



Ethics Committee

Time and Date

10.00 am on Thursday, 29 March, 2018

Place

Committee Room 3 - Council House

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes of the Previous Meeting** (Pages 3 - 8)
 - (a) To agree the minutes of the meeting held on 14 December, 2017
 - (b) Matters Arising
4. **Code of Conduct Update** (Pages 9 - 42)

Report of the Director of Finance and Corporate Services
5. **Six Monthly Review of Officers' Gifts and Hospitality** (Pages 43 - 50)

Report of the Director of Finance and Corporate Services
6. **Six Monthly Review of Members' Declarations of Gifts and Hospitality**
(Pages 51 - 60)

Report of the Director of Finance and Corporate Services
7. **Monitoring Officer Protocol**

To receive an oral update at the meeting.
8. **Ombudsman Findings of Maladministration**

To receive an oral update at the meeting.
9. **Work Programme for the Ethics Committee 2018/19** (Pages 61 - 68)

Report of the Director of Finance and Corporate Services
10. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

Martin Yardley, Deputy Chief Executive (Place), Council House Coventry

Wednesday, 21 March 2018

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett Tel: 024 7683 3072 Email: suzanne.bennett@coventry.gov.uk

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

Independent Persons: S Atkinson, A Barton, R Wills and P Wiseman

Please note: a hearing loop is available in the committee rooms

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Suzanne Bennett

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In terms of the local picture, the Committee noted that four complaints had been received since the last Committee meeting in July 2017, details of which were outlined in the report, all of which were being dealt with under Stage 1 of the Complaints Protocol.

The report outlined training sessions provided for Members on the Code of Conduct and reported that the two Councillors who were recommended to undertake training as a result of Code of Conduct proceedings had completed a final session of training. It was noted that further training would be offered in 2018 to other councillors who would need to attend a course, along with newly elected councillors.

In addition, the report outlined a Department for Communities and Local Government consultation regarding expanding the disqualification criteria for local councillors. The Government were proposing to widen the disqualifications to cover sex offenders and certain anti-social behaviour, details of which were set out in the report. It was noted that there would be no retrospective application of the disqualification criteria to sitting councillors. The Local Government Association had recently issued a response to the consultation and this was attached as an Appendix to the report submitted for consideration.

RESOLVED that the Ethics Committee:-

- 1. Note the cases determined under the new regime nationally and requests that the Legal Services Manager, in consultation with the Chair of the Ethics Committee, shares the case updates with all elected Members.**
- 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, in consultation with the Chair of the Ethics Committee.**

22. Committee on Standards in Public Life: Annual Report for 2016-17

The Committee considered a report of the Deputy Chief Executive (Place), which outlined the matters raised in the Annual Report for 2016-17 of the Committee on Standards in Public Life (CSPL) and informed the Committee of relevant matters of concern in their work area on a national level.

The report indicated that, during the year, the CSPL had undertaken a number of reviews, including:-

- Striking the Balance: Upholding the Seven Principles of Public Life in Regulation
- The Conduct of Referendums
- MP's Outside Interests

In particular, the Committee noted that the CSPL had maintained a watching brief on ethical standards in local authorities for a number of years and had been particularly concerned with the lack of effective sanctions under the current standards regime introduced in 2012. It regularly received correspondence on the

issue of ethical standards in local government, at both officer and elected member level. This correspondence included, for example, calls for a national code of conduct, strengthened guidelines or sanctions or a power of recall.

The CSPL had begun to engage with key stakeholders to identify areas of concern to the CSPL surrounding the conduct of elected and co-opted local authority members. In particular, one CSPL member had recently spoken at the National Association of Local Councils' annual conference and, among other things, had encouraged parish councils and individuals to participate in the review. It was actively conducting research and would undertake a review of local government standards in 2017-18. The review would be based around a consultation that would be launched in early 2018 when the CSPL would also publish its terms of reference for review. The CSPL intended to submit its report sometime in 2018. It was noted that the Acting Monitoring Officer would update the Committee on progress on this review during 2018.

