorydd wedi bod gerbron Panel Dyfarnu Cymru yn flaenorol mewn perthynas â sylwadau a wnaed am gyfunrywioldeb. Canfu'r panel dyfarnu bod y cynghorydd wedi torri'r cod ymddygiad a'i fod wedi rhoi gwaharddiad arno. Yn y gwrandawriad hwnnw ac mewn gohebiaeth ddilynol mewn ymateb i ganfyddiad y Panel, ailadroddodd y Cynghorydd sylwadau tebyg i'r rhai yr oedd wedi cael eu hatal dros dro. Ceisiodd yr Ombwdsmon wneud atgyfeiriad pellach at y Panel mewn perthynas â'r sylwadau hyn. Diystyrod y panel yr achos ar y sail na allai'r Ombwdsmon ond ymchwilio i faterion y cwynwyd yn eu herbyn gan drydydd parti, neu faterion a gododd yn ystod ymchwiliad. Gan nad oedd yr ail atgyfeiriad yn seiliedig ar gŵyn trydydd parti, a bod y sylwadau wedi'u gwneud ar ôl i'r ymchwiliad blaenorol gael ei gwblhau, penderfynodd y Panel nad oedd unrhyw sail yn y gyfraith i'r ail atgyfeiriad a gwrthododd yr achos.

**5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

5.1. Nid yw'r adroddiad yn cael effaith uniongyrchol ar y blaenoriaethau corfforaethol.

**6. Faint fydd yn ei gostio a sut fydd yn effeithio ar wasanaethau eraill?**

6.1. Nid oes costau uniongyrchol yn gysylltiedig â'r adroddiad.

**7. Beth yw prif gasgliadau'r Asesiad o'r Effaith ar Les?**

7.1. Nid oes angen asesiad o'r effaith ar gyfer yr adroddiad hwn.

**8. Pa ymgynghoriadau a gynhaliwyd gyda Chraffu ac eraill?**

8.1. Nid fu adroddiad nac ymgynghoriad ar y mater hwn yn unman arall.

**9. Datganiad y Prif Swyddog Cyllid**

9.1. Nid oes unrhyw oblygiadau ariannol uniongyrchol o ganlyniad i'r adroddiad hwn.

**10. Pa risgiau sydd ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**

10.1. Nid oes unrhyw risgiau uniongyrchol sy'n gysylltiedig â'r adroddiad hwn.

**11. Pŵer i wneud y Penderfyniad**

11.1. Nid oes angen penderfyniad.

Mae tudalen hwn yn fwriadol wag

## Cyflwyniad

Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn ystyried cwynion bod aelodau awdurdodau lleol yng Nghymru wedi gweithredu'n groes i'r Cod Ymddygiad. Mae'r Ombwdsmon yn ymchwilio i gwynion o'r fath o dan ddarpariaethau Rhan III Deddf Llywodraeth Leol 2000 a'r Gorchmynion perthnasol a wneir gan Gynulliad Cenedlaethol Cymru o dan y Ddeddf.

Pan fydd yr Ombwdsmon yn penderfynu y dylid ymchwilio i gŵyn, mae yna bedwar canfyddiad, sydd wedi'u nodi yn adran 69 Deddf Llywodraeth Leol 2000, y gall yr Ombwdsmon eu datgan:

- a) nad oes tystiolaeth bod unrhyw achos o weithredu'n groes i god ymddygiad yr awdurdod;
- b) nad oes angen cymryd unrhyw gamau mewn cysylltiad i'r materion a fu'n destun i'r ymchwiliad;
- c) bod angen cyfeirio'r mater i swyddog monitro'r awdurdod, i'w ystyried gan y pwyllgor safonau;
- d) (ch) bod angen cyfeirio'r mater i Lywydd Panel Dyfarnu Cymru ar gyfer dyfarniad gan driw'nlys (mae hyn yn digwydd mewn achosion mwy difrifol fel arfer).

Yn amgylchiadau (c) a (d) uchod, mae'n ofynnol i'r Ombwdsmon gyflwyno adroddiad am yr ymchwiliad i'r pwyllgor safonau neu driw'nlys Panel Dyfarnu Cymru, yna byddant hwy'n ystyried y dystiolaeth a ganfuwyd gan yr Ombwdsmon, ynghyd ag unrhyw amddiffyniad a gyflwynir gan yr aelod dan sylw. Hwyl hefyd fydd yn penderfynu a oes achos o weithredu'n groes i'r Cod ai peidio, ac os oes, pa gosb (os o gwbl) y dylid ei chyflwyno.

Mae'r Llyfr Achosion Cod Ymddygiad yn cynnwys crynodebau o'r adroddiadau hynny lle cafwyd un o'r canfyddiadau wedi'u gosod allan uchod. Er hynny, yn achos canfyddiadau (c) a (d), bydd y Coflyfr Cod Ymddygiad ond yn cynnwys crynodebau'r achosion hynny y mae gwrandawiadau wedi'u cynnal gan y pwyllgor safonau neu Banel Dyfarnu Cymru, a bod canlyniad y gwrandawriad hwnnw'n hysbys. Mae'r rhifyn hyn yn adrodd ar y cyfnod Ebrill i Fehefin 2019.

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# Crynodebau Achosion

## Dim tystiolaeth o dorri'r Cod

Cyngor Cymuned Sili a Larnog - Datgelu a chofrestru buddiannau

Rhif Achos: 201802547 - Cyhoeddwyd yr adroddiad ym mis Ebrill 2019

Fe dderbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Cymuned Sili a Larnog ("y cyngor") wedi torri'r Cod Ymddygiad. Honnwyd, er bod yr Aelod yn ymwybodol bod cwyn wedi'i chyflwyno i'r Cyngor ynghylch ei ymddygiad, methodd â datgan buddiant pan drafodwyd y materion yng nghyfarfodydd y Cyngor.

Yn ogystal â'r dystiolaeth a ddarparwyd gan yr achwynydd, gofynnwyd am wybodaeth hefyd gan y Cyngor Cymuned, y Cyngor Sir a'r Aelod. Ar ôl adolygu'r wybodaeth o'i flaen, canfu'r Ombwdsmon nad oedd dim tystiolaeth o dorri'r Cod Ymddygiad.

Amlwch Town Council - Hybu cydraddoldeb a pharch

Rhif Achos: 201802863 - Cyhoeddwyd yr adroddiad ym mis Ebrill 2019

Fe dderbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Tref Amlwch ("y Cyngor") wedi torri amodau'r Cod Ymddygiad yn ei ymddygiad tuag at Glerc y Cyngor mewn cyfarfod.

Fe wnaeth yr Ombwdsmon ymchwilio a oedd yr Aelod wedi torri amodau'r Cod yn ymwneud â dangos parch ac ystyriaeth, peidio ag ymddwyn fel bwli neu aflonyddu unrhyw berson, a pheidio ag ymddwyn mewn ffordd y gellid yn rhesymol ei hystyried yn un sy'n dwyn anfri ar eu hawdurdod. Fe gyfwelwyd â detholiad o'r rheiny oedd yn bresennol yn y cyfarfod, gan gynnwys aelodau o'r Cyngor ac aelodau o'r cyhoedd. Nid oedd y dystiolaeth yn cefnogi'r gwyn.

O dan Adran 69(4)(a) o Ddeddf Llywodraeth Leol 2000, canfyddiad yr Ombwdsmon oedd nad oedd tystiolaeth bod yr Aelod wedi methu cydymffurfio â'r Cod Ymddygiad.

Cyngor Cymuned Powys - Hybu cydraddoldeb a pharch

Rhif Achos: 201803813 & 201803815 - Cyhoeddwyd yr adroddiad ym mis Mai 2019

Fe dderbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Cymuned Powys ("y Cyngor") wedi torri'r Cod Ymddygiad. Honnwyd bod yr Aelod wedi gwneud sylwadau i'r wasg dro ar ôl tro am fusnes yr achwynydd, a achosodd i'r achwynydd deimlo ei fod yn cael ei fwlio a'i aflonyddu.

