



Ethics Committee

Time and Date

10.00 am on Friday, 16th September, 2016

Place

Committee Room 2 - Council House

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 6)
 - a) To agree the minutes of the meeting held on 15 July 2016
 - b) Matters Arising
4. **Code of Conduct - update** (Pages 7 - 20)

Report of the Executive Director of Resources
5. **Recruitment of independent Persons** (Pages 21 - 26)

Report of the Executive Director of Resources
6. **Six Monthly Review of Members' Declarations of Gifts and Hospitality** (Pages 27 - 48)

Report of the Executive Director of Resources
7. **Six Monthly Review of Officers' Gifts and Hospitality** (Pages 49 - 60)

Report of the Executive Director of Resources
8. **Work Programme** (Pages 61 - 66)

Report of the Executive Director of Resources

Chris West, Executive Director, Resources, Council House Coventry

Thursday, 8 September 2016

Note: The person to contact about the agenda and documents for this meeting is Gurdip Paddan Tel: 024 7683 3075 Email: gurdip.paddan@coventry.gov.uk

Membership: Councillors A Andrews, L Bigham, D Gannon, K Mulhall and S Walsh
(Chair)

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Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.00 am on Friday, 15 July
2016

Present:

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

Other Members

Present: Councillor G Williams

Employees (by C Bradford, Resources Directorate
Directorate): H Lynch, Resources Directorate
 G Paddan, Resources Directorate
 R Sharma, Resources Directorate

Public Business

1. Declarations of Interest

There were no declarations of interest.

2. Minutes

The minutes of the meeting held on 24 March 2016 were noted and signed.

There were no matters arising.

3. Code of Conduct Update

The Ethics Committee received 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 regards to Code of Conduct issues.

The Committee considered the cases taken from councils which displayed the national picture. In particular the Acting Monitoring Officer drew the Committee's attention to a recent investigation at an authority in the West Midlands and a public interest report published in connection with another local authority. In both cases, officers and members had been criticised in the reports. The Acting Monitoring Officer suggested that it would be good practice for the Council to look at agreeing a new Member/Officer Protocol and a Monitoring Officer Protocol both of which would help to ensure that the roles of officers and members were clear.

In terms of the local picture, the Monitoring Officer had received three new complaints since the date of the last Committee meeting. All complaints had been handled in accordance with the agreed Complaints Protocol. No findings had been made by the Local Government Ombudsman in relation members of Coventry City

Council. No complaints had been received by the Acting Monitoring Officer in respect of Allesley, Finham or Keresley Parish Councils.

The report noted that training had been offered to all three parish councils for their councillors on their Code of Conduct and the Declaration of Interests. Three training sessions have been held for City Councillors on the Code of Conduct and Declarations of Interests during the week beginning 13 June 2016. A total of thirty three councillors attended the training sessions and the Acting Monitoring Officer has arranged an additional session in September for members who were unable to attend.

RESOLVED that:

1. **The report be noted.**
2. **The Acting Monitoring Officer be authorised to draft a Member/ Officer Protocol and Monitoring Officer Protocol for consideration at a future meeting.**

4. **Review of the Register of Disclosable Pecuniary Interests**

The Ethics Committee received a report of the Executive Director of Resources on the review of the Register of Disclosable Pecuniary Interests. In July 2015 the Committee received a report on the Register of Disclosable Pecuniary Interests (DPIs) and the exercise to get all members' declarations uploaded onto Modern.gov. A further report was presented to the Committee on how the new system was operating. The report set out information about the Register of Disclosable Pecuniary Interests and updated the Committee on actions taken in the last 12 months to encourage members to keep their declarations up to date and the frequency with which the online register has been viewed.

The report noted that all councillors had been reminded that it was good practice to review and if necessary update their entries on the register. A number of entries were updated and again support was offered to newly elected members who needed advice on how to complete their forms. In addition all members attending the training in June were provided with a copy of their declarations.

Officers had retrieved information from the Modern.gov system which showed the number of times each councillor's entries in the register had been viewed online in the past eleven months. The register was viewed a total of 5139 times in this period with an average of 467 views a month – equating to an average of nine views per councillor per month. The Committee were asked how they wished to review DPIs in the future.

A question was raised on personal safety training; specifically relating to holding surgeries and home visits. This subject was debated following the recent murder of Jo Cox MP. It was felt that training should include how to cope with difficult or threatening circumstances. Members expressed concern regarding personal contact details being displayed on the website within the Register of Interests.

RESOLVED that:

- 1. The report be noted.**
- 2. A letter be sent to the Secretary of State in consultation with the Chair; putting forward the recommendation that there needs to be a change to the legislation in respect of displaying/providing personal information in the public domain.**
- 3. The Register of DPs to be reviewed annually.**

5. Review of Gifts and Hospitality Section of Employee Code of Conduct

The Committee received a report of the Executive Director of Resources on the review of Gifts and Hospitality section of the Employee's Code of Conduct. At the last meeting the Committee considered entries in the Register of Gifts and Hospitality for Officers for the previous six months. Members were advised that the format of directorate registers were being revised with a view ultimately to making these available through SharePoint. The Committee had raised concerns that the section in the Employee Code of Conduct dealing with gifts and hospitality no longer reflected common business practice and changing role of employees, particularly senior officers. It was agreed that the Employee Code of Conduct should be reviewed.

A revised register for use by directorates has been produced together with a form for employees to complete when seeking consent to accept gifts or hospitality. It was noted that the Chief Executive's Register of gifts and hospitality was recorded separately and the acceptance of hospitality has been discussed with the Monitoring Officer. The Council's current guidance on Gifts and Hospitality is set out in Appendix 1 to the report. Appendix 2 set out a revised version of the section of the Employee's Code of Conduct on Gifts and Hospitality. This has been expanded to include more information about the general principles and policy underlying the guidance. The section on Gifts is largely unchanged from the current version except that the requirement to obtain a manager's approval for, and to register receipt of minor business gifts. With regard to Hospitality, the revised provisions allow attendance at purely social or sporting functions where these form part of the life of the community or where the Council is to be represented. It was noted that by introducing the forms it would be more transparent.

RESOLVED that:

- 1. The changes to the Employees Gift and Hospitality form be accepted.**
- 2. The proposed changes to the section of the Employee Code of Conduct be approved for consultation subject to :**
 - (a) the requirement to record gifts and hospitality within 28 days of being offered being made clear; and**
 - (b) the section to include a requirement that the Chief Executive should consult the Monitoring Officer before accepting hospitality**

from anyone who is tendering for a contract or has a planning application coming forward

6. Work Programme 2016-17

The Committee received a report of the Executive Director of Resources which suggested areas of work for the Ethics Committee for the Municipal Year 2016/17. Following consideration of the Work Programme, members recommended that the DPIs Register be reviewed annually.

RESOLVED that the Work programme for 2016/17 be updated to reflect the approval of reviewing the DPIs Register on an annual basis.

7. Any other items of public business which the Chair decides to take as matters of urgency because of special circumstances involved

The Committee were advised that Mr Ken Sloan, Independent Person had resigned and an appointment to that position was being advertised. The Committee noted that the Chair had already written to Mr Ken Sloan, thanking him for his work and support to the Ethics Committee.

RESOLVED that a vote of thanks be recorded for Mr Ken Sloan for his support to the Committee.

