

**Coventry City Council**  
**Minutes of the Meeting of Ethics Committee held at 10.00 am on Friday, 16**  
**September 2016**

Present:

Members:                   Councillor S Walsh (Chair)  
                                  Councillor A Andrews  
                                  Councillor L Bigham  
                                  Councillor D Gannon  
                                  Councillor K Mulhall

Other Members:           Councillor Williams

Employees (by Directorate):

Resources:                C Bradford, H Lynch, U Patel

## **Public Business**

### **8.       Declarations of Interest**

There were no declarations of interest.

### **9.       Minutes**

The minutes of the meeting held on 15 July 2016 were signed as a true record.

Further to Minute 4(2), the Committee noted that a letter had been sent to the Secretary of State on 31 August 2016, no response had been received as yet.

### **10.     Code of Conduct - update**

The Committee considered a report of the Executive Director of Resources which provided an update on national issues in relation to the ethical behaviour of elected members and the local position in Coventry with regard to Code of Conduct issues.

The Committee had agreed that the Monitoring Officer would provide a regular update on cases relating to the Members' Code of Conduct on a national basis. This was to facilitate the Committee's role in assisting the Council with its duties under Section 27 of the Localism Act 2011 to promote and maintain high standards of member conduct. However since the abolition of the Standards Board for England, national statistics and case reports were no longer collated and therefore the cases reported were taken from general research.

The Committee discussed three cases from different councils and noted the outcome for each.

In terms of the local picture, the Committee noted that four new complaints had been received since the last meeting in July. All complaints had been handled in

accordance with the agreed Complaints Protocol. One complaint was currently being reviewed under Stage 1 of the procedure and in relation to the other three complaints, as they all related to councillors acting in their private capacity; no further action would be taken.

All complaints were handled in accordance with the agreed Complaints Protocol. No findings had been made by the Local Government Ombudsman in relation to members of Coventry City Council. No complaints had been received in the Monitoring Officer in respect of Allesley, Finham or Keresley Parish councils.

The Committee had a brief discussion on the Complaints Protocol which was due to be reviewed and considered that sanctions available to the Committee needed to be tougher to act as a deterrent and restore authority for the work of the Ethics Committee. It was reported that at least one other council was lobbying the Government to bring back tougher sanctions for the breach of the Code of Conduct as they had been experiencing some problems.

The Committee noted that majority of parish councillors had received training on the Code of Conduct and Declarations of Interests and a further short session on the code would be arranged in the autumn.

Five training sessions were held for city councillors and a total of forty three councillors attended the sessions, leaving just nine councillors yet to be trained. It was agreed that a letter would be sent to the Group leaders as a reminder that this training was still outstanding for those members.

**RESOLVED that the Ethics Committee:**

- 1. Notes the cases determined under the new regime nationally and requests that the Legal Services Manager, Place and Regulatory in consultation with the Chair of the Ethics Committee, shares the case update with all elected Members; and**
- 2. Notes the local position relating to the operation of the Council's Code of Conduct.**
- 3. Requests that a joint letter from the Chair and the Legal Services Manager, Place and Regulatory be sent to the Group Leaders as a reminder that some members had yet to be trained on the Code of Conduct.**

**11. Recruitment of Independent Persons**

The Ethics Committee considered a report of the Executive Director of Resources in respect of recruitment of Independent Persons. At the previous meeting in July the Committee were advised that the Independent Person Ken Sloan had resigned. The report outlined what action had been taken to recruit additional Independent Persons and sought the Committee's agreement to take further action following receipt of no applications for the position.

Under the Localism Act 2011 the Council is required to appoint at least one Independent Person to provide advice both to the Ethics Committee and when

required to any councillor who becomes the subject of a complaint. Since the introduction of new regulations regarding the procedure for dealing with disciplinary matters relating to certain senior officers, it would be helpful to have at least two Independent Persons.

In the meantime, the Council needs to have access to an Independent Person in the event that he or she needs to be consulted under the Council's Complaints Protocol. The appointment must be approved by a majority of members. However this would not preclude arranging with other authorities to bring the vacancy to the attention of their Independent Persons who may be interested in carrying out the role for more than one council.

The report noted that where a complaint under the Code of Conduct was to be investigated, the Council needed to appoint someone suitably qualified, experienced and impartial to carry out the investigation. This would very often be someone from outside the Council. The Acting Monitoring Officer considered that it would be useful to enter into discussions with other authorities to explore the possibility of reciprocal arrangements with regard to the appointment of independent investigators at the same time.

The report sought approval from the Committee to authorise the Acting Monitoring Officer to approach other authorities in the region with a view to utilising the services of their Independent Persons until such time as it can appoint its own and encouraging any existing Independent Persons to apply. In addition the Committee was also requested to authorise the Acting Monitoring Officer at the same time to enter discussions with other authorities with a view to making reciprocal arrangements for the appointment of independent investigators.

**RESOLVED that the Ethics Committee:**

- 1. Authorises the Acting Monitoring Officer to re-advertise the vacancies for Independent Persons; and**
- 2. Authorises the Acting Monitoring Officer to liaise with other councils as to the possibility of establishing shared arrangements for Investigating Officers and Independent Persons.**

**12. Six Monthly Review of Members' Declarations of Gifts and Hospitality**

The Committee considered a report of the Executive Director of Resources which outlined details of declarations of gifts and hospitality made by members since the Committee last reviewed these at its meeting on 24 March 2016.

The Committee noted that it was not unusual for senior members to declare offers of hospitality that had been declined for transparency.

**RESOLVED that the Ethics Committee having considered the gifts and hospitality register entries received from 12 March to 31 August 2016 had no further recommendations to make.**

13. **Six Monthly Review of Officers' Gifts and Hospitality**

The Committee considered a report of the Executive Director of Resources which set out the entries in the register for the period 1 January to 30 June 2016. In its work programme for 2016/17 the Committee had decided to review entries in the Register of Officers' Gifts and Hospitality every six months.

Since the last meeting of the Committee, the Acting Monitoring Officer had circulated the revised standardised Register and forms for use by officers to senior officers and the staff responsible for maintaining the Register. Updated information had been published on the Council's intranet along with the revised forms.

The proposals to revise the Gifts and Hospitality section of the Employees Code of Conduct were discussed with the trade unions and the proposals had been approved by Council on 6 September 2016 (their Minute 51/16 refers).

The Committee commented that estimated value of the gift or hospitality should be listed when updating the register.

**RESOLVED that the Ethics Committee having considered the entries of gifts and hospitality received by officers for the first six months of 2016, had no further recommendations to make.**

14. **Work Programme**

The Committee considered a report of the Executive Director of Resources which outlined suggested areas of work for the Committee for the Municipal Year 2016/17.

**RESOLVED that the Ethics Committee having reviewed the work programme attached at Appendix A of the report had no amendments to make.**

(Meeting closed at 10.45 am)