Yn ystod gwrs yr ymchwiliad, darparwyd gwybodaeth gan bartion perthnasol gan gynnwys yr achwynydd a'r Swyddog Monitro.

Canfu'r Ombwdsmon nad oed dim tystiolaeth o dorri'r Cod Ymddygiad. Roedd y materion y cyfeiriwyd atynt gan yr achwynydd yn gywir a chyhoeddus. Nid oedd tystiolaeth a oedd yn awgrymu bod yr aelod wedi datgelu materion i'r wasg.

## Nid oes angen gweithredu

Cyngor Cymuned Magwyr gyda Gwndy - Gonestrwydd

Rhif Achos: 201807788 - Cyhoeddwyd yr adroddiad ym mis Mai 2019

Derbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Cymuned Magwyr gyda Gwndy ("y Cyngor") wedi torri'r Cod Ymddygiad pan drefnodd i drosglwyddo data Cyngor i raglen storio electronig, allanol. Honnwyd bod yr Aelod wedi gweithredu'n amhriodol i berswadio staff y Cyngor i roi mynediad iddo i ffeiliau'r Cyngor, a'i fod wedi cyrchu'n amhriodol y wybodaeth a oedd ar gael iddo yn ystod y broses trosglwyddo ffeiliau.

Ar ôl cael gwybod, yn ystod gwrs yr ymchwiliad, bod yr Aelod wedi ymddiswyddo o'r Cyngor, daeth i'r casgliad nad oedd y gŵyn bellach yn bodloni gofynion diddordeb cyhoeddus y prawf dau gam a therfynwyd yr ymchwiliad.

## Cyfeiriwyd at Bwyllgor Safonau

Cyngor Cymuned Cwmllynfell - Hybu cydraddoldeb a pharch

Rhif Achos: 201704948 - Cyhoeddwyd yr adroddiad ym mis Mai 2019

Fe dderbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Cymuned Cwmllynfell ("y Cyngor") wedi dangos ymddygiad amharchus a bwlio tuag at y Clerc (ar y pryd) yn ystod dau gyfarfod.

Canfu'r Ombwdsmon dystiolaeth i awgrymu bod yr Aelod wedi methu â dangos parch ac ystyriaeth i'r Clerc blaenorol wrth godi materion o natur bersonol, nad oedd yn gysylltiedig â pherfformio dyletswyddau'r Clerc, yn ystod yr ail gyfarfod a oedd yn agored i'r cyhoedd. Ystyriwyd bod gweithredoedd yr Aelod yn groes i un o Reolau Sefydlog y Cyngor. Canfu'r Ombwdsmon hefyd fod dystiolaeth i awgrymu bod yr Aelod wedi arddangos ymddygiad bwlio tuag at y Clerc yn y cyfarfod hwn.

Penderfynodd yr Ombwdsmon y dylid cyfeirio'r mater at Swyddog Monitro Cyngor Bwrdeistref Siriol Castell-nedd Port Talbot i'w ystyried gan Bwyllgor Safonau'r Cyngor.

Daeth y Pwyllgor Safonau i'r casgliad bod ymddygiad yr Aelod o ran yr ail gyfarfod yn torri paragraffau 4(b) a 4(c) o God Ymddygiad y Cyngor. Yn ogystal, canfu'r Pwyllgor Safonau bod yr Aelod, wrth ymddwyn fel hyn yn ystod y cyfarfod, hefyd wedi dwyn anfri ar swyddfa'r aelod trwy dorri paragraff 6(1)(a). Cyhoeddodd y Pwyllgor Safonau gerydd i'r Aelod am dorri'r Cod.

## Cyfeiriwyd at Banel Dyfarnu Cymru

Ni does crynodebau yn gysylltiedig â'r canfyddiad hwn.



## Cyflwyniad

Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn ystyried cwynion bod aelodau awdurdodau lleol yng Nghymru wedi gweithredu'n groes i'r Cod Ymddygiad. Mae'r Ombwdsmon yn ymchwilio i gwynion o'r fath o dan ddarpariaethau Rhan III Deddf Llywodraeth Leol 2000 a'r Gorchmynion perthnasol a wneir gan Gymulliad Cenedlaethol Cymru o dan y Ddeddf.

Pan fydd yr Ombwdsmon yn penderfynu y dylid ymchwilio i gŵyn, mae yna bedwar canfyddiad, sydd wedi'u nodi yn adran 69 Deddf Llywodraeth Leol 2000, y gall yr Ombwdsmon eu datgan:

- a) nad oes tystiolaeth bod unrhyw achos o weithredu'n groes i god ymddygiad yr awdurdod;
- b) nad oes angen cymryd unrhyw gamau mewn cysylltiad i'r materion a fu'n destun i'r ymchwiliad;
- c) bod angen cyfeirio'r mater i swyddog monitro'r awdurdod, i'w ystyried gan y pwyllgor safonau;
- d) (ch) bod angen cyfeirio'r mater i Lywydd Panel Dyfarnu Cymru ar gyfer dyfarniad gan dribiwnlys (mae hyn yn digwydd mewn achosion mwy difrifol fel arfer).

Yn amgylchiadau (c) a (d) uchod, mae'n ofynnol i'r Ombwdsmon gyflwyno adroddiad am yr ymchwiliad i'r pwyllgor safonau neu dribiwnlys Panel Dyfarnu Cymru, yna byddant hwy'n ystyried y dystiolaeth a ganfuwyd gan yr Ombwdsmon, ynghyd ag unrhyw amddiffyniad a gyflwynir gan yr aelod dan sylw. Hwyl hefyd fydd yn penderfynu a oes achos o weithredu'n groes i'r Cod ai peidio, ac os oes, pa gosb (os o gwbl) y dylid ei chyflwyno.

Mae'r Llyfr Achosion Cod Ymddygiad yn cynnwys crynodebau o'r adroddiadau hynny lle cafwyd un o'r canfyddiadau wedi'u gosod allan uchod. Er hynny, yn achos canfyddiadau (c) a (d), bydd y Coflyfr Cod Ymddygiad ond yn cynnwys crynodebau'r achosion hynny y mae gwrandawiadau wedi'u cynnal gan y pwyllgor safonau neu Banel Dyfarnu Cymru, a bod canlyniad y gwrandawriad hwnnw'n hysbys. Mae'r rhifyn hwn yn adrodd ar y cyfnod Gorffennaf i Fedi 2019.

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# Crynodebau Achosion

## Dim tystiolaeth o dorri'r Cod

Cyngor Cymuned Parc Caia – Datgelu a chofrestru buddiannau

Rhif Achos: 201805133 – Cyhoeddwyd yr adroddiad ym mis Gorffennaf 2019

Derbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Cymuned Parc Caia ("y Cyngor") wedi torri'r Cod Ymddygiad ar gyfer aelodau, ym mis Hydref 2019, pan gyflwynasant gais am arian ar gyfer prosiect cymunedol. Roedd y gŵyn yn honni bod gan yr aelod fuddiant yn erbyn cyngor y Clerc a oedd yn fwy na chyfyngiad cytunedig y Cyngor. Honnwyd y gall ymddygiad yr Aelod ddwyn anfri ar y Cyngor.

Sefydlodd yr ymchwiliad fod y Clerc wedi cynghori y gallai'r Cyngor ystyried cais am arian a oedd yn fwy na'r uchafswm cytunedig. Datgelodd yr aelod fuddiant ac nid oedd dim tystiolaeth ei fod yn ceisio dylanwadu ar y broses penderfyniadau. Felly, canfu'r Ombwdsmon nad oedd dim tystiolaeth bod yr Aelod wedi torri'r Cod Ymddygiad.

Cyngor Sir Powys – Atebolrwydd a bod yn agored

Rhif Achos: 201803272 – Cyhoeddwyd yr adroddiad ym mis Awst 2019

Derbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Sir Powys ("y Cyngor") wedi torri'r Cod Ymddygiad ("y Cod") o ran cysylltiad cyflenwadau dŵr ei ddau eiddo ac ynghylch ei weithredoedd sy'n ymwneud â'i safle carafanau.