(Meeting closed at 11.10am)



16 September 2016

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Executive Director, Resources

Ward(s) affected:

None

Title: Code of Conduct Update

Is this a key decision?

No

Executive Summary:

This report updates members of the Ethics Committee on any national issues in relation to the ethical behaviour of elected members and the local position in Coventry with regard to Code of Conduct issues.

Recommendations:

The Ethics Committee is recommended to:

1. Note the cases determined under the new regime nationally and request that the the Legal Services Manager, Place and Regulatory in consultation with the Chair of the Ethics Committee, shares the case updates with all elected Members; and
2. Note the local position relating to the operation of the Council's Code of Conduct and to delegate any actions arising from these to the Legal Services Manager, Place and Regulatory in consultation with the Chair of the Ethics Committee.

List of Appendices included:

Appendix: Decision Notices in respect of standards hearing held by another authority

Other useful background papers can be found at the following web addresses:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Code of Conduct update

1. Context (or background)

1.1 The Council's Ethics Committee agreed that the Monitoring Officer would provide a regular update on cases relating to the Members' Code of Conduct on a national basis. This is to facilitate the Ethics 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.

1.2 The national picture

1.2.1 Since the abolition of the Standards Board for England, national statistics and case reports are no longer collated. Therefore the cases reported are taken from general research.

1.2.2 Cllr W: Fareham District Council

This was a case where several council employees made a formal complaint about a councillor's visit to their department during which he was alleged to have made racist comments. These were:

- (a) that during a conversation with Officer A, he was heard to say "I was talking to an Officer earlier and told them that I did not want any foreigners living in my road";
- (b) that he subsequently said again to Officer A that he did not want any foreigners in his (housing) stock; and
- (c) shortly afterwards he started talking in an accent that sounded like a person of Indian / Pakistani origin attempting to speak English.

The Council's Audit and Governance Standards Sub-Committee concluded that the Councillor had breached the Council's Code of Conduct and decided to:

- (a) issue a letter of censure
- (b) arrange appropriate training for the councillor
- (c) require the councillor to make written apologies to the officers concerned
- (d) remove the councillor's permissions to access the civic offices for two months extend to attend statutory meetings or by invitation from officers.

The minutes of the hearing are attached at the Appendix to this report.

1.2.3 Cllr T: Langton Matravers Parish Council

This case is now two years old but members may be interested because it deals with a hearing into a complaint about a parish council member after the matter had been considered by the police. The police had decided that the councillor had

committed an offence under the Localism Act, in failing to declare a DPI at a meeting but decided not to prosecute. Instead the matter was dealt with by way of “community resolution” whereby a crime is recorded although the person admitting the offence does not acquire a criminal record.

Once the police matter had been disposed of, a hearing was held to consider whether the councillor’s behaviour had led to breaches of the code of conduct. Cllr T was found to have breached the Code of Conduct by remaining in a meeting while a matter in which he had an interest was discussed; he sought to persuade the parish council to agree that a discussion of a planning application (in which Cllr T had an interest) should take place in private. It was held that Cllr T used his position to gain an advantage for himself and so put his interests above those of the wider public.

1.2.4 Cllr B: Shropshire Council

Cllr B was a director of a company that was wholly owned by Shropshire Council. He was the subject of an investigation and report into an allegation that he had failed to declare an interest at a meeting of the company when it was considering the appointment of auditors. The interest arose because of a business relationship between the councillor and a director of the accountancy firm that was appointed as auditors. Both the councillor and the director were directors of another company.

The meeting complained of took place in August 2012 but the investigation and report did not take place until over 3 years’ later. At that point the investigator concluded that although the failure to declare could be considered to be at the lower end of the scale, the councillor offended against the principles of integrity, honesty and leadership in the code of conduct by failing to formally declare his relationship with the accountancy firm.

The councillor accepted that he should have declared an interest and agreed to apologise to the Council and to undertake training. He resigned from X Ltd. However he subsequently resigned first as leader of the council and then from the council itself. A complaint was then made to the police of misconduct in public office in December 2015. A report in the Local Government Lawyer in June 2016 states that the police had decided to take no further action.

This case is interesting because the Investigating Officer decided that the councillor was bound by the Code of Conduct when attending a meeting of company that was wholly owned by the council.

The report to Shropshire Council’s Standards Sub Committee is attached in the Appendix to this report.

1.3. The local picture

1.3.1 The Ethics Committee has requested that the Monitoring Officer report regularly on any complaints received relating to Members of Coventry City Council.

1.3.2 The Monitoring Officer has received three new complaints, since the date of the last Committee meeting:

(a) a complaint that alleged that a councillor made outspoken and offensive comments to the press. This complaint is being reviewed at present under Stage 1 of the procedure

(b) Two separate complaints about two councillors where in both cases it was determined that the Code of Conduct had not applied to the matters complained of. No further action will therefore be taken.

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

1.3.4 The Acting Monitoring Officer ran a training session for parish councils on the Code of Conduct and Declaration of Interests on 28th July. This was attended by all Finham Parish councillors together with the clerks from both Finham and Keresley. The Acting Monitoring Officer also delivered a short training session to Allesley Parish Council on Disclosable Pecuniary Interests on 18th July which was attended by the clerk and four of the seven councillors. A further short session on the code will be arranged in the autumn.

1.3.6 The Acting Monitoring Officer will be holding two further training sessions for city councillors who were unable to attend the three sessions held on in June. These sessions take place on 8th and 13th September and the Acting Monitoring Officer will report orally on attendance at the meeting.

2. Options considered and recommended proposal

Members of the Committee are asked to:

(a) Note the cases determined under the new regime nationally and request that the Legal Services Manager, Place and Regulatory, in consultation with the Chair of the Ethics Committee bring the case summaries to the attention of all elected Members; and

(b) Note the local position relating to the operation of the Council's Code of Conduct and to delegate any actions arising from these to the Legal Services Manager, Place and Regulatory, in consultation with the Chair of the Ethics Committee.

3. Results of consultation undertaken

- 3.1 There has been no consultation as there is no proposal to implement at this stage which would require a consultation.

4. Timetable for implementing this decision

- 4.1 The case summary will be shared with all elected Members as soon as possible and in any event before the next meeting of the Committee.

5. Comments from Executive Director, Resources

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011.

6 Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report.

6.3 What is the impact on the organisation?

No direct impact at this stage

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

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Directorate: Resources

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| Contributor/approver name | Title | Directorate or organisation | Date doc sent out | Date response received or approved |
|--|---|------------------------------------|--------------------------|---|
| Contributors: | | | | |
| Gurdip Paddan | Governance Services Officer | Resources | 07.09.16 | 08.09.16 |
| Names of approvers for submission: (officers and members) | | | | |
| Finance: Kathryn Sutherland | | Resources | 07.09.16 | 07.09.16 |
| Legal: Helen Lynch | Legal Services Manager (Place and Regulatory) | Resources | 06.09.16 | 06.09.16 |
| Director: Helen Lynch on behalf of Chris West | Executive Director Resources | Resources | 06.09.16 | 06.09.16 |
| Councillor Walsh | Chair of Ethics Committee | | 06.09.16 | 08.09.16 |

This report is published on the Council's website:
www.coventry.gov.uk/councilmeetings

Appendix

1. Minutes of Hearing: Cllr W, Fareham Borough Council

It was proposed by the Chairman that the public and representatives of the Press be excluded from the meeting on the grounds that the matters to be dealt with involve the likely disclosure of exempt information, as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Having been duly seconded, it was RESOLVED that in accordance with the Local Government Act 1972 the Public and Press be excluded from the meeting, as the Sub Committee considers that it is not in the public interest to consider the matters in public on the grounds that they will involve the disclosure of exempt information, as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Private Session

The Chairman confirmed that this Standards Sub Committee had been convened to consider an allegation of a breach of the Members' Code of Conduct against Councillor W in the XX Department at the Civic Offices on Monday 21 March 2016.