RESOLVED that the Ethics Committee:-

- 1. Note the content of the report and considered points upon which it may wish to take action.**
- 2. Request the Acting Monitoring Officer to continue monitoring 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.**

23. Review of Ethical Standards in Parish Councils

The Committee considered a report of the Deputy Chief Executive (Place) which provided an update on the review of ethical standards in Parish Councils.

The Committee's work programme included a report on the operation of the ethical standards regime in parish councils within the City. The Committee had last considered this topic in December 2016.

It was noted that there were three parished areas within the City: Allesley, Finham and Keresley. Each had a parish council which met around 8-10 times a year. The report set out some information about the financial position and operation of each of the three parish councils.

It was acknowledged that the role of the Acting Monitoring Officer, and the City Council itself, in the operation of parish councils was limited. The Acting Monitoring Officer was required to publish the register of interests of parish councillors and to deal with complaints about parish councillors under their code of conduct. In all other areas of ethical standards and governance, the Acting Monitoring Officer and the City Council, could only advise parish councils on good practice and could not require them to take a particular course of action. How the parish council operated was a matter for the parish council.

As the information provided by parish clerks about their governance arrangements did not vary much from year to year, the Acting Monitoring Officer had conducted a

table top exercise to check what information was available to the public on the parish council websites. In summary, this covered the areas of:-

- Adoption of the Code of Conduct.
- Completion and review of Register of Disclosable Pecuniary Interests.
- Declarations of Interests at meetings.
- Standing Orders.
- Publication of Meeting Dates, Agendas, Report and Minutes on website.
- Complaints about Parish Councillors.
- Public Engagement with Parish Councils.

In summary, it was found that all three parish councils had good procedures in place to ensure that their councillors complied with their legal duties to register their statutory interests, as well as prompts on agendas to remind them to declare them. All had websites which provided useful information for the public on the work of the parish councils, although the completeness of this information varied between councils. It was acknowledged that parish clerks had limited resources available to them and there were not the same legal obligations on parish council's to publish documents such as agendas, reports and minutes on their websites, as applied to the City Council. The minimum legal requirement was to give notice of a meeting in a conspicuous place in the parish and to allow the minutes to be inspected.

All parish councils had a session at the start of each meeting to allow members of the public to speak on matters of concern, which helped to promote good engagement with the community and an understanding of what the parish council did.

In considering the report, it was acknowledged that Finham Parish Council received significantly more financial support than Allesley and Keresley parishes, which could affect the amount of work they could undertake by comparison to Allesley and Keresley.

RESOLVED that the Ethics Committee:-

1. **Note the content of the report.**
2. **Request that the Acting Monitoring Officer offer suggestions to the parish clerks on where their good practice on ethical standards might be further improved.**

24. Work Programme for the Ethics Committee 2017-18

The Committee considered a report of the Deputy Chief Executive (Place) which outlined suggested areas of work for the Committee for the Municipal Year 2017/18.

The Committee requested that, in relation to the update on the Code of Conduct / Members Complaints Update, it would be helpful to have some guidance for elected members on email responses, particularly where it is unclear which electoral ward of the resident lives in.

RESOLVED that the Work Programme be noted.

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

There were no other items of urgent public business.

(Meeting closed at 10.40 am)

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Ethics Committee

29 March 2018

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Director of Finance and Corporate Services

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 standards regime nationally and request that the Head of Legal Services, 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 Head of Legal Services in consultation with the Chair of the Ethics Committee.

List of Appendices included:

Appendix 1: A Councillor's Workbook on Councillor/Officer Relations

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 has agreed that the Monitoring Officer will 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 where councils publish details of their conduct hearings in public.

1.2.2 Councillor S: East Riding of Yorkshire Council

This case concerned complaints in relation to the conduct of Councillor S, which had been referred to the Monitoring Officer for local investigation.

The complainant was concerned that Councillor S had by posting information about adoption service organised events on his blog (ie social media), compromised the physical and emotional wellbeing of children and young people and their adoptive parents who might attend such events.

The Council's Adoption Team had circulated to a number of clients an email advising about the cancellation of an event and informing the recipients about two other events that had been arranged.