Dechreuwyd ymchwiliad i ystyried a oedd yr Aelod wedi torri rhan o'r cod sy'n ymwneud ag anfri. Cafwyd copïau o ddogfennau perthnasol a rhannwyd y dystiolaeth a ganfuwyd gan yr ymchwiliad gyda'r aelod, cyn iddo gael ei gyfsweld yn ffurfiol.

Penderfynodd yr Ombwdsmon nad oedd dim tystiolaeth i awgrymu bod yr Aelod wedi torri'r Cod ymddygiad.

Cyngor Sir Dinbych – Hybu cydraddoldeb a pharch

Rhif Achos: 201900044 – Cyhoeddwyd yr adroddiad ym mis Awst 2019

Derbyniodd yr Ombwdsmon gŵyn am Aelod ("yr Aelod") o Gyngor Sir Dinbych ("y Cyngor"). Honnwyd y bu ymddygiad yr Aelod yn amhriodol ac amharchus ac wedi torri'r Cod Ymddygiad.

Yn ystod yr ymchwiliad, darparwyd gwybodaeth gan bartion perthnasol gan gynnwys yr Achwynwr, a'r Swyddog Monitro.

Canfu'r Ombwdsmon nad oed dim tystiolaeth i gefnogi'r pryderon a godwyd, a chanfu nad oed dim tystiolaeth o dorri'r Cod Ymddygiad.

Cyngor Tref Prestatyn – Hybu cydraddoldeb a pharch

Rhif Achos: 201900045 – Cyhoeddwyd yr adroddiad ym mis Awst 2019

Derbyniodd yr Ombwdsmon gŵyn am Aelod ("yr Aelod") o Gyngor Tref Prestatyn ("y Cyngor"). Honnwyd y bu ymddygiad yr Aelod yn amhriodol ac amharchus ac wedi torri'r Cod Ymddygiad.

Yn ystod yr ymchwiliad, darparwyd gwybodaeth gan bartion perthnasol gan gynnwys yr Achwynwr, a'r Swyddog Monitro.

Canfu'r Ombwdsmon nad oed dim tystiolaeth i gefnogi'r pryderon a godwyd, a chanfu nad oed dim tystiolaeth o dorri'r Cod Ymddygiad.

### Cyngor Cymuned Sili a Larnog – Dyletswydd i gynnal y gyfraith

Rhif Achos: 201900025 – Cyhoeddwyd yr adroddiad ym mis Medi 2019

Derbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Cymuned Sili a Larnog ("y Cyngor") wedi torri'r Cod Ymddygiad pan honnwyd iddo ymosod yn gorfforol ar rywun.

Gohiriwyd ymchwiliad yr Ombwdsmon hyd nes y ceir canlyniad erlyniad troseddol a wnaed yn erbyn yr Aelod, a oedd yn ymwneud â'r digwyddiad. Clywyd yr achos gan y Llys Ynadon; ni chafwyd unrhyw dystiolaeth uniongyrchol gan dyst i gefnogi'r digwyddiad honedig a chanfu'r aelod yn ddiuog. Gan hynny, roedd yr Ombwdsmon o'r farn nad oedd y dystiolaeth yn awgrymu bod yr aelod wedi torri'r Cod Ymddygiad yn yr achos hwn. Canfu'r Ombwdsmon, o dan adran a69(4)(a) o'r Ddeddf Llywodraeth Leol 2000, nad oedd dystiolaeth bod yr Aelod wedi methu â chydymffurfio â'r Cod.

## Nid oes angen gweithredu

### Cyngor Tref Llandrindod – Hybu cydraddoldeb a pharch

Rhif Achos: 201803394 – Cyhoeddwyd yr adroddiad ym mis Gorffennaf 2019

Derbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Tref Llandrindod ("y Cyngor") wedi cyrchu cyfrifiadur y Cyngor yn amhriodol, wedi cuddio gwybodaeth o'r cyfrifiadur oddi wrth y Cyngor ac wedi methu â datgelu buddiant personol a niweidiol mewn materion dan ystyriaeth y Cyngor. Honnwyd hefyd bod yr aelod wedi defnyddio ymddygiad bwlio tuag at y Clerc mewn dau gyfarfod, yn benodol.

Ystyriodd yr Ombwdsmon a oedd yr Aelod wedi torri paragraffau 4(b) a (c), 5(b), 7(a), 11 a 14 y Cod Ymddygiad. Cafwyd copiau o ddogfennau perthnasol, gan gynnwys cofnodion cymeradwy'r ddau gyfarfod, a chynhaliwyd cyfweiliadau dros y ffon gyda thystion perthnasol. Rhannwyd y dystiolaeth a ganfuwyd gan yr ymchwiliad gyda'r aelod, cyn iddo gael ei gyfweld yn ffurfiol.

Canfu'r ymchwiliad nad oedd y dystiolaeth yn awgrymu bod yr Aelod wedi ymddwyn mewn modd bwlio, wedi atal y Cyngor rhag cyrchu gwybodaeth yr oedd ganddo hawl iddi neu wedi defnyddio ei safle'n anwedus. Roedd gan yr aelod hawl i wneud sylwadau ar faterion sy'n ymwneud â'r Cyngor ac roedd ganddo resymau dilys dros ei weithredoedd.

Canfu'r ymchwiliad dystiolaeth bod yr Aelod wedi methu â dangos parch ac ystyriaeth at y Clerc yn ystod un cyfarfod, a'i fod wedi methu â chymryd camau priodol o ran buddiant personol a niweidiol. Serch hynny, bu'r Aelod yn ymddwyn yn ddiwyll ac er budd orau'r Cyngor. Yn ychwanegol, dangosodd lefel rhesymol o fyfyrddod personol ers adeg y digwyddiadau. O ganlyniad, canfu'r Ombwdsmon nad oedd angen cymryd unrhyw gamau o ran y materion yr ymchwiliwyd iddynt.

### Cyngor Tref Pen-y-bont ar Ogwr – Datgelu a chofrestru buddiannau

Rhif Achos: 201707582 - Cyhoeddwyd yr adroddiad ym mis Medi 2019

Derbyniodd yr Ombwdsmon gŵyn am aelod ("yr Aelod") o Gyngor Tref Pen-y-Bont ar Ogwr ("y Cyngor"). Honnwyd bod yr Aelod wedi methu â datgelu buddiant personol a niweidiol yn ystod cyfarfod y Cyngor a'i fod wedi parhau i gymryd rhan mewn trafodaethau yn ymwneud â'r mater hwnnw. Yn ychwanegol, honnwyd bod yr Aelod wedi methu â dangos parch ac ystyriaeth yn ystod y cyfarfod ac wedi ymddwyn fel bwli tuag at Glerc y Cyngor.

Yn ystod yr ymchwiliad, darparwyd gwybodaeth gan bartion perthnasol gan gynnwys yr Achwynwr, a'r Cyngor.

Canfu'r Ombwdsmon bod y dystiolaeth yn awgrymu bod yr Aelod wedi methu â datgan yn briodol, yn ystod cyfarfod y Cyngor, fod ganddo fuddiant personol a niweidiol. Yn ychwanegol, roedd gweithredoedd yr aelod o ran ei fethiant i adael yr ystafell a gwneud sylwadau hefyd yn awgrymu methiant i gydymffurfio â darpariaethau perthnasol y Cod. Ymhellach, penderfynodd yr Ombwdsmon bod y dystiolaeth yn awgrymu bod yr Aelod wedi methu â dangos parch ac ystyriaeth at y Clerc yn ystod y cyfarfod hwnnw.

Wrth benderfynu pa gamau i'w cymryd, ystyriodd yr Ombwdsmon yr arfer o ddatgelu buddiannau o fewn y Cyngor ar yr adeg berthnasol, y lleddfiad a ddarparodd yr Aelod a thystiolaeth ddiweddar a oedd yn cadarnhau gwelliant sylweddol ym mherthnasoedd gwaith y Cyngor. Daeth yr Ombwdsmon i'r casgliad na fyddai mynd â materion ymhellach er budd y cyhoedd ac na ddylid cymryd camau o ran y materion yr ymchwiliwyd iddynt.