The Chairman explained how the meeting would proceed, that it would be held in private session and the all information should be treated as confidential unless the Standards Sub Committee later resolved to remove the exemptions from publication.

The Chairman informed the panel that Councillor W had declined to attend the meeting and instead had submitted an email for consideration by the panel.

Councillor Miss H declared a Personal Interest for this item as she has a family member working in the same department as the officers who had alleged that a breach of the Members Code of Conduct had occurred. Councillor Miss H confirmed that her family member had not been present in the office at the time of the alleged incident due to holiday and that the situation had not been discussed. Councillor Miss H remained present in the room and took full part in the debate and voted on the item.

The Chairman asked the Monitoring Officer to present his report. In presenting his report and investigation findings, the Monitoring Officer presented copies of an e-mail exchange between him and Councillor W in which the Councillor disputed the accuracy of the record of the investigatory meeting held between them. The Monitoring Officer provided clarification about what was discussed in the interview and referred to Councillor W's submitted e-mail as evidence.

The Monitoring Officer then answered clarification questions put to him about the allegation and the subsequent investigation by members of the Standards Sub Committee.

At the invitation of the Chairman, Officer A was called upon to outline the complaint raised about Councillor W's alleged conduct during his visit to the XX department. Officer A then answered clarification questions put about the complaint. The Monitoring Officer also asked some clarification questions.

Officer A was thanked for attending and left the room and took no further part in the discussion.

At the invitation of the Chairman, Officer B was called upon to outline the complaint raised about Councillor W's alleged conduct during his visit to the XX department. Officer B then answered clarification questions put about the complaint. The Monitoring Officer also asked some clarification questions.

Officer B was thanked for attending and left the room and took no further part in the discussion.

At the invitation of the Chairman, Officer C was called upon to outline the complaint raised about Councillor W's alleged conduct during his visit to the XX department. Officer C then answered clarification questions put about the complaint. The Monitoring Officer also asked some clarification questions.

Officer C was thanked for attending and left the room and took no further part in the discussion.

The Chairman distributed copies of an email which had been submitted by Councillor W for the panel to consider.

The Designated Independent Person, Mr B, was invited to give his views on the allegation.

There were further clarification questions about the allegation by Members of the Standards Sub Committee.

The Monitoring Officer was invited to give his final summary of the investigation into the alleged misconduct.

At this point, the Chairman adjourned the meeting to enable Members of the Standards Sub Committee to deliberate and reach a conclusion. The Monitoring Officer and Mr B left the room and took no further part on the deliberation. The Solicitor to the Council and the Head of Democratic Services remained.

The Chairman confirmed that having considered all of the reasons given for the call-in, the Standards Sub Committee now had to consider the recommendations as set out in the report, that being:

- (a) determine whether or not a breach of the Members' Code of Conduct had taken place;
- (b) subject to the decision at recommendation (a), determine what action(s) should be taken in accordance with Standards Arrangements, as approved by Council on the 21 June 2012; and
- (c) subject to the findings of (a) and (b) above, the Report including the Minute of the decision be no longer treated as exempt information and be open for public inspection.

During the debate on the item, the Standards Sub Committee expressed its disappointment in the conduct of Councillor W which fell far short of the usual high ethical standards displayed by both Elected Members and Officers of Fareham Borough Council. The Sub Committee also voiced its alarm at the racist nature of the incident.

Following deliberation of the Standards Sub Committee and consultation with Mr B, the Council's Designated Independent Person, a motion was proposed and seconded to resolve that a breach of the code had taken place in respect of paragraphs 3.9, 3.13 and 3.14 of the adopted Code of Conduct and further that the appropriate actions would be to:

- formally censure Councillor W;
- request that he provide a full written apology to the officers who raised the complaint about his conduct;
- instruct the Monitoring Officer to arrange appropriate training for Councillor W;
- remove Councillor W's access permissions to the Civic Offices for a period of 2 months, with the exception of his requirement to attend formal Council or Committee meetings or where his attendance is required by Officers; and
- report the findings of the Standards Sub Committee to the Council by submitting the minutes of the meeting for noting.

These actions are in accordance with paragraphs 8.1.2, 8.1.3, 8.1.6 and 8.1.8 of Appendix A to the report.

Upon being put to the vote, the motion was declared CARRIED.

The Chairman proposed that the report, including the minute of the decision be no longer treated as exempt information and be open for public inspection, save for the names of individuals involved.

Having been duly seconded, the motion was declared CARRIED.

RESOLVED that:

- (a) a breach of the Members' Code of Conduct at paragraphs 3.9, 3.13 and 3.13 had taken place;
- (b) the following sanctions be applied:
 - i. Councillor W would receive a letter of censure from the Standards Sub Committee Chairman;
 - ii. Councillor W be requested to provide a full written apology to the officers who raised the complaint about his conduct;
 - iii. the Monitoring Officer be instructed to arrange appropriate training for Councillor W;
 - iv. the removal of Councillor W's access permissions to the Civic Offices for a period of 2 months, with the exception of his requirement to attend formal Council or Committee meetings or where his attendance is required by Officers; and

- v. the Standards Sub Committee report its findings to the Council by submitting the minutes of the meeting for noting; and
- (c) the report, including the minute of the decision be no longer treated as exempt information and be open for public inspection, save for individuals' names.

2. Report to Standards Sub-Committee: Cllr B, Shropshire Council

1. Summary

- 1.1.A complaint received from Councillor T which alleged that Councillor B failed to comply with the code of conduct of Shropshire Council was referred, at its meeting held on 30 July 2015, by the Standards Sub Committee for an investigation.
- 1.2 The Monitoring Officer did not consider that it was appropriate to carry out the investigation internally and appointed O D to undertake the investigation.
- 1.3 The investigation by Mrs D is now complete and her report concludes that, by failing to disclose at a meeting of the Board of directors of X ltd that a director of a company who were to be considered to undertake the audit and accountancy function on behalf of X ltd, was known to him and that they had mutual business interests, Councillor B failed to comply with the Code of Conduct of Shropshire Council.
- 1.4 Councillor B accepts the findings and agrees that, with hindsight, he should have formally declared his interest. He has agreed to undertake training and to issue a formal apology to the Council.

2. Recommendation

- 2.1 That, subject to Councillor B making an apology and undertaking training on his responsibilities under the code of conduct, there be no further action in relation to the finding by the Investigating Officer that, by failing to disclose at a meeting of the Board of directors of X ltd that a director of a company which was to be considered to undertake the audit and accountancy function on behalf of X ltd, was known to him and that they had mutual business interests, Councillor B failed to comply with the code of conduct of Shropshire Council.