The email was sent to a restricted readership and was sent so that the different recipients were not aware of each other's contact details. The email also included confidential details about an employee. The email was posted to Councillor S's webpage.

Councillor S was informed two days later by the Director of Children, Families and Schools that the email he had published contained confidential information and he was requested to remove the email from his blog and other social media outlets where it may have been copied.

Councillor S did not remove the email from his blog.

As a result of the details of the two events being made public, through publication of the Adoption Team's email, it was necessary for the two events to be cancelled.

Councillor S's web page carried a disclaimer stating:- "Opinions and statements published on the 'S Independent' blog are those of the owner, S, private individual, and not those of Councillor S, elected member of East Riding of Yorkshire Council"

In summary the issues considered by the Monitoring Officer were as follows:-

- (a) Did Councillor S post information about adoption service organised events?
- (b) Did the posting of that information constitute bringing his office or authority into disrepute, involve the posting of confidential information and indicate a misuse of his position.

The MO considered that this was the position, as he had:

- (a) Not taken into consideration his role as corporate parent;
- (b) Not consulted with the author before putting on his blog;
- (c) Had not removed the post when requested (ie he did not take the issue seriously);
- (d) Although his blog purported to be that of an individual not in the capacity of a councillor, there was no personal activity. It was all Councillor related, rendering his disclaimer useless.

The matter was referred the Standards Committee for full hearing where the Committee commented that Councillor S should give consideration to distinguishing between his role as a Councillor and the role of a citizen when using social media.

Councillor S was found to have breached the following paragraphs of the Council's Code of Conduct

2(1) "You must treat others with respect";

2(3) "You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or authority into disrepute";

and 2(6) "You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person an advantage or disadvantage;

for the reasons set out by the MO;

It was recommended to Council:

- (a) that Councillor S be censured, and
- (b) that Councillor S write a letter of apology to the individuals concerned and remove the posts relevant to the complainants from his blog.

The recommendations will be considered at a full Council meeting, the detail of which was not available at the time of writing.

An update will be provided at the next Ethics Committee meeting

1.2.3 Councillor E: Dudley MBC

Last month the Standards Committee of Dudley MBC held that comments made online by Councillor E breached their code of conduct.

The hearing was called after Councillor E posted two videos on Facebook following a Council Meeting in late 2017 - in which he said the Council House should be demolished with the Councillors inside. He also made disparaging comments about a political group and the town's Mayor.

An independent investigation followed, which found Councillor E had breached the members' code of conduct.

In his report suggested that Councillor E had "failed to value his colleagues and treat them with respect" but noted that some comments were made tongue in cheek (albeit in poor taste).

The Committee was told Councillor E refused to apologise for his comments, despite being given numerous opportunities to take the 'informal resolution route' and the fact that he had made a video expressly saying that he refused to apologise.

The Committee agreed that Councillor E had breached the members' code of conduct and decided the best course of action was to report the findings to Council on April 9 and put forward a motion of formal censure to the next full Council, in words to be agreed with the Monitoring Officer in consultation with the Committee.

An update will be provided at the next Ethics Committee meeting

1.2.4 Sandwell Council: An Update

At its last meeting in December, the Committee was advised by the Monitoring Officer of unsuccessful legal action taken by a Councillor at Sandwell Council to try to prevent publication of an investigation report into potential misconduct. The report arose from a public interest report previously issued by Sandwell Council.

During that legal action the judge decided that there was a serious prima facie case against the Councillor which should be investigated under the Localism Act. Since the last meeting, the Council has held an Ethical Standards Sub Committee hearing into allegations that the Councillor breached the Code of Conduct by:

- Pushing through the sale of public toilets below their market value to a family friend; and
- Instructing officers to reduce or cancel three parking tickets for his wife and sons

After a hearing lasting three days, the Councillor, who is the former deputy leader of the Council, was found to have breached the Code of Conduct 12 times. In particular, the standards sub-committee found that he had:

- Brought his office and the council into disrepute
- Compromised officers' impartiality; and
- Gave an unfair advantage to the family friend who bought the toilets and to his wife and sons.