#### [Cyngor Tref Pen y bont ar Ogwr – Datgelu a chofrestru buddiannau](#) [Rhif Achos: 201707583 - Cyhoeddwyd yr adroddiad ym mis Medi 2019](#)

Derbyniodd yr Ombwdsmon gŵyn am aelod ("yr Aelod") o Gyngor Tref Pen-y-Bont ar Ogwr ("y Cyngor"). Honnwyd bod yr Aelod wedi methu â datgelu buddiant personol a niweidiol yn ystod cyfarfod y Cyngor a'i fod wedi parhau i gymryd rhan mewn trafodaethau yn ymwneud â'r mater hwnnw. Yn ychwanegol, honnwyd bod yr Aelod wedi defnyddio ei safle'n amhriodol mewn ymgais i ennill mantais iddo'i hun neu i'w gydnabod personol.

Yn ystod yr ymchwiliad, darparwyd gwybodaeth gan bartïon perthnasol gan gynnwys yr Achwynwr, a'r Cyngor.

Canfu'r Ombwdsmon bod y dystiolaeth yn awgrymu bod yr Aelod wedi methu â datgan yn briodol, yn ystod cyfarfod y Cyngor, fod ganddo fuddiant personol a niweidiol. Yn ychwanegol, roedd gweithredoedd yr aelod o ran ei fethiant i adael yr ystafell a gwneud sylwadau hefyd yn awgrymu methiant i gydymffurfio â darpariaethau perthnasol y Cod. Fodd bynnag, ni pherswadiwyd yr Ombwdsmon fod y dystiolaeth yn awgrymu bod yr aelod wedi defnyddio ei safle mewn ymgais i ennill mantais, fel yr awgrymwyd.

Wrth benderfynu pa gamau i'w cymryd, ystyriodd yr Ombwdsmon yr arfer o ddatgelu buddiannau o fewn y Cyngor ar yr adeg berthnasol a'r lleddfiad a ddarparodd yr Aelod. Daeth yr Ombwdsmon i'r casgliad na fyddai mynd â materion ymhellach er budd y cyhoedd ac na ddylid cymryd unrhyw gamau o ran y materion yr ymchwiliwyd iddynt.

#### [Cyngor Cymuned Trefeurig - Datgelu a chofrestru buddiannau](#) [Rhif Achos: 201806748 - Cyhoeddwyd yr adroddiad ym mis Medi 2019](#)

Derbyniodd yr Ombwdsmon gŵyn bod Aelod ("yr Aelod") o Gyngor Cymuned Trefeurig ("y Cyngor") wedi torri'r Cod Ymddygiad. Honnwyd bod yr Aelod, yn ystod trafodaeth am gais cynllunio ar gyfer datblygiad lleol, wedi methu â datgan buddiant yn y mater.

Yn ystod yr ymchwiliad, darparwyd gwybodaeth gan bartïon perthnasol gan gynnwys yr achwynwr a Chlerc y Cyngor.

Canfu'r Ombwdsmon nad oedd angen gweithredu o ran y materion yr ymchwiliwyd iddynt.

## **Cyfeiriwyd at Bwyllgor Safonau**

#### [Cyngor Tref Prestatyn – Hybu cydraddoldeb a pharch](#) [Rhif Achos: 201700947 - Cyhoeddwyd yr adroddiad ym mis Gorffennaf 2019](#)

Derbyniodd yr Ombwdsmon gŵyn y gallai Aelod ("yr Aelod") o Gyngor Tref Prestatyn ("y Cyngor") fod wedi defnyddio ymddygiad bygythiol a difriol tuag at gyd-aelod y Cyngor ac wedi ymddwyn mewn modd ymosodol a wrthdrawiadol mewn dau gyfarfod y Cyngor ym mis Tachwedd 2016 a Mai 2017.

Cafodd yr Ombwdsmon wybodaeth berthnasol am y mater gan y Cyngor a bu'n cyfweld â sawl tyst. Cafodd yr Aelod ei gyfweld a darparodd ei ymateb i'r gŵyn. Canfu'r Ombwdsmon bod tystiolaeth i awgrymu y gallai'r Aelod fod wedi torri'r Cod Ymddygiad a chyfeiriodd y mater i ystyriaeth Pwyllgor Safonau'r Cyngor.

Penderfynodd y Pwyllgor Safonau fod yr Aelod wedi methu â dangos parch ac ystyriaeth at Swyddogion Heddlu a oedd yn bresennol yn y cyfarfod ym mis Tachwedd 2016 a thuag at ei gyd-aelod yn y cyfarfod ym mis Mai 2017. Yn ogystal, canfu'r Pwyllgor Safonau y gellid ymddygiad yr Aelod yn ystod y ddau gyfarfod ddwyn anfri ar y Cyngor.

Penderfynodd y Pwyllgor Safonau, ar sail y canfyddiadau, y dylid gwahardd yr aelod o'r swyddfa'r Cyngor am gyfnod o bedair mis.

#### [Cyngor Tref Castell-nedd - Hybu cydraddoldeb a pharch](#)

[Rhif Achos: 201700947 - Cyhoeddwyd yr adroddiad ym mis Gorffennaf 2019](#)

Ar 21 Mawrth 2018, derbyniais gŵyn bod aelod ("yr Aelod") o Gyngor Tref Castell-nedd ("y Cyngor") wedi methu ag ufuddhau i'r Cod Ymddygiad ar gyfer aelodau'r Cyngor. Honnwyd bod yr aelod wedi gwneud sylwadau bod un o breswylwyr Castell-nell wedi haeddu cael ei lofruddio.

Canfu'r ymchwiliad bod sylwadau digymell yr Aelod am y dioddefwr yn amharchus a chas a, er ei bod efallai'n farn breifat yr Aelod, nid oedd rheswm dros ei mynegi'n gyhoeddus. Yng ngoleuni effaith sylwadau'r Aelod ar ddinasyddion Cyngor Tref Castell-nedd, nifer ohonynt sydd o'r farn nad yw'r Aelod bellach yn gynrychiolydd addas, a'r effaith ar enw da'r Cyngor Tref ei hun, daeth yr Ombwdsmon i'r casgliad y gallai'r aelod fod wedi torri paragraffau 6(1)(a) o'r Cod Ymddygiad.

Penderfynodd yr Ombwdsmon y dylid cyfeirio'r mater at Swyddog Monitro Cyngor Bwrdeistref Siriol Castell-nedd Port Talbot i'w ystyried gan Bwyllgor Safonau'r Cyngor hwnnw. Canfu'r Pwyllgor Safonau bod yr Aelod wedi torri'r Cod Ymddygiad a chafodd ei gwahardd am bedair mis.

## **Cyfeiriwyd at Banel Dyfarnu Cymru**

#### [Cyngor Cymuned Mathern - Hybu cydraddoldeb a pharch](#)

[Rhif Achos: 201802799 - Cyhoeddwyd yr adroddiad ym mis Gorffennaf 2019](#)

Yn ystod gwrandawriad cyhoeddus a gynhaliwyd gan Banel Dyfarnu Cymru ar 19 Gorffennaf 2018, cafodd datganiad a llythyr dilynol ei wneud gan aelod o Gyngor Cymuned Mathern ("yr Aelod") at y Panel Dyfarnu. Roedd y datganiad a'r llythyr yn cynnwys iaith a oedd yr un fath neu iaith a oedd yn debyg i'r hyn yr oedd y Panel Dyfarnu wedi'i gynghori y byddai'n gyfystyr â thorri'r Cod Ymddygiad.

Penderfynodd yr Ombwdsmon ymchwilio i ganfod a oedd gweithredoedd yr Aelod yn gyfystyr â thorri paragraff 6 (1) (a) o'r Cod Ymddygiad ar y sail bod y mater wedi dod i'w sylw o ganlyniad i'r ymchwiliad a oedd yn cael ei glywed gan Banel Dyfarnu Cymru ar 19 Gorffennaf.