3. Risk Assessment and Opportunities Appraisal

- 3.1 The Localism Act 2011 places a requirement on Local Authorities to promote and maintain high standards of conduct by members and co-opted members

of the authority. Failure to resolve the complaint appropriately risks damaging the reputation of the authority.

4. Financial Implications

4.1 In the event that further action is considered appropriate, costs may involve officer time and /or the costs of arranging a further hearing.

5 Background

5.1 It was alleged by Councillor T that Councillor B failed to comply with the code of conduct of Shropshire Council.

5.2 The Standards Sub Committee, at its meeting held on 30 July 2015, referred the allegation to the Monitoring Officer for an Investigation. The Monitoring Officer engaged the services of OD to carry out the investigation.

5.3 After carrying out her Investigation, Mrs D concluded that Councillor B had failed to comply with the Code of Conduct of Shropshire Council. Her report and appendices are attached.

5.4 As required by the legislation, the Monitoring Officer has consulted with the Independent Person and, in accordance with the arrangements adopted by Shropshire Council to deal with allegations of a failure to comply with the code of conduct, considers that the matter can reasonably be resolved without the need for a formal hearing. The Independent Person agreed with the proposals of the Monitoring Officer to request that Councillor B issue a formal apology and undertake training on his responsibilities under the code of conduct.

5.5 The Complainant, Councillor T, considers that an apology and a commitment to undertake training on the code of conduct represents a reasonable outcome.

5.6 Councillor B has agreed to undertake training provided by the Monitoring Officer and to issue the following apology:

“Councillor B apologises to the Council for failing to formally declare a conflict of interest when making a decision at X Ltd.

An investigation into an allegation about the conduct of Councillor B has concluded that he failed to comply with the code of conduct of Shropshire Council by failing to formally disclose a conflict of interest at meetings of the Board of X Ltd.

Councillor B apologises to the Council for failing to disclose at those Board meetings his personal and business relationship with a director of the company eventually appointed as accountants and auditors of X Ltd. Councillor B accepts with hindsight that he should have formally disclosed the nature and

extent of his interest at the meetings and confirms that he will attend training to make sure he is fully aware of his responsibilities on such matters under the Council's Code of Conduct and to ensure such oversight is avoided in the future.

Councillor B would also like to add that he has resigned from his position as Director of X Ltd in order prevent any future risk of such conflicts of interests arising and because it is the right time for the appointment of a Chairman independent of the Council.”

5.7 The options available to the Sub Committee are as follows:

5.7.1 Accept the findings of the report and the recommendations (following consultation with the Independent Person) of the Monitoring Officer that it is appropriate to resolve the matter informally in the manner proposed.

5.7.2 refer the findings in the report for a formal hearing.

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16 September 2016

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

None

Title:

Recruitment of Independent Persons

Is this a key decision?

No

Executive Summary:

At its meeting on 15 July, the Committee was advised that the Independent Person, Ken Sloan had resigned. This report sets out what action has been taken to recruit additional Independent Persons and seeks the Committee's agreement to take further action following receipt of no applications for the positions.

Recommendations:

The Ethics Committee is recommended to:

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

List of Appendices included:

None

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Recruitment of Independent Persons

1. Context (or background)

- 1.1 The Council is required under the Localism Act 2011 to appoint at least one Independent Person to provide advice both to the Ethics Committee, and when required, to any councillor who is the subject of a complaint. It is a statutory role which is voluntary. Since the introduction of new regulations regarding the procedure for dealing with disciplinary matters relating to certain senior officers, it is helpful to have at least two Independent Persons.
- 1.2 Mr Ken Sloan has acted as the Council's Independent Person for several years. Following his resignation, it has been necessary to try to recruit between two and three new Independent Persons.

2. Options considered and recommended proposal

- 2.1 The vacancies for Independent Persons have been advertised on the Council's website as well as on West Midlands Jobs. In addition an advertisement was placed on the Council's LinkedIn page, Lawyers in Local Government and both Warwick and Coventry University were approached directly to see if they had anyone who might be interested in the positions. Unfortunately no applications were received. The adverts were placed from 3 August with a closing date of 15 August.
- 2.2 The Council must by law have at least one Independent Person. It would be preferable to have a minimum of two. The Committee is asked therefore to authorise the Action Monitoring Officer to advertise the positions again.
- 2.3 In 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. Section 28 of the Localism Act 2011 requires the Council to appoint at least one Independent Person following advertisement of the vacancy and completion of an application. The appointment must be approved by a majority of members. However this does 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.
- 2.4 In addition, where Independent Persons are required to be appointed to any Panel which is to advise the authority on matters relating to the dismissal of certain senior officers, the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 permits an authority to appoint an Independent Person from another council to the Panel if it does not have more than one Independent Person.
- 2.5 Where a complaint under the Code of Conduct is to be investigated, the Council needs to appoint someone suitably qualified, experienced and impartial to carry out the investigation. This will very often be someone from outside the Council. The Acting Monitoring Officer considers that it would be useful to also 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.

2.6 The Committee is therefore asked 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 is also asked 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.

3. Results of consultation undertaken

3.1 None.

4. Timetable for implementing this decision

4.1 Any recommendations of the Committee will be implemented immediately.

5. Comments from Executive Director, Resources

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

The Council is required under the Localism Act 2011 to appoint at least one Independent Person.

6 Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

The risk to the Council is that it may need to consult with an Independent Person at some point in the future. While it continues to try to recruit its own Independent Persons, it needs to have access to an Independent Person appointed by another authority.

6.3 What is the impact on the organisation?

Failure to appoint or gain access to an Independent Person when required will make it difficult for the Council to meet its obligations to deal with ethical standards matters.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Corporate Governance Lawyer, Regulatory Team, Legal and Democratic Services

Directorate: Resources

Tel and email contact: 024 7683 3976 carol.bradford@coventry.gov.uk

Enquiries should be directed to the above person.

| Contributor/approver name | Title | Directorate or organisation | Date doc sent out | Date response received or approved |
|--|---|------------------------------------|--------------------------|---|
| Contributors: | | | | |
| Gurdip Paddan | Governance Services Officer | Resources | 07.09.16 | 8.09.16 |
| Names of approvers for submission: (officers and members) | | | | |
| Finance: Kathryn Sutherland | Finance | Resources | 07.09.16 | 07.09.16 |
| Helen Lynch | Legal Services Manager (Place and Regulatory) | Resources | 06.09.16 | 06.09.16 |
| Director: Helen Lynch on behalf of Chris West | Executive Director, Resources | Resources | 06.09.16 | 06.09.16 |
| Members: Councillor Walsh | Chair, Ethics Committee | Elected Member | 07.09.16 | 8.09.16 |

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Public report Ethics Committee

16 September 2016

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

None

Title: Six Monthly Review of Members' Declarations of Gifts and Hospitality

Is this a key decision?

No

Executive Summary:

This report sets out details of declarations of gifts and hospitality made by members since the Committee last reviewed these at its meeting on 24th March 2016. The Committee is asked to consider the declarations.

Recommendations:

The Ethics Committee is recommended to consider the gifts and hospitality register entries received from 12th March to 31st August 2016 and to make any recommendations that it considers appropriate.

List of Appendices included:

Appendix 1: Declarations of gifts and hospitality received between 12th March and 31st March 2016.