There will be a separate hearing to consider what action should be taken against the Councillor. The agenda and minutes online for Sandwell indicate that this will be held on 23 March 2018.

1.2.4 **Northamptonshire County Council**

The Secretary of State for Housing, Communities and Local Government, Sajid Javid, has appointed an Inspector to look into concerns around financial management and governance at Northamptonshire County Council.

Under powers granted to him under the Local Government Act 1999, the Secretary of State can commission an independent inspection to better understand whether a Council is complying with its 'best value' duty – a legal requirement to ensure good governance and effective management of resources.

The Secretary of State has now has appointed Max Caller CBE to complete a report. He will have a legal right to inspect and take away documents, and to access any council properties.

1.2.5 **Government Proposals to Extend Criteria for Disqualification from Office**

At its last meeting the Ethics Committee noted that the Department for Communities and Local Government (now the Ministry of Housing, Communities and Local Government) had issued a consultation regarding expanding the disqualification criteria for local councillors.

The consultation period ended on 8 December 2017 and at the time of writing this report the Ministry was analysing the feedback that it had received. The Monitoring Officer will update the Committee orally on the latest position at the meeting.

NB. as at 15 March the MHCLG website indicates that the feedback is still being analysed.

1.2.6 **Local Government Association**

The Local Government Association has recently published a document entitled "A Councillor's Workbook on Councillor/Officer Relations". The document is attached at Appendix 1 to this report. The Committee may wish to consider whether this

document should be brought to the attention of all members and senior officers in the light of the Council adopting its own Member/Officer Protocol.

1.2.7 **Committee on Standards in Public Life Review of Local Government Standards**

The CSPL is undertaking a review of local government ethical standards in the Local Authority standards regime this year.

The terms of reference for the review are to:

- examine the structures, processes and practices in local government in England for:
 - maintaining codes of conduct for local councillors
 - investigating alleged breaches fairly and with due process
 - enforcing codes and imposing sanctions for misconduct
 - declaring interests and managing conflicts of interest
 - whistleblowing
- assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
- make any recommendations for how they can be improved
- note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation

The review will consider all levels of local government in England, including town and parish councils, principal authorities, combined authorities (including Metro Mayors) and the Greater London Authority (including the Mayor of London).

At the time of writing the review is still in a period of consultation (closing on 18 May 2018).

An update will be provided at the next Ethics Committee meeting.

1.3. The local picture

Complaints under the Code of Conduct

- 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 5 complaints since the date of the last Committee meeting. 4 of which are subject of an ongoing investigation and 1 has concluded at stage 1 with no further action.
- 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. 1 complaint (included in the 5 referenced in para 1.3.2) has been received by the Monitoring Officer in respect of a Parish Council

2. Options considered and recommended proposal

Members of the Committee are asked to:

- (a) Note the cases determined under the standards regime nationally and request that the Head of Legal Services 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 Head of Legal Services 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 Director of Finance and Corporate Services

- 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

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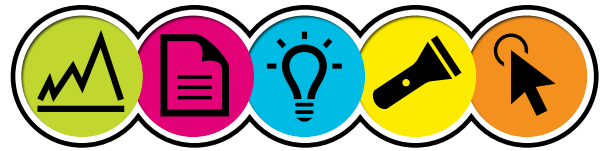
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This report is published on the council's website:
www.coventry.gov.uk/councilmeetings



A councillor's workbook on councillor/officer relations



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There are a number of complementary workbooks and elearning modules to reinforce and develop your skills in this area. Topics include facilitation and conflict resolution, influencing skills, and being an effective ward councillor. To access the elearning modules please go to <https://lms.learningnexus.co.uk/LGA/>

The councillor workbooks can be found at <https://www.local.gov.uk/our-support/highlighting-political-leadership/community-leadership/councillor-workbooks>

Introduction

This workbook has been designed as a distance learning aid for local councillors. It is intended to provide councillors with insight and assistance with the key skills which will help you to be most effective in your role and in working with the council and its officers. Some of the content may be of most use to more newly elected councillors, but nonetheless if you have been a councillor for some time, the workbook should serve as a useful reminder of some of the key skills, approaches and tactics that make for effective councillor/officer relationships within the council setting. It may even challenge you to reconsider how you have approached aspects of the role to date.