Roedd yr Ombwdsmon o'r farn y byddai rhywun rhesymol yn dod i'r casgliad bod gweithredoedd yr Aelod yn effeithio ar enw da o ran Swyddfa'r Aelod a'r Awdurdod y mae'n aelod ohono, ac y gallent fod yn gyfystyr â thorri paragraff 6 (1) (a) o'r Cod Ymddygiad. Roedd yr Ombwdsmon hefyd o'r farn y byddai cyfyngu hawl yr Aelod i ryddid mynegiant o dan erthygl 10 o'r Ddeddf Hawliau Dynol yn angenrheidiol er mwyn amddiffyn hawliau a buddiannau eraill.

Cyfeiriodd yr Ombwdsmon y mater at Banel Dyfarnu Cymru. Fodd bynnag, ar 17 Gorffennaf 2019, penderfynodd y Panel Dyfarnu na ddaeth y mater i sylw'r Ombwdsmon o ganlyniad i'r ymchwiliad a glywyd ar 19 Gorffennaf 2018, gan i'r ymchwiliad hwnnw ddod i ben ar 20 Rhagfyr 2017 (pan gyfeiriwyd y mater at Banel Dyfarnu Cymru). Felly penderfynodd na fyddai'n ystyried yr achos. Ni chymerwyd unrhyw gamau pellach.

Mae tudalen hwn yn fwriadol wag



<b>Adroddiad i'r</b>	Pwyllgor Safonau
<b>Dyddiad y Cyfarfod</b>	6 Mawrth 2020
<b>Aelod/Swyddog Arweiniol</b>	Gary Williams, Swyddog Monitro
<b>Awdur yr Adroddiad</b>	Gary Williams, Swyddog Monitro
<b>Teitl</b>	Moesgarwch mewn Bywyd Cyhoeddus

## 1. Am beth mae'r adroddiad yn sôn?

1.1. Mae'r adroddiad yn ymwneud ag ymgyrch y TU cyfan Foesgarwch mewn Bywyd Cyhoeddus a gyd-gysylltir gan y Gymdeithas Llywodraeth Leol (LGA), Cymdeithas Llywodraeth Leol Cymru (CLILC), Confensiwn awdurdodau lleol yr Alban (COSLA) a Chynulliad Lleol Gogledd Iwerddon Cymru (NILGA).

## 2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

2.1. Rhoi gwybod i aelodau Pwyllgor am yr ymgyrch a gofyn am farn y Pwyllgor ar y rhaglen ddrafft o weithgareddau a atodir yn Atodiad 3

## 3. Beth yw'r Argymhellion?

3.1. Bod y Pwyllgor yn ystyried ac yn rhoi sylwadau ar y cynllun gweithredu drafft sydd ynghlwm fel Atodiad 3 i'r adroddiad hwn

## 4. Manylion yr adroddiad

4.1. Ym mis Gorffennaf 2019 trafododd Bwrdd Gweithredol CLILC bryderon am y cynnydd mewn cam-drin a brawychu cynghorwyr yn arbennig mewn adrannau sylwadau newyddion ar-lein a chyfryngau cymdeithasol. Lansiodd CLILC ganllaw i gynghorwyr i ymdrin â bygythiadau yn ddiweddarach yn 2019. Mae copi o'r canllaw i'w weld yn Atodiad 1 i'r adroddiad hwn.

- 4.2. Ers hynny, mae'r pedwar sefydliad sy'n cynrychioli awdurdodau lleol ledled y Deyrnas Unedig y cyfeirir atynt ym mharagraff 1.1 uchod wedi cytuno i ddatblygu ymgyrch Moesgarwch mewn Bywyd Cyhoeddus ar y cyd. Lanswyd yr ymgyrch yn swyddogol yn Llundain ym mis Rhagfyr 2019.
- 4.3. Nod yr ymgyrch yw mynd i'r afael â bygwth cynghorwyr a swyddogion Llywodraeth Leol, safonau trafodaethau cyhoeddus a gwleidyddol, safonau ymddygiad mewn swyddi cyhoeddus, a rhoi cymorth i gynghorwyr a swyddogion.
- 4.4. Mae tair thema i'r ymgyrch, sef Atal, Cefnogi ac Ymyrryd, a Herio. Ceir gwybodaeth fanylach am y themâu hyn mewn adroddiad i Fwrdd Gweithredol CLILC ym mis Ionawr 2020, y mae copi ohono ynghlwm wrth yr adroddiad hwn fel Atodiad 2.
- 4.5. Mae'r pedair Cymdeithas Llywodraeth Leol y cyfeirir atynt ym mharagraff 1.1 uchod bellach yn gweithio ar gynlluniau gweithredu o fewn y themâu cyffredinol hyn. Atodir cynllun gweithredu drafft yn Atodiad 3 i'r adroddiad hwn. Gofynnir i Aelodau ystyried y cynllun gweithredu a rhoi unrhyw sylwadau arno y gellir eu bwydo yn ôl i Gymdeithas Llywodraeth Leol Cymru.

## **5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

- 5.1. Nid yw'r adroddiad yn dylanwadu'n uniongyrchol ar y blaenoriaethau corfforaethol, ond mae llai o gam-drin a bygwth cynghorwyr a swyddogion, ac mae safon uwch o drafodaeth gyhoeddus yn addas ar gyfer Llywodraeth Dda.

## **6. Beth fydd y gost a sut y bydd yn effeithio ar wasanaethau eraill?**

- 6.1. Nid oes costau uniongyrchol yn gysylltiedig â'r adroddiad.

## **7. Beth yw prif gasgliadau'r Asesiad o Effaith ar Les?**

- 7.1. Nid oes angen asesiad o'r effaith ar gyfer yr adroddiad hwn.

## **8. Pa ymgynghoriadau a gynhaliwyd gyda Chraffu ac eraill?**

- 8.1. Ni fu unrhyw ymgynghori â'r Pwyllgor Craffu. Bydd barn y Pwyllgor Gwasanaethau Democraataidd yn cael ei cheisio hefyd.

## **9. Datganiad y Prif Swyddog Cyllid**

- 9.1. Nid oes unrhyw oblygiadau ariannol uniongyrchol o ganlyniad i'r adroddiad hwn.

**10. Pa risgiau sydd ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**

10.1. Nid oes unrhyw risgiau uniongyrchol sy'n gysylltiedig â'r adroddiad hwn.

**11. Pŵer i wneud y Penderfyniad**

11.1. Nid oes angen penderfyniad.

Mae tudalen hwn yn fwriadol wag



## Councillors' guide to handling intimidation

Practical steps that you and your council can undertake to protect yourself as a person in a public position.

### About

The LGA and the [WLGA](#) recognise the growing need among councillors for support related to intimidation, and have jointly developed this resource following advice from both councils, councillors, other council representative organisations, as well as national organisations such as the Suzy Lamplugh Trust and National Counter Terrorism Security Organisation.

The guide covers topics such as how to handle abuse, both face-to-face, letters or online, and the legal and practical remedies, including the nature of the criminal offences involved and will be continuously updated with the latest advice and information available.

### Introduction

Becoming and serving 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 are being subjected to abuse, threats and public intimidation, undermining the principles of free speech, democratic engagement and debate. The growth of social media has provided an additional and largely anonymous route for individuals and groups to engage in such activity.

We are also aware that the growth in public intimidation is putting people off standing as local councillors. This is of concern to us as an organisation representing local government, as we want to encourage more people to stand as councillors as part of our [Be a Councillor](#) campaign. We need a numerous and diverse set of candidates

and councillors to represent our numerous and diverse local communities, ensuring that local decision making is robust and well-informed.

This guide is not designed to alarm, but to suggest some steps you and your council can undertake to protect yourself as a person in a public position, and how to respond should an incident occur.

**In this guide we define 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. In addition to producing this guide, the LGA is planning further guidance for councils on supporting councillors and will continue to work with national government and other agencies to address the issue of public intimidation and its impact on local democracy.

*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 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 even a computer screen. 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 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](#) the [National Counter Terrorism Support Office](#), Northampton Borough Council and Kirklees Metropolitan Borough Council, which has comprehensive paperwork relating to personal safety training.

Key points:

- consider your personal safety and security and incorporate it into planning any public duties or interaction, in association with your council
- 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. Often councillors will deal with constituents on a face to face basis when alone.