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Review of Members' Declarations of Gifts and Hospitality

1. Context (or background)

- 1.1 The Ethics Committee has, as part of its work programme, decided to review on a regular basis the declarations of gifts and hospitality made by members. Appendix 1 contains copies of all declarations received from members from 12th March to 31st August 2016.

2. Options considered and recommended proposal

- 2.1 At its meeting on 24th March the Committee asked the Acting Monitoring Officer to write to all councillors reminding them of the need to declare any gifts or hospitality offered within 28 days of the offer. The Acting Monitoring Officer wrote to all councillors on 14th April. At the same time members were given a copy of the guidance on gifts and hospitality and the updated form and advised of how to make a declaration.
- 2.2 The declarations received since 12th March are attached as Appendix 1. In total 16 forms have been received from 5 elected members. In three instances the estimated value of the hospitality received was below the £25 threshold and in three cases the member was offered but did not take up the gift or hospitality. Two declarations relate to hospitality offered outside the period considered in this report, but are included because they were not declared in time be included in the report to the March meeting of the Committee. There have been no requests by members of the public to view the register during this time.
- 2.3 The Committee is recommended to consider the declarations made since its last meeting and to make any recommendations that it considers appropriate.

3. Results of consultation undertaken

- 3.1 None.

4. Timetable for implementing this decision

Any recommendations of the Committee will be implemented within an appropriate time frame.

5. Comments from Executive Director, Resources

- 5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

- 5.2 Legal implications

Members are required to declare Gifts and Hospitality under section 4 of the Code of Conduct for Elected Members at Part 4 of the Council's Constitution. Whilst there is no statutory requirement for members to declare in this way, maintaining a process and Register aids transparency and assists the Council in promoting and maintaining high standards of ethical behaviour as is required under section 27 of the Localism Act 2011.

6 Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report, but a failure to implement and maintain a system of Declarations of Gifts and Hospitality can impact on the organisation's ethical behaviour and transparency.

6.3 What is the impact on the organisation?

The routine declaration of gifts and hospitality received should assist in protecting Elected Members from unfounded allegations of bias and facilitate good and clear transparent decision making.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Corporate Governance Lawyer, Legal and Democratic Services

Directorate: Resources

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Enquiries should be directed to the above person.

| Contributor/approver name | Title | Directorate or organisation | Date doc sent out | Date response received or approved |
|--|---|------------------------------------|--------------------------|---|
| Contributors: | | | | |
| Gurdip Paddan | Governance Services Officer | Resources | 07.09.16 | 08.09.16 |
| Names of approvers for submission: (officers and members) | | | | |
| Kathryn Sutherland | Finance | Resources | 06.09.16 | 07.09.16 |
| Helen Lynch | Legal Services Manager (Place and Regulatory) | Resources | 01.09.16 | 02.09.16 |
| Director: Helen Lynch on behalf of Chris West | Executive Director, Resources | Resources | 01.09.16 | 02.09.16 |
| Cllr Walsh | Chair of Ethics Committee | | 06.09.16 | 08.09.16 |

Appendix

Extracts from Members' Register of Gifts and Hospitality: 12th March to 31st August 2016

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|---|
| Name of Elected Member | Councillor Faye Abbott |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Cabinet Member, Community Development, Co-operatives and Social Enterprises |
| Date on which gift or hospitality was offered and received or accepted | Tuesday 19 th April 2016. |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Trinity Mirror in association with Virgin Trains |
| Full details of what was received | Pride of Coventry and Warwickshire Awards |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | £20 |
| Justification for accepting the gift or hospitality | To represent the City Council as the Cabinet Member for Community Development. |
| Signature of member: Date: |  21 st April 2016 |

October 2014

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Councillor Faye Abbott |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Cabinet Member, Community Development, Co-operatives and Social Enterprises |
| Date on which gift or hospitality was offered and received or accepted | Sunday 10 th April 2016. |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Coventry Sports Network and Culture Coventry |
| Full details of what was received | Great Britain v Poland Ice Hockey Match |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | £30 |
| Justification for accepting the gift or hospitality | To represent the City Council as the lead member for the City of Culture bid. |
| Signature of member: Date: |  21 st April 2016 |

October 2014

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Allan Andrews (Earlsdon Ward) |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Deputy Leader of the Opposition |
| Date on which gift or hospitality was offered and received or accepted | Tuesday 3 May 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | The Generator Food and Drink, Earlsdon Street |
| Full details of what was received | Dinner & drinks for 3 people |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Est. £50 |
| Justification for accepting the gift or hospitality | I asked for the bill and the owner wanted to offer it 'on the house', which after some friendly debate with the owner, I accepted. |
| Signature of member: |  |
| Date: | 12 May 2016 |

September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|---|
| Name of Elected Member | Linda Bigham |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Cabinet Member, City Development |
| Date on which gift or hospitality was offered and received or accepted | 28 June, 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Board of the Central Law Centre (Coventry) Council nominates to the board |
| Full details of what was received | Bouquet of flowers |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Estimated cost £35.00 |
| Justification for accepting the gift or hospitality | Thank you gift from board members because of long-term membership of the board as a Council nominee and trustee. I was not nominated to the board this year and have resigned as a trustee. |
| Signature of member: | <i>Linda Bigham</i> |

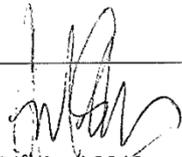
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|---|
| Name of Elected Member | Councillor Abdul Salam Khan |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Deputy Leader of Coventry City Council and Cabinet Member for Culture, Leisure, Sports and Parks |
| Date on which gift or hospitality was offered and received or accepted | Thursday 10 th March 2016. |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Friargate |
| Full details of what was received | Dinner at Coombe Abbey to celebrate the opening of the boulevard at the Friargate development. |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Approximately £100 |
| Justification for accepting the gift or hospitality | To represent the City Council as Deputy Leader and promote the Friargate development. |
| Signature of member: Date: |  17/03/2016 |

October 2014

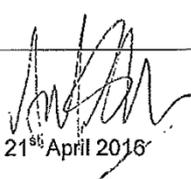
Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Councillor Abdul Salam Khan |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Deputy Leader of Coventry City Council and Cabinet Member for Culture, Leisure, Sports and Parks |
| Date on which gift or hospitality was offered and received or accepted | Sunday 10 th April 2016. |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Coventry Sports Network and Culture Coventry |
| Full details of what was received | Great Britain v Poland Ice Hockey Match |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | £30 |
| Justification for accepting the gift or hospitality | To represent the City Council as Deputy Leader and also as the Cabinet Member for Sports. |
| Signature of member: Date: |  21 st April 2016 |

October 2014

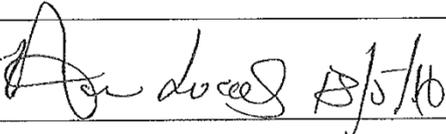
Declaration of Gifts and Hospitality under Members' Code of Conduct

26 APR 2016

| | |
|---|--|
| Name of Elected Member | Councillor Abdul Salam Khan |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Deputy Leader of Coventry City Council and Cabinet Member for Culture, Leisure, Sports and Parks |
| Date on which gift or hospitality was offered and received or accepted | Tuesday 19th April 2016. |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Trinity Mirror in association with Virgin Trains |
| Full details of what was received | Pride of Coventry and Warwickshire Awards |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | £20 |
| Justification for accepting the gift or hospitality | To represent the City Council as Deputy Leader. |
| Signature of member: Date: |  21 st April 2016 |

