



INTEGRITY IN PUBLIC LIFE

ADVICE ON CONDUCT DURING ONLINE MEETINGS FOR COUNCILLORS

1. Introduction

1.1 Section 3 of the Councillors' Code of Conduct (the Code) concerns the general conduct expected in situations where an individual is acting as a councillor, has referred to themselves as a councillor, or could objectively be considered to be acting as a councillor.

1.2 In particular, paragraph 3.1 of the Code (emphasis added) states:

I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am online and when I am using social media.

1.3 This Advice Note is intended to assist councillors in complying with the provisions of the Code when attending meetings or other events (such as training seminars or conferences) online. It should be noted that several other provisions within Section 3 of the Code can apply when a councillor is attending an online meeting or event. These include the provisions concerning respect, bullying and harassment, confidentiality and the use of council facilities.

1.4 This Advice Note is not intended to be exhaustive or definitive. It is intended to be a guide to help councillors understand how their conduct online can have an impact in terms of compliance with the Code.

2. General Advice

2.1 It is important to note that the rules of good conduct set out in Section 3 of the Code must be observed in all situations where you are acting as a councillor or have identified yourself as acting as such. This includes when attending council and committee meetings, and when representing the council on official business. The Code also applies when you could objectively be considered to be acting as a councillor. You should be mindful that *your* perception of when you are acting as a councillor and when you are acting privately may be different to that of a member of the public.

2.2 In considering whether you are acting as a councillor, or could objectively be considered to be acting as a councillor, factors to consider include whether:

- you are attending a council meeting (whether formal or informal, including meetings with any employees or committee meetings);
- you are attending an event organised by your council;

- your council has paid for and / or organised your attendance at the event you are attending;
- you are representing or speaking on behalf of your council;
- you are readily identifiable as a councillor in the situation / circumstances (for example, if your council is listed along with your name on any attendee list);
- you mention your council or its work or functions when making a contribution to the discussion;
- you are using IT equipment, software and / or an email account supplied by your council; and / or
- your conduct could reasonably be regarded as bringing your position as a councillor, or your council, into disrepute.

2.3 You should always try to think ahead. If you have any concerns about a potential problem or conflict of interest, you should speak to your Monitoring Officer so that advice can be sought and / or action can be taken before a situation becomes a serious problem or before a complaint arises.

3. Conduct Online

3.1 The rules of good conduct apply equally when you are online as they would in-person. As such, the conduct expected of you online is no different to the conduct you should employ in other engagements, such as face to face meetings and training events.

3.2 You should, therefore, be respectful of other attendees, including your fellow elected members, employees of the council and the chair. You should ensure that you listen to the contributions made by others and follow any directions given by the chair or facilitator.

3.3 While you may disagree with views expressed by others, you should remember that all elected members represent the public, and that councils benefit from diversity of thought as it improves decision-making, governance and enable councils to better meet the needs of service users and the wider community they serve. As such, you should try not to talk over anyone else and, where appropriate, should encourage others to contribute.

3.4 You should refrain from engaging in any side conversations or using any 'chat' function, unless the meeting organiser or chair has invited you to do so. Doing so uninvited may feel disrespectful as it can give the impression you are not listening. Similarly, you should avoid engaging in private side conversations either by phone, email or message.

3.5 You should bear in mind that some individuals rely on watching your face or reading lips to understand the full context of what is being communicated, so being online can make it harder for them to understand what you are saying. As such, you should try to ensure you are speaking clearly and at an appropriate speed.

3.6 You should bear in mind that being respectful does not just apply to what you say, but also to how you communicate, including your tone and non-verbal signals such as your body language and facial expressions.