1.2 Councillors are encouraged to:

- assess the risks to personal 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 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 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
  - 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 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

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
- if appropriate, refer to the council's 'cautionary contacts' database
- 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 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 barrier. 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. **Potentially violent persons register**
- 5.1 The council will have a corporate database. Councillors can contact designated officers to check about potentially violent persons prior to undertaking a home visit.
6. **Lone working**
- 6.1 If you are working alone you might consider the following:
- leaving details of where you are going and how long you will be with a partner, friend or colleague
  - checking that you mobile telephone is charged and switched on
  - carrying a personal alarm
  - making regular check-in calls to a partner, friend or colleague or asking them to call you at regular intervals
  - teaming up with another councillor in your own or a neighbouring ward
  - carrying out a risk assessment and discussing it with another councillor or officer, if there are a number of risks associated with a particular visit, for their view on whether a visit should be undertaken.
7. **Personal callers to councillors' private homes**

- 7.1 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.
- 7.2 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
- 7.3 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
- 7.4 If you believe you are safe, you can try to ascertain their name and address
- 7.5 If you believe you are safe, try to ascertain the nature of the issue they want to discuss, conducting any discussion outside the house.
- 7.6 If you do feel under threat you can carry a personal alarm, perhaps keeping it at the door for easy access.
- 7.7 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.
- 7.8 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.
- 7.9 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.

## 8. **Home security**

- 8.1 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 and garage areas and footpaths leading to your home.
- Additional useful information is available at [SecuredbyDesign](#).

## 9. Attendance at meetings

- 9.1 Councillors 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 may wish to ask to be accompanied to their car or nearest public transport by colleagues or officers who also attended the meeting.

## 10. Demonstrations

- 10.1 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 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.

## 11. Travelling safety

This section sets out generic personal safety advise when travelling.

### Car

11.1 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
- 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**

11.2 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 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**

11.3 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;
- securing your bicycle with a good quality chain and padlock.

## **Walking**

11.4 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

## 12. Reporting incidents

- 12.1 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.
- 12.2 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.

## 13. Training

- 13.1 Personal safety of councillors is a responsibility of your council whilst you are on council business. Personal safety training for councillors may be a key component of the councillor induction programme.

## 14. Terrorist-level threats

- 14.1 Although the purpose of this guide is not to cover this in detail, it provides a good opportunity to highlight the current safety advice should such an incident occur.
- 14.2 The main 'Stay Safe' principles are to "Run – Hide – Tell". If you would like more information you can refer to the National Counter Terrorism Support Office's website at [www.gov.uk/government/publications/recognising-the-terrorist-threat](http://www.gov.uk/government/publications/recognising-the-terrorist-threat).
- 14.3 You can discuss your personal security with your [local counter-terrorism security adviser](#).

## Councillors and social media

This section sets out background information on the use of social media for councillors. With thanks to Ashfield District Council for permission to share their guidance on social media.

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 mobile phones, 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. Your council may also have a protocol

regarding the use of social media in the run up to, during and after both internal and public meetings.

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.

To provide support councillors in their use of social media, it is recommended that councils have their own policies, protocols and training, as well as a point of contact within the council to give support and to report to if things go wrong. The LGA will be working with members to develop more detailed advice for councils in a future guide.

### **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, intimidatory 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, intimidatory 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 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.

Offence	Legislation	Comment
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 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	Criminal Justice and Public order Act 1994 – Section 51	Applies if intimidation is reported to police and

<b>Offence</b>	<b>Legislation</b>	<b>Comment</b>
or given evidence about an offence		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>		
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

Offence	Legislation	Comment
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 to 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 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.

### **Advice for supporting councillors**

This section puts forward some suggested ways that council officers can support their members. The LGA will be expanding this guidance.

Key points:

- It is helpful for councils to have an officer to support councillors experiencing public intimidation, and to provide a liaison point with the police
- Political groups on the council could consider nominating someone to provide a support role on these issues
- Councils can develop their own policies, procedures and regular briefings to assist councillors experiencing intimidation

### **How councils can support their councillors**

Councils can support their councillors by:

- Appointing an officer to undertake a role as a sounding board for any councillor or officer who wishes to make contact in confidence if he or she has received intimidatory contact or communication from an external or internal source. This



officer can provide support and advice rather than a solution to such abuse, and could also provide practical advice on personal safety. Any serious allegation of criminal activity may have to be taken further.

- Encouraging each political group within the council to likewise appoint either the leader of the group and/or one of their number to perform a similar role for their elected members.
- Establishing a council policy setting out procedures and protocols, should a councillor feel they are being publicly harassed, intimidated or abused. Regular briefings for all councillors, including those who have been newly elected, to share experiences and concerns can both help identify persistent offenders and look at council-led solutions.
- Working with the local police, establishing a named officer responsible for handling the serious threats to councillors and to advise on personal safety and security.
- Ensuring that council insurance arrangements cover injuries or loss suffered by elected members arising from their role as councillors in respect of any intimidation.
- Considering what steps should be taken by the council to mitigate the risk to councillors in the event of severe intimidation and threats. In some of the cases that have been researched in the production of this guidance, councillors who have been subjected to death threats have been supplied with personal alarms by the police and, occasionally, by their council. All councils could consider what steps they can take to address any risks or threats.

### **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.

### **Wellbeing of councillors**

Experiencing abuse, threats and/or intimidation can have an impact on wellbeing. Your council may have a [Mental Health Champion](#) who can offer support to fellow councillors, or you may have an at work support scheme that councillors could also

benefit from. If a councillor reports any incidents, it is recommended that they are asked if they also require support with their wellbeing.

## **COUNCILLOR GUIDANCE – WEBSITE LINKS**

Personal safety guide for councillors, Northampton Borough Council

<https://www.northampton.gov.uk/downloads/file/9457/safety-guide-for-councillors>

Personal safety for members, Essex County Council

<https://members.essex.gov.uk/media/1364/social-media-january-2019.pdf>

<https://members.essex.gov.uk/guidance-resources-and-key-documents/social-media-protocol-for-members/>

Personal safety and lone working guidance for councillors, Plymouth Council

[https://www.plymouth.gov.uk/sites/default/files/personal\\_safety\\_and\\_lone\\_working\\_guidelines\\_for\\_councillors.pdf](https://www.plymouth.gov.uk/sites/default/files/personal_safety_and_lone_working_guidelines_for_councillors.pdf)

Personal safety for elected members, the LGiU

<https://www.lgiu.org.uk/essentialguide/personal-safety-for-councillors/>

Social Media: a guide for councillors, WLGA

<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=344>

Social Media Policy for Councillors, Ashfield District Council

<https://www.ashfield.gov.uk/media/4412/social-media-policy-for-councillors-agm-may-2018.pdf>

Councillors guide to handling online abuse, March 2018, WLGA

<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1504>

Ward Work- guidance for councillors, Medway Council

[https://www.medway.gov.uk/downloads/file/660/ward\\_work\\_-\\_guidance\\_for\\_councillors](https://www.medway.gov.uk/downloads/file/660/ward_work_-_guidance_for_councillors)

Advice for elected and prospective councillors, Data Protection Act, ICO

<https://ico.org.uk/media/for-organisations/documents/1432067/advice-for-elected-and-prospective-councillors.pdf>

The Suzy Lamplugh Trust has a website with useful and practical guidance on issues such as transport safety, dealing with aggression, internet safety, personal alarms, running safety and safety at home. Find them on:

<https://www.suzylamplugh.org/>

## **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\[0\]=368390626577968&bc\[1\]=1757120787856285](https://help.instagram.com/196883487377501/?helpref=hc_fnav&bc[0]=368390626577968&bc[1]=1757120787856285) – overview of privacy settings

### **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> - account suspension on twitter as a punishment

### **Digital citizenship**

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

[www.securedbydesign.com](http://www.securedbydesign.com)

NaTSCO

[www.getsafeonline.org](http://www.getsafeonline.org)

helping young people stay safe online - [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)



## WLGA Executive Board

31st January 2020

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### CIVILITY IN PUBLIC LIFE CAMPAIGN