Those councillors who are new to local government will recognise that there are many aspects to being an effective ward or division councillor. The workbook will help you to get up to speed on the main areas that require focus and attention. In effect, it should provide you with some pointers on how to develop a style and approach that you are comfortable with, and that enables you to be most effective in your day to day duties.

The workbook can be used as a standalone learning aid or alongside other material you may cover such as e learning modules or sessions within your own council. This workbook takes a 'broad principles' look at councillor/officer relations rather than concentrating on the specifics as would be found in an individual council. In looking at this particular topic therefore you may need to refer to the constitution or operating arrangements of your own council for the protocol on reporting arrangements or response times for responding to issues for example.

You do not need to complete it all in one session and may prefer to work through the material at your own pace. The key requirement is to think about your own approach and how the material relates to your local situation, the people you serve and the council you represent. In working through the material contained in this workbook you will encounter a number of features designed to help you think about the ward councillor role. These features are represented by the symbols shown below:



Guidance – this is used to indicate guidance, research, quotations, explanations and definitions that you may find helpful.



Challenges – these are questions or queries raised in the text which ask you to reflect on your role or approach – in essence, they are designed to be thought-provokers.



Case studies – these are 'pen pictures' of approaches used by councils elsewhere.



Useful links – these are signposts to sources of further information that may help with principles, processes, methods and approaches. A full list of useful additional information and support is also set out in the appendices to the workbook.

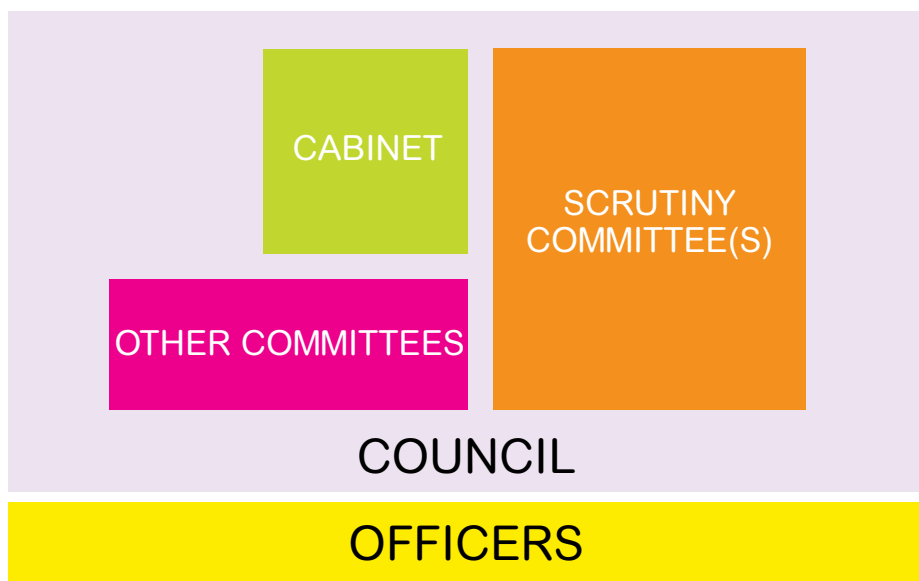
Basic principles

Councillors and officers are indispensable to one another and mutual respect and communication between both is essential for good local government. Together, they bring the critical skills, experience and knowledge required to manage an effective public sector organisation. Councillors provide a democratic mandate to the council, whereas officers contribute the professional and managerial expertise needed to deliver the policy framework agreed by councillors. While collaborative working is the accepted norm for councillors and officers, it is important to recognise and take account of the different and distinct roles and how by working together for best effect this will lead to good governance within a council. This is vital for the day to day interaction between councillors and officers and for the public perception of the council as well as ensuring transparency between the political role of councillors and the professional, impartial, role of officers.