3.7 Other important factors to consider when online may include:

- how your conduct could be perceived by an observer (such as a member of the public watching the meeting online);
- whether you are identifiable as a councillor by directly referring to yourself as such or indirectly by referring to your council or its functions;

- whether you have complied with any Media, IT or Communications policy your council has produced;
- whether any information you are sharing (including if you are using the 'chat function') is confidential and you only have access to it because you are a councillor;
- whether you are demonstrating bias or pre-determination – you should always comply with the Code's requirements regarding expressing opinions on matters your council is yet to determine;
- whether you are using your council's equipment or your own; and
- whether you have complied with the law including defamation, copyright, data protection, employment and equalities or harassment provisions.

3.8 Even if you consider that you are online in a private capacity, you should be aware that comments you make are a representation of you. You should not, therefore, say anything online that you would not say in person. You should be mindful that the separation of public and private comments may be unclear to others in attendance or observing, and where information about your status as a councillor may be readily available online or from different sources (including your council's website).

3.9 You should always consider whether you have to respond if you feel someone else has been disrespectful. Sometimes people will say things in the heat of the moment. If people criticising you have the wrong information, by all means correct them. But try to do so calmly and politely. If someone is being sarcastic or downright abusive you should consider whether there is any value in engaging.

4. Good Practice

4.1 Good practice suggestions for preparing for an online meeting include:

- Ensuring you are well-prepared and have read any reports or papers to be considered in advance (if applicable);
- Have any documents you need during the meeting at hand and readily accessible, particularly if you intend to share content during the meeting;
- Ensuring you have downloaded and are familiar with the online platform being used (including how to mute, unmute and switch on your camera);
- Checking you have the joining details or link;
- Changing your background or applying a filter (to ensure your background is neutral and not distracting to others, and to preserve your own privacy);
- Taking measures to prevent interruptions or distractions (for example, advising others in your household or office that you are about to go into a meeting, using headphones, asking if someone else can answer the door or phone, checking your mobile phone is on silent and pausing any other online notifications); and
- Logging on in time, or even slightly in advance, to check that there are no issues with connectivity.

4.2 Other good practice suggestions for conduct during an online meeting include:

- Having your camera and microphone on when you join, to help demonstrate you are engaged;
- Advising other attendees that you intend to turn your camera or microphone off if, for example, connectivity or bandwidth is a problem;
- Muting yourself when you are not speaking, particularly if there are more than 10 individuals in the meeting, if there is feedback, if there is noise in your background or if you are interrupted;

- Using the 'raise hand' function to get the chair's attention if you want to contribute;
- Trying to speak clearly and at an appropriate speed;
- Avoiding leaving the meeting without saying anything or mentioning in the chat why you have to go and when you will return (if applicable); and
- Resisting the urge to do other work, such as checking messages and emails.

4.3 As noted above, your conduct online should be no different to that if you were in person. As such, you should dress appropriately and should not eat (other than during any breaks in proceedings).

4.4 If you are invited to use any chat function, you should take care to ensure both the tone and content of what you are posting is appropriate. Tone can be harder to convey online so consideration should be given to whether humour, irony and sarcasm will be perceived as such.

5. Hybrid Events

5.1 Good practice suggestions for conduct at hybrid events (i.e. ones that are being held both online and in-person) include:

- Ensuring you include remote callers in any informal pre-meeting conversations;
- Avoiding engaging in side-conversations with others in the room (as this can exclude anyone attending online);
- Speaking sufficiently clearly to be heard by all attendees, not just any individuals who are in the room with you;
- Allowing anyone attending online to contribute first, if you are both trying to speak at the same time; and
- Ensuring you include anyone attending online by directing questions at them or inviting their views.

6. Other Resources

6.1 Other guidance that may be of interest or assistance includes:

- The Standards Commission's Guidance on the Councillors' Code of Conduct: <https://www.standardscommissionscotland.org.uk/guidance/guidance-notes>;
- The Standards Commission's Advice Notes for Councillors on Bullying and Harassment: <https://www.standardscommissionscotland.org.uk/education-and-resources/professional-briefings>
- The Improvement Service's Elected Member Induction Materials: <https://www.improvementservice.org.uk/products-and-services/skills-and-development/elected-members-development/elected-member-induction-materials>