October 2014

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 15 February 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Professor Lord Bhattacharyya, Warwick Manufacturing Group (WMG), University of Warwick |
| Full details of what was received | Labour Group informal visit to look around the new National Automotive Innovation Centre (NAIC) and update on WMG ventures. Dinner included. |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | £25 |
| Justification for accepting the gift or hospitality | Promote partnership working with the University, NAIC and WMG in the interest of Coventry City Council. |
| Signature of member: Date: |  15/2/16 |

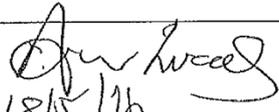
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|---|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 24 February 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Peter Chenery, The Queens Anniversary Trust |
| Full details of what was received | Prize winner's reception at the Guildhall, London. Dinner received. |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | £100 |
| Justification for accepting the gift or hospitality | Join University of Warwick as their guest to attend the receiving of a Queens Anniversary Prize for the University. Promoting partnership working with the University in the interest of Coventry City Council. |
| Signature of member: Date: | <i>Ann Lucas</i> 18/5/16 |

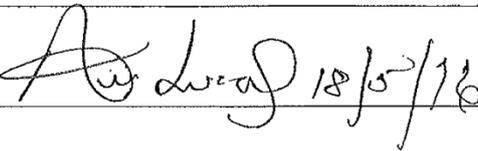
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 10 March 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Friargate LLP (Developers) |
| Full details of what was received | Friargate Celebration Dinner at Coombe Abbey Coventry |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Est £40 |
| Justification for accepting the gift or hospitality | Celebrate with Friargate the launch of the Boulevard and promote partnership working and networking with local and regional businesses in the interest of Coventry City Council. |
| Signature of member: Date: |  18/5/16 |

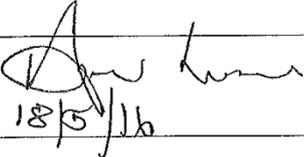
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|---|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 19 April 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Keith Perry, Editor Coventry Telegraph |
| Full details of what was received | Drinks reception and Dinner at Pride of Coventry and Warwickshire Awards at Belgrade Theatre, Coventry |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Declined invitation |
| Justification for accepting the gift or hospitality | Promote partnership working with attendees from local and regional businesses in the interest of Coventry City Council. |
| Signature of member: Date: |  18/05/16 |

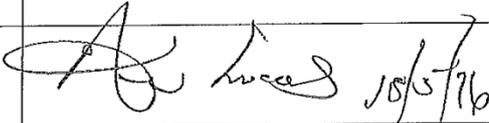
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|---|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 21 April 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Andrew Smith, CWFirst Pro Chair |
| Full details of what was received | First Pro Awards ceremony at Ricoh Arena. Dinner included. |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Est £30 |
| Justification for accepting the gift or hospitality | Promote partnership working with attendees from local and regional businesses in the interest of Coventry City Council. |
| Signature of member: Date: |  18/5/16 |

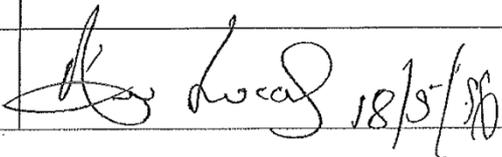
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 22 April 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Siobhan Harrison, Producer, BBC Coventry & Warwickshire Shakespeare Street |
| Full details of what was received | Free public performance of Romeo and Juliet in Broadgate. Drinks reception at Cosy Club (cup of tea). |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Est. £1.50 |
| Justification for accepting the gift or hospitality | Promote partnership working with the BBC and to promote Coventry's City of Culture bid in the interest of Coventry City Council. |
| Signature of member: Date: |  15/5/16 |

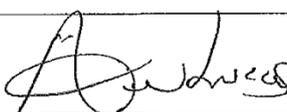
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 23 April 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Les Ratcliffe -- Head of Community Relations JLR |
| Full details of what was received | Lunch and Awards presentation at Shakespeare Birthday Anniversary event in Stratford-Upon-Avon |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | DID NOT ATTEND |
| Justification for accepting the gift or hospitality | Promote partnership working and networking with directors of JLR and other local and regional businesses in the interest of Coventry City Council. |
| Signature of member: Date: |  18/5/16 |

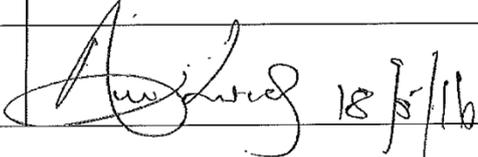
September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|--|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 24 April 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Mr Hardeep Bains, Secretary Sikh Union Coventry |
| Full details of what was received | Hospitality at Vaisakhi Nagar Keertan celebrations at Gurdwara Guru Nanak Parkash, Coventry |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | Declined invitation due to commitments |
| Justification for accepting the gift or hospitality | Promote partnership working with communities in the interest of Coventry City Council. |
| Signature of member: Date: |  18/5/16 |

September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

| | |
|---|---|
| Name of Elected Member | Cllr Ann Lucas |
| Position held e.g. cabinet member, shadow cabinet member, elected member etc. | Leader of Coventry City Council |
| Date on which gift or hospitality was offered and received or accepted | 29 April 2016 |
| Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate | Jacky Issac, Group HR Director, Ricoh Arena Coventry |
| Full details of what was received | 2 x guest hospitality and ticket to warm up concert by Jess Glynne at Ricoh Arena Coventry |
| Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc. | £50 |
| Justification for accepting the gift or hospitality | Promote partnership working with Ricoh Arena Coventry and networking with other local and regional businesses in the interest of Coventry City Council. |
| Signature of member: Date: |  18/5/16 |

September 2015

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Public report Ethics Committee

16th September 2016

Name of Cabinet Member:
N/A - Ethics Committee

Director Approving Submission of the report:
Executive Director, Resources

Ward(s) affected:
None

Title: Six Monthly Review of Officers' Gifts and Hospitality

Is this a key decision?
No

Executive Summary:

In its work programme for 2016/17 the Committee has decided to review entries in the Registers of Officers' Gifts and Hospitality every six months. This report sets out the entries in the Registers for the period 1st January to 30th June 2016.

Since the last meeting of the Committee, the Acting Monitoring Officer has circulated the revised standardised Register and forms for use by officers to senior officers and the staff responsible for maintaining the Register. Updated information has 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 have been discussed with the trade unions and the proposals have been considered and approved by full Council on 6th September.

Recommendations:

The Ethics Committee is recommended to consider the entries of gifts and hospitality received by officers for the first six months of 2016 and make any recommendations that it considers appropriate.

Appendix included: Table of Gifts and Hospitality received by Officers; January to June 2016

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Six Monthly Review of Officers' Gifts and Hospitality

1. Context (or background)

- 1.1 The Committee's work programme includes an item for this meeting to review entries on the registers of officer gifts and hospitality every six months.
- 1.2 The Code of Conduct for Employees sets out the requirements for employees when being offered or accepting gifts or hospitality. The basic rules are:

(a) Gifts

- Personal gifts should never be accepted unless they are modest and are of token value (less than £25).
- The manager's permission must be obtained
- Where small gifts, such as chocolates, are given as thanks for a service provided, these can be accepted if they are shared within the Team or raffled for charity.
- Gifts worth more than £25 should be refused. If this is not possible, the manager should dispose of them to charity and record the fact in the register.