Officers are employees of the council – the people who put policies into effect and organise the provision of services. Officers may also be delegated by councillors to make policy decisions. But officers may have to advise councillors from time to time that certain courses of action cannot be carried out. Officers have a duty to give unbiased professional advice – even if it is not always what councillors want to hear.

Officers cannot respond to personal criticism in the same way that politicians can and have to temper their remarks accordingly. Mutual respect and good communication is the key to establishing good councillor and officer relations. Close personal familiarity should be avoided – in simple terms, ‘be friendly, but don’t be friends’.

Reminder – how councils work



In establishing an effective working relationship, there should be clarity about the respective roles of councillors and officers.

This is often made easier if:

- Both parties discuss and agree the values and behaviours they expect from each other in a relationship of mutual trust
- Councillors identify their priorities, assisted by officers
- Officers provide clear advice and offer alternative courses of action where they exist
- Councillors and officers communicate clearly and openly, avoiding ambiguity and the risk of misunderstanding
- Everyone works in a spirit of partnership, to turn the council's core values and priorities into practical policies for implementation.

While councillors and officers may have their own specific roles and responsibilities, there are clearly some grey areas in which both groups have a shared responsibility, eg agreeing workable policies and monitoring performance. In addition to this, councillors and officers both face the same public service agenda, ie delivering quality services to local people in a climate of tough challenges and constraints (budgets and timescales).

Effective collaborative working is therefore essential.



Engagement in action

“Effective councillor/officer relations depend upon trust and clear and honest communication in both directions. You certainly don't need to be friends. What you do need is to respect and understand your distinct roles. Consider officers' positions and their competing priorities and restrictions. This can avoid potential frustration or confusion about what might otherwise be perceived as obstructiveness. If officers don't appreciate your role as a councillor, then it's better to address it than to try to work around it because it will cause problems down the line. My golden rule with officers is no surprises, in either direction.”

Mayor Dave Hodgson

Elected Mayor of Bedford

Why does it matter?

As a councillor you will be required to adhere to your council's agreed code of conduct for councillors. Each council adopts its own code, but it must be based on the Committee on Standards in Public Life's Seven Principles of Public Life (see below). These were developed by the Nolan Committee over two decades ago. The committee examined how to improve ethical standards in public life. These standards are often referred to as the Nolan principles.

These principles apply to anyone who works as a public office holder. This includes all those elected or appointed to public office, nationally or locally; and everyone working in the civil service, local government, the police, courts and probation services, non-departmental public bodies and in the health, education and social care sectors. All public office holders are both servants of the public and stewards of public resources. The principles also apply to everyone in other sectors delivering public services.

All standards matters are the responsibility of individual councils, which are required to promote and maintain high standards of conduct by councillors. You must register any disclosable pecuniary interests for yourself, your spouse or a partner you live with, within 28 days of taking up office. It is a criminal offence if you fail, without reasonable excuse, to declare or register interests to the monitoring officer.



Seven principles of public life – The Nolan Principles

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to change poor behaviour wherever it occurs.



Challenge 1 – your experience of working with officers

Think about the nature of your working relationship with officers. Jot down a few thoughts on:

1) What currently works well?

2) What could be improved?

Look again at what you have written. Have you ever discussed these with other councillors or officers? Can you think of any ways in which you could work with others to tackle the improvements you have identified?

Clarifying the working relationship

We have highlighted already that mutual trust and respect are essential in setting the right tone for effective working relationships between councillors and officers. This should be based on a clear understanding of the following:

- the distinct contribution that councillors and officers make in the running of the council and the boundaries between them, eg officers must act with political impartiality, serving the whole council rather than particular groups or councillors
- the areas in which roles and responsibilities overlap and councillors and officers must act together to provide democratic governance.

In reality, there are few truly distinct roles and it is increasingly common for the leadership of local authorities to be defined by the close pairing of politicians and officers, who come together in tackling the challenges presented by the communities they both serve. This is not about a separation of duties but an understanding of the skills, knowledge and experience that both bring to the leadership role.

Councillor/officer leadership – clarifying the roles

It is important to define clearly how councillor and officer relations can work to best effect and for mutual benefit. Key issues to consider are:

- Knowing how to debate, decide and act in a joint way, taking into account both political and managerial priorities and realities. In order for this to work appropriately, politicians and managers need to sit down as equals (albeit, sometimes, with different roles and different interests) and act jointly as a result.