#### Purpose

1. To update members on the UK-wide Civility in Public Life campaign coordinated by the LGA, WLGA, COSLA and NILGA.

#### Background

2. Across the UK, there are growing concerns about the impact an increasing level of public intimidation and toxicity of debate is having on our country's democratic processes.
3. In July 2019, the WLGA Executive Board discussed concerns about the increase in abuse and intimidation for councillors, particularly online and via online news comments sections. Leaders were keen that the WLGA take proactive action and the former WLGA Leader, Baroness Wilcox of Newport, launched a joint WLGA/LGA Councillors Guide to Handling Intimidation at the LGA Annual Conference 2019.
4. Following these discussions and subsequent agreement at the UK Forum hosted by the WLGA in November, the Civility in Public Life campaign has been developed.
5. The Civility in Public Life campaign is a joint initiative, led by the LGA, with the WLGA, COSLA (Convention of Scottish Local Authorities) and NILGA (Northern Ireland LGA) as partners. The programme was officially launched on the 16<sup>th</sup> December 2019 in London with Cllr Jane Mudd, WLGA Deputy Presiding Officer representing the WLGA.
6. The purpose of the campaign is:
  - to address the intimidation of local government members and officers;
  - to address standards of public discourse;
  - to address standards of political discourse and behaviour in public office; and
  - to provide support and advice to councils and councillors.
7. The campaign has three main themes which will serve as the foundations for future action:
  - 7.1 Prevention** - Support and guidance for authorities and research into the prevalence, impact, good practice and international action on the intimidation of those in public office.

**7.2 Support and Intervention-** Development of policy and legislative proposals that address intimidation and standards of public discourse, particularly with a view to gaining a more consistent and robust response from the Police and Crown Prosecution Service. This also includes the proposal for a new criminal offence for intimidating a person in public office, engagement with Police and Crime Commissioners and exploring the potential for an informal council duty of care towards councillors.

**7.3 Challenge** – A Pan UK commitment to call out and challenge instances of intimidation and abuse of politicians.

8. The WLGA has already produced guidance for members on bullying, harassment and personal safety and is continuing to work with Heads of Democratic Services to encourage more practical support for members. Councils are providing councillors with access to staff counselling services and working with the police locally to ensure support is in place.
9. The WLGA will also seek an all Wales commitment from editors to set out clear standards, moderate comments and adopt a zero-tolerance stance on abuse in the online media.
10. A core priority for the LGA in England is to revise the English Councillors' Code of Conduct through the campaign following a recent Committee on Standards in Public Life report. The English code is inconsistent and less robust than the statutory code applicable in Wales.
11. Welsh councils have also introduced local resolution processes, whereby 'lower level' councillor-on-councillor complaints can be dealt with informally within the council (sometimes via Monitoring Officers, Group Leaders or the Chair) and sanctions include a public apology or training.
12. The Local Government and Elections (Wales) Bill also proposes the introduction of a new duty that leaders of political groups must take reasonable steps to promote and maintain high standards of conduct by the members of their group. The WLGA supports this proposal.

## **Online Abuse and Intimidation**

13. In the Queen's Speech in December, the UK Government committed to introducing Online Harms legislation to protect children and vulnerable adults from digital threats. This will establish a new statutory duty of care to make online companies take more responsibility for the safety of their users and tackle harm caused by content or activity on their services, which will be overseen and enforced by an independent regulator.

14. This follows on from the Online Harms White Paper earlier in 2019. In response to the White Paper, the LGA called for proposed action to protect MPs from harassment and abuse to extend to and include protections for local councillors; it is unclear at this stage whether the proposed legislation will include these protections.
15. As part of its ongoing review into 'Intimidation in Public Life', the Committee on Standards in Public Life has received correspondence in December from Google, Facebook and Twitter<sup>1</sup>.
16. Although there remain significant concerns about online abuse and intimidation, the correspondence demonstrates some improvements and a commitment from social media companies to deal with concerns. For example, Twitter reports improved responses dealing with concerns, complaints and referrals, the launch in November of the option for users to hide replies to their tweets and a new tool for the UK General Election that enables people to report deliberately misleading information about the voting process.

## Next Steps

17. Feedback from the launch event, recent regional Diversity workshops in Wales and the discussions at the WLGA's Diversity in Democracy Working Group has outlined some early suggestions for action, including:
  - Political parties to act within council political groups where standards of conduct are not always adhered to;
  - Woman councillors to be supported due to the prevalence of abuse towards women;
  - Senior councillors to model appropriate behaviour. This was a theme emerging from the LGA launch, but is also relevant in Wales given the proposed new duty on Group Leaders, which is yet to be developed
  - Councils to clearly state that they will not tolerate abuse towards elected members in the same way as they would, for example, for front line staff; and
  - Councils committing to a duty of care for councillors, including support around mental wellbeing and provision personal safety training and equipment for members.
18. The four Associations are now working together to develop action plans within the three themes of Prevention, Support and Intervention and Challenge.

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<sup>1</sup> <https://www.gov.uk/search/all?organisations%5B%5D=the-committee-on-standards-in-public-life&order=updated-newest&parent=the-committee-on-standards-in-public-life>

## Recommendations

19. Members are recommended to:

- 19.1 Support the UK Forum Civility in Public Life Campaign; and
- 19.2 Consider what actions or priorities should feature in the developing WLGA and/or UK Forum action plans

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Report cleared by: Cllr Jane Mudd  
WLGA Deputy Presiding Officer

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## DRAFFT – AM SAFBWyNTIAU

### Crynodeb o gamau nesaf arfaethedig rhaglen Gwarineb mewn Bywyd Cyhoeddus ledled y DU

Ionawr 2020

#### Rhaglen

Mae'r adran hon yn nodi'r elfennau cyd-gyflawnadwy arfaethedig y gallai'r pedair Cymdeithas (CLIL, CLILC, COSLA a NILGA) gydweithredu arnynt, gydag amserlenni dangosol.

#### Codi proffil y mater

Elfen gyflawnadwy	Manylion	Amserlen
Datganiad a rennir ar fygythiadau tuag at gynghorwyr	Datganiad neu lythyr ar y cyd i bob Llywodraeth dynnu sylw at y pryder trawsbleidiol a ledled y DU ynghylch bygythiadau tuag at gynghorwyr ac effaith hyn ar ddemocratiaeth leol.	Yr wythnos yn dechrau 23 Mawrth 2020 (cyn i gyfnod cyn etholiadau lleol Lloegr ddechrau)
Digwyddiad o amgylch bwrdd ar fygythiadau/gwarineb mewn bywyd cyhoeddus	Cynrychiolwyr o bob Cymdeithas a'u llefarydd neu adran lywodraeth gyfatebol yn bresennol. Gellid hefyd gwahodd Gwasanaeth Eryl y Goron, yr Heddlu, sefydliadau fel Sefydliad Jo Cox ac ati. Y bwriad fyddai codi'r proffil a chael cefnogaeth am ymyriadau gwell i atal bygythiadau cyhoeddus tuag at ffigyrau cyhoeddus.	Diwedd Mai 2020  Lleoliad arfaethedig – Manceinion (mae AGMA wedi bod yn cynnal prosiect arbennig i ddatblygu protocolau i gefnogi cynghorwyr a swyddogion sy'n profi bygythiadau'n well)
Arolwg cynghorwyr ac uwch swyddogion ar draws y cenedloedd	I ddeall natur, difrifoldeb ac effaith bygythiadau, yn ogystal ag esiamplau o gymorth ac arferion da. Yn darparu llinell sylfaen ar gyfer mesur effaith y gwaith.	Ar gael am 4 wythnos – hyd at ddiwedd cyfnod cyn etholiadau lleol Lloegr. Allan 27 Chwefror 2020. CLIL gyda drafft.
Ymgyrch cyfryngau cymdeithasol #grasnidcas	I godi proffil yr effaith a geir o ganlyniad i fygwth a difrïo cynghorwyr, ac i hyrwyddo dulliau amgen o ymgysylltu â chynghorwyr.	I lansio mewn cynhadledd flynyddol Cymdeithas. E.e. Cynhadledd flynyddol CLIL ddechrau Gorffennaf 2020.