(b) Hospitality

- Hospitality consisting of light refreshments, working lunch or other meals which are part of a visit, conference, meeting or promotional exercise is acceptable.
- Invitations to social events offered as part of normal working life, may be accepted if authorised in advance by the appropriate Assistant Director.
- Invitations to other types of hospitality which are not directly linked to the City Council's functions should not be accepted.

Members will be aware that proposals to amend these rules are currently being considered. The Committee at its meeting on 15 July approved those proposals and the position at the time of writing this report is set out in section 2.

2. Options considered and recommended proposal

- 2.1 Since the last meeting of the Committee in July, the Acting Monitoring Officer has written to senior officers in all Directorates reminding them of the requirement to declare any gifts or hospitality and of the need to use the revised form and standard form of the Register. In addition staff responsible for maintaining the Register in each directorate have been asked to use the new template. Information about Gifts and Hospitality on the Council's intranet has been updated and links to the new documents provided.
- 2.2 The Directorates have been asked to provide details of gifts and hospitality received during the last 6 months of the year. The position for each directorate is set out in the Table in the Appendix to this report. Because this report deals with declarations made up to 30th June, the declarations are still in the slightly different format used by each Directorate.
- 2.3 Since the last meeting of the Committee, the trade unions have been consulted on the proposed changes to the Employee Code of Conduct regarding gifts and hospitality and at the time of writing this report the changes have been considered and approved by full Council on 6th September.

3. Results of consultation undertaken

Each Directorate was asked to provide details of their registers.

4. Timetable for implementing this decision

4.1 Not applicable.

5. Comments from Executive Director, Resources

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report. However, reviewing the gifts and hospitality offered to employees on a regular basis will help to demonstrate that the Council continues to monitor and review ethical standards within the Council.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

Reviewing gifts and hospitality received by employees will help to reduce the risk of acceptance of inappropriate gifts or hospitality.

6.3 What is the impact on the organisation?

Keeping matters such as this under review will help to promote high standards amongst elected members and employees in accordance with the Localism Act.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Corporate Governance Lawyer, Regulatory Team, Legal and Democratic Services

Directorate: Resources

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Enquiries should be directed to the above person.

| Contributor/approver name | Title | Directorate or organisation | Date doc sent out | Date response received or approved |
|--|---|------------------------------------|--------------------------|---|
| Contributors: | | | | |
| Gurdip Paddan | Governance Services Officer | Resources | 07.09.16 | 08.09.16 |
| Names of approvers for submission: (officers and members) | | | | |
| Kathryn Sutherland | Finance | Resources | 06.09.16 | 07.09.16 |
| Helen Lynch | Legal Services Manager Place and Regulatory | Resources | 01.09.16 | 02.09.16 |
| Helen Lynch on behalf of Chris West | Executive Director, Resources | Resources | 01.09.16 | 02.09.16 |
| Cllr Walsh | Chair, Ethics Committee | | 06.09.16 | 08.09.16 |

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APPENDIX

Table of Entries in Officers' Registers of Gifts and Hospitality: 1st January to 30th June 2016

| Date | Officer | Description | Provider | Estimated Value | Justification | Consent of senior officer or manager? |
|---------------------------------|-----------------|---|---------------|-----------------|--|---------------------------------------|
| CHIEF EXECUTIVE'S OFFICE | | | | | | |
| 23.01.16 | Chief Executive | Wasps v Leinster Rugby Match | JLR | £50 | Purpose of the visit was to discuss the City of Culture bid with reps from Wasps/JLR | N/A |
| 06.02.16 | Chief Executive | Wasps v Newcastle Rugby Match | Wasps | £50 | To discuss event strategy including MTV Crashes with Wasps reps | N/A |
| 03.03.16 | Chief Executive | SOLACE Annual Charity Dinner, East Winter Garden, London | Arcadis | £75 | Annual dinner (13.2.6 of the Code of Conduct) | N/A |
| 10.03.16 | Chief Executive | Dinner to mark opening of Friargate Boulevard, Coombe Abbey | Friargate LLP | £75 | Opening celebration (13.2.6 of the | N/A |

| | | | | | | |
|----------|-----------------|---|--|-----|---|----------|
| | | | | | Code of Conduct) | |
| 15.03.16 | Chief Executive | Networking dinner at MIPIM | Bilfinger GVA | £75 | Representing City Council and promoting City along with key stakeholders/partners | N/A |
| 16.03.16 | Chief Executive | Coventry VIP Private Dinner at MIPIM, Oasis restaurant, | Friargate LLP | £75 | Representing City Council and promoting City along with key stakeholders/partners | N/A |
| 17.03.16 | Chief Executive | VIP Lunch at MIPIM | Friargate LLP | £75 | Representing City Council and promoting City along with key stakeholders/partners | N/A |
| 10.04.16 | Chief Executive | Ice Match GB v Poland Sky Dome Arena | Coventry Sports Network, Coventry City of Culture Bid, CCC | £25 | | Declined |
| 01.0616 | Chief Executive | University Alliance Dinner, St Mary's Guildhall | Coventry University/Coventry & Warks LEP/Deloitte | £75 | Annual Dinner representative on behalf of LEP (13.2.6 Code of Conduct) | N/A |

PEOPLE DIRECTORATE

No entries during period reviewed.

PLACE DIRECTORATE

| | | | | | | |
|----------|--|--|-------------------------|-----|--|-----|
| 19.01.16 | Senior Asset Surveyor | Tin of biscuits | No information provided | £10 | No information provided | No |
| 22.02.16 | Assistant Director Streetscene and Regulatory Services | Dinner at Coombe Abbey | No Ordinary Hotels | £30 | Working dinner to accommodate diary commitments and to discuss potential changes in running of visitor centre. | Yes |
| 22.02.16 | Head of Project Delivery | Dinner at Coombe Abbey | No Ordinary Hotels | £30 | Working dinner to accommodate diary commitments and to discuss potential changes in running of visitor centre. | Yes |
| 28.02.16 | Head of Sports Culture Destination and Business | University Varsity Match and Wasps game at Ricoh | University of Warwick | £10 | No information provided | Yes |
| 14.03.16 | Assistant Director Streetscene and | Dinner at Coombe Abbey | No Ordinary Hotels | £30 | Follow up working dinner | Yes |

| | | | | | | |
|------------------------------|--|---|------------------|-----|--|----------------|
| | Regulatory Services | | | | to discuss potential changes in running of visitor centre. | |
| 20.03.16 | Assistant Director City Centre and Major Project Development | Ticket to Wasps v Sale | Wasps/ACL | £60 | No information provided | Yes |
| 03.04.16 | Service Manager, Destination and Business Relationships | Wasps match day: travel and hospitality | JLR | £20 | No information provided | Yes |
| 22.04.16 | Investment and International Trade Manager | Raffle prize Marks and Spencer vouchers | CW First charity | £50 | No information provided | No |
| 19.05.16 | Head of Planning and Regulation | Lunch | Regents Godiva | N/A | N/A | Offer declined |
| 19.05.16 | Planning Officer | Lunch | Regents Godiva | N/A | N/A | Offer declined |
| 30.06.16 | Skills and Growth Manager | Working lunch | BAM Construct UK | £5 | No information provided | Yes |
| PUBLIC HEALTH | | | | | | |
| | No entries during period reviewed. | | | | | |
| RESOURCES DIRECTORATE | | | | | | |
| 29.02.16 | Assistant Director Finance | Evening meal | Coventry CCG | £20 | 2 day system transformation | Yes |