- Knowing what will take place in the separate responsibilities of councillors and officers. Research has shown that the greater the degree of openness and understanding about this, the better the working relationship. Most councils attempt to provide this clarity through joint working protocols

Protocols

In order for the business of a council to be conducted effectively, it is necessary for there to be a close working relationship between the councillors and the officers of the council. However, it is important that such relationships should never be allowed to become so close, or appear to be so close, that the officer's ability to deal impartially with other councillors and party groups is brought into question. It is important that dealings between councillors and officers observe normal standards of courtesy and neither party should seek to take unfair advantage of their position.

In order to ensure that this happens many councils produce formal written protocols to determine what is regarded as acceptable in working relationship terms. These protocols reflect the principles underlying the respective Codes of Conduct which apply in a council and the Seven Principles of Public Life. (**Also known as Nolan Principles – see earlier guidance box**). The shared objective of these codes is to enhance and maintain the integrity of local government and as a result they require very high standards of personal conduct.

Councillor conduct

The Relevant Authorities (General Principles) Order 2001 sets out the general principles, which by law govern the conduct of councillors. These include the requirement that councillors should serve only the public interest and should never improperly confer an advantage or disadvantage on any person. They should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

It governs the need for councillors to take decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits and for them to be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Also that they should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions and to take account of the views of others, including their political groups. But that they should reach their own conclusions on the issues before them and act in accordance with those conclusions.

A principal obligation is that they should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them and to do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Officer conduct

Officers are responsible for the management of the council and ensuring the implementation of agreed policies. Where councillors give strategic direction in the exercise of their delegated authority, the relevant officer(s) directed is/are responsible for ensuring the prompt enacting of those instructions and should keep the councillor updated as to progress in the carrying out of the necessary work.

The role of officers is to seek to assist councillors, within the restrictions of their levels of authority and in regard to the rules governing access to information. They also have a role to ensure that councillors are properly informed about information to which they have a right of access and that officers should not use professional expertise to discourage or intimidate councillors from pursuing lines of inquiry. There may well be service level agreements set out regarding the timescales for responding to particular queries or referrals from individual councillors. These may well vary dependent on the 'level' of a councillor or the topic in question. For example responses to the leader of the council or the leader of the opposition group may well need to be given more speedily than say a referral from a backbench councillor. Or responses to matters around the safeguarding of children or vulnerable adults might require a prompter response due to the immediacy of the issue and the need to take action within a short timeframe. Officers are required to comply with the formal policies of their council and must not allow their own personal or political opinions to interfere with their work.

Such protocols also allow for the situation where if an officer is concerned about the conduct of a councillor or other officer that they have a line of reporting under the policy of a council.

In defining any such joint working protocol, there are a number of practical implications that need to be considered. These include:

- **Who does what?** Distinguishing between leadership and management, ie not the usual political/managerial split.
- **Who is coming from where?** Understanding and responding to very different cultures and career routes.
- **How do the two teams work together?** Building effective groupings of councillors and officers.
- **How are individual leaders to develop?** Arrangements to strengthen the skills, knowledge and experience of both councillors and senior officers (eg training and development).

Councillors and officers have a collective corporate responsibility. But aspects of their roles are distinctly different. Councillors set the strategic direction and agree the policy framework of the council. Officers are responsible for delivering the council's policies and for the day-to-day operation of the organisation.



Quick guide to some of the distinct roles

Councillors

Accountable to the electorate

Community leader for a ward

Add a political dimension

Set high level policy/strategy

Involved in senior appointments

Officers

Accountable to the council

Serve the whole council

Politically impartial

Ensure operational delivery

Day to day staff management



Tips for effective working

Do be

Impartial

Professional

Authoritative

Respectful

Sensitive

Positive

Communicative

Discreet

Reliable

Friendly

Don't be

Unhelpful

Jargonistic

Arrogant

Deferential

Subservient

Imprudent

Indiscriminate

Evasive

Reliant

Friends



Engagement in action

“The key to productive relationships is on the basis of mutual trust. It’s important that officers and councillors are open with each other about priorities and how they can be achieved. We provide the challenge, they provide the expertise.”

