

**Coventry City Council**  
**Minutes of the Meeting of Ethics Committee held at 10.00 am on Friday, 9**  
**December 2016**

Present:

Members: Councillor S Walsh (Chair)  
Councillor Bailey (substitute for Councillor Andrews)  
Councillor L Bigham  
Councillor M Mutton (for Minute 18 onwards)(substitute for Councillor Mulhall)

Others Present: Councillor Williams (for Minute 17 below)  
P Wiseman, the Council's Co-opted Independent Person (for Minute 17 below)

Employees (by Directorate):

Resources: S Bennett, C Bradford, H Lynch (for Minute 17 below)

## **Public Business**

### **15. Declarations of Interest**

There were no declarations of interest.

### **16. Minutes**

The minutes of the meeting held on 16 September, 2016 were agreed and signed as a true record.

There were no matters arising.

### **17. Code of Conduct Investigation and Sanctions**

The Committee considered a report of the Executive Director of Resources which set out details of an investigation by the Acting Monitoring Officer into remarks alleged to have been made by Councillor Glenn Williams to the Coventry Telegraph and the BBC Coventry and Warwickshire Radio in July 2016 in relation to a private WhatsApp conversation in May 2106.

On 14 July 2016 the Coventry Telegraph published a story about the conversation having first asked Councillor Williams for his response. On 15 July, Councillor Williams was interviewed on the BBC Coventry and Warwickshire Radio Breakfast Show in relation to the story.

The Acting Monitoring Officer did not receive a complaint in respect of the comments reported in the media. However, there was some negative publicity

regarding the comments. The City Council has a statutory duty to promote and maintain high standards of conduct by Elected Members. It was therefore considered appropriate (despite the lack of complaint) to investigate the comments made to establish whether they amounted to a breach of the code.

The Acting Monitoring Officer carried out an investigation into the incident and concluded that:-

- (a) Councillor Williams was not acting in his official capacity during the WhatsApp conversation and so the Code of Conduct did not apply on that occasion
- (b) Councillor Williams was acting in his official capacity when he was speaking to the Coventry Telegraph journalist and when he was interviewed on BBC Coventry and Warwickshire Radio and so was bound by the Code of Conduct on those occasions
- (c) Councillor Williams' comments set out in paragraph 24 iii), iv) and v) of the Acting Monitoring officer's Investigation Report amounted to a breach of the Code of Conduct
- (d) Councillor Williams' remarks set out in paragraph 24 vi) and vii) did not constitute a breach of the Code of Conduct.

Councillor Williams had accepted the findings of the Acting Monitoring Officer. The Ethics Committee gave careful consideration to what sanctions, if any, should be applied in respect of this matter and heard from both Peter Wiseman, the Council's co-opted Independent person and Councillor Williams in relation to this matter.

**RESOLVED that the following sanctions be applied in respect of this matter:-**

- 1) That the Committee's findings in respect of the member's conduct be published on the Council's website**
- 2) That a formal letter of censure be sent to Councillor Williams and that that letter includes a recommendation to Councillor Williams that he continues the work he has undertaken in relation to engaging with communities.**
- 3) That the Acting Monitoring Officer be recommended to arrange equality and diversity and media and social media training for Councillor Williams.**

(Note: Councillors Bailey, Bigham and Walsh were in attendance for the consideration of this item)

## **18. 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 regards to Code of Conduct issues.

The Committee discussed four cases from different Councils and noted the outcome for each.

In terms of the local picture, the Committee noted that three new complaints has been received since the last Committee meeting in September, the details of which were contained in the report. The Committee also noted that the complaint that was due to be considered by the Committee on 12 September, 2016 but which was unable to go ahead due to unforeseen circumstances was being reviewed by a new investigator and would be considered by the Committee in due course.

The report outlined training sessions on Code of Conduct issues held by the Acting Monitoring Officer for both City Councillors and also Parish Councillors.

Further to Minute 4/16, appended to the report was a copy of a letter sent to the Secretary of State from the Committee 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. The response from the Secretary of State was also appended to the report.

**RESOLVED:-**

- 1) That the Committee 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 updates with all elected members; and**
- 2) Notes the local position relating to the operation of the Council's Code of Conduct.**

**19. Review of Ethical Standards in Parish Councils**

The Committee considered a report of the Executive Director of Resources that indicated that the Committee's Work Programme includes a report on the operation of the ethical standards regime in Parish Councils within the City. The Committee last considered this topic in December 2014. Since then, a new Parish Council, Finham, has been established.

The Acting Monitoring Officer has contacted the Clerks to all three Parish Councils and asked them to provide information about how ethical standards are maintained within the Parish Councils. The information provided is summarised in the report.

The Committee noted that the Acting Monitoring Officer, and the City Council, has a limited role in the operation of Parish Councils. That role is limited to maintaining and publishing the register of interests for Parish Councillors and dealing with complaints about parish councillors under their Code of Conduct.

**RESOLVED that the Acting Monitoring Officer be requested to offer suggestions to the Parish Councils in relation to good practice on ethical standards, and in particular in relation to raising public awareness of Parish Council meetings.**

20. **Committee on Standards in Public Life: Annual Report for 2015/16**

The Committee considered a report of the Executive Director of Resources which outlined matters raised in the Annual Report for 2015-2016 of the Committee on Standards in Public Life (CSPL). The report provided a brief overview of the main areas of work of the CSPL as well as setting out those matters raised in the Annual Report which relate specifically to local government standards.

In particular, the Committee noted that the CSPL has maintained a watching brief on ethical standards in local authorities for a number of years and has been particularly concerned about the lack of effective sanctions under the current standards regime introduced in 2012. It regularly receives correspondence on the issue of ethical standards in local government, at both officer and elected member level. This correspondence includes, for example, calls for a national code of conduct, strengthened guidelines or sanctions or a power of recall.

The CSPL therefore intends to undertake a review to clarify the topics of substantive concern, research the underlying causes and to identify best practice in well-governed authorities. This work will straddle the CSPL's work programme for 2016/17 and 2017/18.

**RESOLVED:-**

- 1) **That the contents of the report be noted**
- 2) **That the Acting Monitoring Officer be requested to continue to monitor the national picture as regards standards and report back on any issue which may be of relevance to the Council on a local level including the proposed review of local authority standards by the Committee for Standards in Public Life.**

21. **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.

The Committee noted that at the next meeting in March, 2017, it was proposed to give consideration to the proposed Work Programme for 2017/18, including the possibility of providing an Annual Report on the work of the Committee to the full Council to raise the profile of standards across the Council.

**RESOLVED that the Work Programme be noted.**

22. **Any Other Items of Urgent Public Business**

There were no other items of urgent public business.

23. **Decision Notice**

(Meeting closed at 11.00 am)