| | | | | | | |
|-----------------------|--|---|--|-----------|---|-----|
| | | | | | workshop at Warwick University | |
| 03.03.16 | Assistant Director ICT, Transformation and Customer Services | Annual charity dinner , London | SOLACE | Not known | Attended SOLACE Annual Leadership Forum and received dinner | Yes |
| 17.03.16 | Assistant Director ICT, Transformation and Customer Services | Annual dinner at Ricoh | Society of Municipal Treasurers (SMT) | Not known | Invitation from SMT | Yes |
| 17.03.16 and 18.03.16 | Assistant Director Finance | Overnight stay and evening meal and breakfast | Society of Municipal Treasurers | £95 | Two day SMT Annual Conference and AGM | Yes |
| 17.03.16 and 18.03.16 | Executive Director | Overnight stay and evening meal and breakfast | Society of Municipal Treasurers | £95 | Two day SMT Annual Conference and AGM | Yes |
| 12.04.16 and 13.04.16 | Assistant Director ICT, Transformation and Customer Services | Complimentary place at conference, dinner and accommodation | Local Government Strategy Forum, Chipping Norton | Not known | Was a speaker at the event | Yes |
| 21.04.16 | Legal Services Manager, Place and Regulatory | Attendance at Birmingham Law Society Awards | Veale Wasborough Vizards | £100 | Celebrate the success and contribution made by individuals | Yes |



16 September 2016

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Executive Director, Resources

Ward(s) affected:

Not applicable

Title:

Work programme for the Ethics Committee 2016/17

Is this a key decision?

No

Executive Summary:

This report suggests areas of work for the Ethics Committee for the Municipal Year 2016/17. The Committee is asked to consider the draft work programme and make any suggestions for additional or alternative reports.

Recommendations:

The Ethics Committee is recommended to review the work programme attached as Appendix 1 and make any changes or amendments the Committee considers appropriate.

List of Appendices included:

Work programme

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Draft Work Programme

1. Context (or background)

- 1.1 The Committee's Terms of Reference are set out in the Council's Constitution and include the consideration of matters which are relevant to the ethical governance of the Council, its members or employees. This report attaches a proposed programme of work for the Committee, designed to assist the Committee to meet its objectives set out in the Terms of Reference, and to ensure that the Council complies with its obligations under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct amongst elected and co-opted members.
- 1.2 The Committee's work programme takes account of the need to promote standards and addresses this in a number of ways. It is a draft work programme and is flexible in terms of suggestions from members of the Ethics Committee as to additional or substitute areas which they would want to consider and receive reports on. However, certain items have been included which will help the Committee focus on its key aim to promote high standards of conduct for all members and employees of the Council.

2. Options considered and recommended proposal

- 2.1 As agreed by the Committee, there continues to be a standing item for each meeting, by way of a Monitoring Officer / Code of Conduct update, which incorporates a review of complaints to date and an update on any national issues on the subject of elected member conduct which may be of interest. This is flexible and can cover additional areas which the Committee is particularly concerned about, as they arise.
- 2.2 Secondly the Ethics Committee continues to review declarations of Gifts and Hospitality by both officers and members at six monthly intervals. Reports on both these topics appear elsewhere on the agenda for this meeting together with an update on progress in reviewing the policy on officer gifts and hospitality. This assist the Committee in reviewing how the two Codes of Conduct are working a day to day basis.
- 2.3 Thirdly, items have been included to ensure an annual review of the position of the parish councils, a review of the Register of Disclosable Pecuniary Interests (already considered at the July meeting) and a review of the Annual Report from the Committee on Standards in Public Life. A separate item has been included for the December meeting of the new municipal year to consider reviewing the Code of Conduct Complaints Protocol in the light of recent experience of applying the Protocol (in particular Stage 2 of the Protocol) which has highlighted areas where the protocol could be improved/clarified. An item has been included for this meeting on the recruitment of Independent Persons. For the December meeting there are items on the draft Member/Officer Protocol and Monitoring Officer Protocol.
- 2.4 Other items that may be included in the work programme as when appropriate include consideration of the proposed Solace Code of Ethics for senior employees and consideration of the revised Whistleblowing Policy.
- 2.5 The Committee is asked to consider the work programme and agree its contents together with any other recommendations.

3. Results of consultation undertaken

None

4. Timetable for implementing this decision

4.1 Not Applicable

5. Comments from Executive Director, Resources

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report, as there is no statutory obligation on the Committee to adopt a work programme. However, the Council must comply with its obligations under section 27 of the Localism Act 2011 and the continuation of a clear programme of work would assist in compliance for the Council as a whole, in its duty to promote high standards of ethical conduct.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report.

6.3 What is the impact on the organisation?

If implemented, the work programme will facilitate the promotion of high standards amongst elected members in accordance with the Localism Act.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Corporate Governance Lawyer, Regulatory Team, Legal and Democratic Services

Directorate: Resources

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| Contributors: | | | | |
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| Names of approvers for submission: (officers and members) | | | | |
| Finance: Kathryn Sutherland | | Resources | 06.09.16 | 07.09.16 |
| Legal: Helen Lynch | Legal Services Manager Place and Regulatory | Resources | 01.09.16 | 02.09.16 |
| Director: Helen Lynch on behalf of Chris West | Executive Director Resources | Resources | 01.09.16 | 02.09.16 |
| Councillor Walsh | Chair, Ethics Committee | | 06.09.16 | 08.09.16 |

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Appendix

Work Programme for the Municipal year 2016/2017

| Meeting date | Topics | Lead Officer |
|--------------------------|---|--------------|
| 15 July 2016 | | |
| | Monitoring Officer/Code of Conduct/ Members Complaints Update. | Helen Lynch |
| | Annual review of Register of DPLs. | Helen Lynch |
| | Review of Gifts and Hospitality Section of Employee Code of Conduct | Helen Lynch |
| 16 September 2016 | | |
| | Monitoring Officer/Code of Conduct/ Members Complaints Update. | Helen Lynch |
| | Officers Gifts and Hospitality -Inspection of Registers for first 6 months of 2016. | Helen Lynch |
| | Members Gifts and Hospitality -Inspection of Registers for first 6 months of 2016. | Helen Lynch |
| | Recruitment of Independent Persons | Helen Lynch |
| 9 December 2016 | | |
| | Monitoring Officer/Code of Conduct/ Members Complaints Update. | Helen Lynch |
| | Review of Complaints Protocol | Helen Lynch |
| | Member Officer Protocol | Helen Lynch |
| | Monitoring Officer Protocol | Helen Lynch |
| | Standards in Public Life- update from national body usually published in August each year. | Helen Lynch |
| | Annual review of Parish Councils ethical standards regime. | Helen Lynch |
| 17 March 2016 | | |
| | Monitoring Officer/Code of Conduct/ Members Complaints Update. | Helen Lynch |
| | Officers Gifts and Hospitality –inspection Inspection of Registers for last 6 months of 2016. | Helen Lynch |
| | Members Gifts and Hospitality -Inspection of Registers for last 6 months of 2016. | Helen Lynch |

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