#### Cefnogaeth ac arweiniad i gynghorau

Argymhellir bod CLIL yn ymgysylltu â'r sefydliad "Fix the Glitch" i helpu datblygu adnoddau i gynghorwyr a chynghorau fynd i'r afael â bygythiadau ar-lein.

Elfen gyflawnadwy	Manylion	Amserlen
Datganiad bygythiadau a difrïo ar-lein (dwyieithog), i'w	Datblygu 'rheolau cysylltiad' enghreifftiol y	Lansio wythnos yn dechrau 23 Mawrth 2020

ddefnyddio ar gyfryngau cymdeithasol cynghorwyr a gwefannau cynghorau	gall cynghorwyr a chynghorau eu rhoi ar eu gwefan, sy'n nodi'r ymddygiad disgwylidig gan y rhai sydd eisiau ymgysylltu â chynghorwyr a'r cynghorau ar gyfryngau cymdeithasol. Mae'n anelu at ddangos i'r cyhoedd beth yw ymgysylltiad derbyniol ar-lein, ac i rymuso cynghorwyr a chynghorau i ddiogelu eu hunain ar-lein.	
Adolygu canllaw CLIL/CLILC ynghylch delio â bygythiadau	I sicrhau y caiff ei ddiweddarau gydag unrhyw ddatblygiadau newydd ac ar gael i gynghorwyr ac ymgeiswyr cyn yr etholiadau lleol nesaf.	Wythnos yn dechrau 23 Mawrth 2020
Datblygu adnoddau manwl i gynghorwyr a chynghorau ar drin bygythiadau a difrio ar-lein; yn cynnwys dinasyddiaeth ddigidol, diogelwch ar-lein a diogelwch; hawliau ac ati	Adnoddau y gellir eu cadw ar wefannau Cymdeithasau a hefyd eu defnyddio fel rhan o raglenni hyfforddi.	Lansio yng nghynhadledd flynyddol CLIL 30 Mehefin 2020
Pecyn hyfforddi i gymdeithasau ei ddefnyddio gyda chynghorwyr ar ddiogelwch personol	Helpu cynghorwyr liniaru yn erbyn y perygl o ymosodiad corfforol, trais, stelcio, bygythiadau a sylw diangen ac ati	Wythnos yn dechrau 18 Mai 2020 – yn fuan ar ôl etholiadau lleol Lloegr
Canllaw i gynghorau ar ddatblygu ethos 'dyletswydd gofal' tuag at gynghorwyr	I nodi gwybodaeth i gynghorau am sut y gallant gefnogi eu cynghorwyr, gyda'r nod o liniaru pryderon ynghylch ymyrraeth wleidyddol ac ati.	Gorffennaf 2020
Pecyn hyfforddi i Gymdeithasau ei ddefnyddio gyda chynghorwyr ar ymddygiad/trafodaeth/gwarineb	Mae'r CLIL yn archwilio hyn i ategu at y gwaith maent yn ei wneud ar adolygu cod ymddygiad Lloegr ac efallai y bydd adnoddau trosglwyddadwy.  <i>Byddai angen addasu unrhyw adnoddau CLIL i adlewyrchu Cod Ymddygiad Cymru, yn ogystal â Phrosesau Datrysiad Lleol</i>	Medi 2020
Canllaw ar ddelio â chamwybodaeth wedi'i lledaenu ar y cyfryngau cymdeithasol	I gefnogi cynghorau wrth fynd i'r afael â cholli ymddiriedaeth y cyhoedd, pan fo datganiadau ffug yn	Hydref 2020

	cael eu cylchredeg yn eang ar gyfryngau cymdeithasol	
Yn benodol i Gymru – Canllaw/Cefnogaeth i Arweinwyr Grŵp a'r ddyletswydd newydd arfaethedig i hyrwyddo safonau	Gweithio gyda Llywodraeth Cymru i ddatblygu canllaw i gefnogi Arweinwyr Grŵp hyrwyddo safonau uchel, yn cynnwys gosod disgwyliadau, diwylliant grŵp adeiladol a chadarnhaol, herio ymddygiad gwael a darparu cefnogaeth lle bo angen.	Ebrill 2021

### Lobïo Llywodraeth(au)

Papur gwyn niwed ar-lein	Mae'r Papur Gwyn hwn yn nodi'r cynlluniau ar gyfer system atebolrwydd newydd a goruchwyllo i gwmnïau technoleg. Mae hyn yn cynnwys fframwaith rheoleiddio newydd ar gyfer diogelwch ar-lein. Bydd hyn yn cael ei oruchwyllo gan reoleiddiwr annibynnol. Mae'r CLIL wedi ymateb i ymgynghoriad yn tynnu sylw at y mater o fygwth cynghorwyr, ochr yn ochr â'i safbwynt ar gamfanteisio'n rhywiol ar blant ar-lein a gwrth-eithafiaeth. Mae hyn yn rhoi cyfle i lobïo am fwy o gamau diogelu i amddiffyn cynghorwyr rhag bygythiadau a difriö ar-lein.	Penderfynir gan Lywodraeth y DU
Rhaglen 'amddiffyn democratiaeth' Swyddfa'r Cabinet	Mae Swyddfa'r Cabinet yn gweithio ar raglen 'amddiffyn democratiaeth', sy'n cynnwys bygythiadau tuag at wleidyddion a'u diogelwch, yn ogystal â lledaenu camwybodaeth. Yn cynnwys camau diogelwch a phrotocolau etholiadol.	Penderfynir gan Lywodraeth y DU  <i>CLILC i ymgysylltu â Llywodraeth Cymru a'r Cynulliad Cenedlaethol ynghylch mabwysiadu/addasu cynllun tebyg?</i>
Cost i gynghorau a chynghorwyr	Bydd goblygiadau cost i gynghorwyr a chynghorau o ran trefniadau diogelwch ychwanegol gofynnol, amser yn delio â bygythiadau ac aflonyddwch, gosod larymau panig, diogelwch	Gellir gofyn am gostau fel rhan o waith arolwg. Bydd cyflawni hyn yn dibynnu ar ganlyniadau ymchwil ac arolwg.

	ychwanegol ac ati. Hefyd o ran diwrnodau a gollwyd oherwydd effaith ar iechyd meddwl ac iechyd meddwl yn gyffredinol.	Mae Panel Cydnabyddiaeth Ariannol Annibynnol Cymru wedi cadarnhau bod costau mesurau diogelwch personol aelodau'n wariant cyfreithlon.
Trosedd newydd neu estynedig ar gyfer bygwth unigolyn mewn swydd gyhoeddus?	I'w archwilio a'i drafod ymhellach.	

### **Crynodeb o'r dyddiadau allweddol**

#### *Lloegr*

- Dydd Iau 7 Mai – etholiadau lleol
- Dydd Mawrth 30 Mehefin – dydd Iau 2 Gorffennaf – cynhadledd flynyddol CLIL

#### *Cymru*

- 26 Mehefin – CCB CLILC
- Diwedd Medi/Diwedd Tachwedd - Cynhadledd Flynyddol CLILC
- 14-18 Hydref – Wythnos Ddemocratiaeth

## RHAGLEN GWAITH I'R DYFODOL Y PWYLLGOR SAFONAU

DYDDIAD Y CYFARFOD	EITEMAU / MEYSYDD ADRODDIAD	AWDUR YR ADRODDIAD
<b>05 Mehefin 2020</b>	Eitem Sefydlog: Presenoldeb mewn Cyfarfodydd	Amh
	Eitem Sefydlog: Llyfr Achosion Cod Ymddygiad Ombwdsmon Gwasanaethau Cyhoeddus Cymru	Gary Williams (Swyddog Monitro)
	Eitem Sefydlog: Rhaglen Gwaith i'r Dyfodol y Pwyllgor Safonau	Gary Williams (Swyddog Monitro)
	Eitem Sefydlog Rhan 2: Trosolwg o Gwynion yn Sir Ddinbych	Gary Williams (Swyddog Monitro)

Diweddarwyd 02/03/2020- KE

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Tudalen 70

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