Cllr Amanda Serjeant

Chesterfield Council



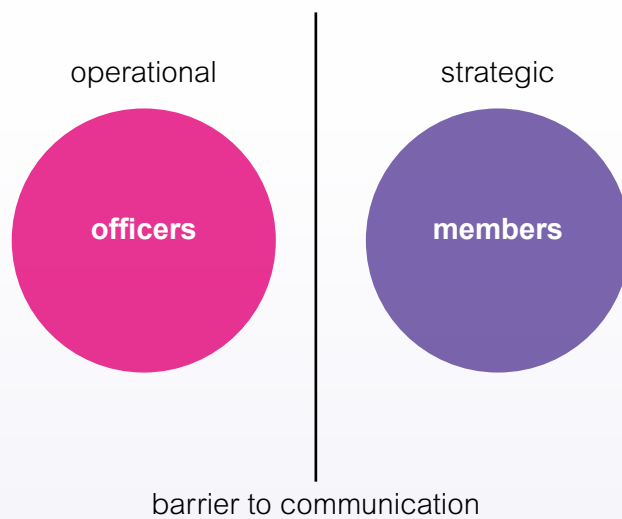
“The key to effective councillor/officer relations is mutual respect and an understanding of how our roles are different. Officers need to recognise that councillors have a democratic mandate and that councillors set the strategic direction and policy for the council. Councillors need to take on board the professional advice given and allow officers to carry out their operational duties. Officers are employed because of their ability to carry out a particular role. When these different roles are understood and councillors and officers work with one another for the benefit of their communities, we get great outcomes and high performing authorities.”

Julian German

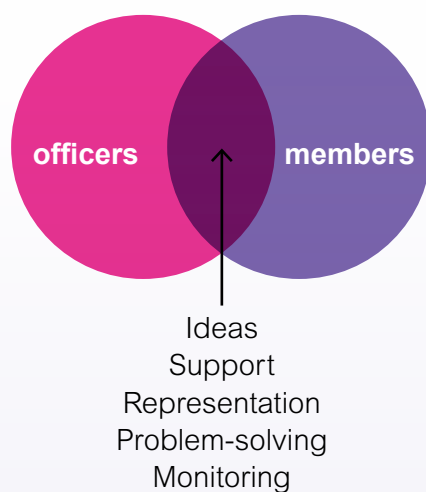
Deputy Leader of the Council,
Cornwall Council

Political leadership structures

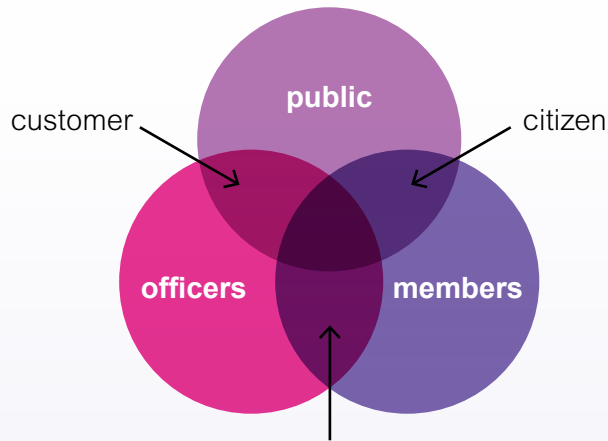
One dimensional political management



Two dimensional political management



Three dimensional political management



Representation, Problem-solving, Support, Ideas, Monitoring



A member-led 'culture of accountability'

From:

Agendas determined by officers

Reliance on officer opinions

Culture of blame

Function, status and hierarch

Taking as read

Knowledge hoarding is power

To:

Agendas determined by members and the community

Reliance on evidence

Holding to account

What matters is what works

Outward, community focus

Robust challenge

Performance is managed

Knowledge sharing is value

Learning and development endemic



Challenge 2 – working together more effectively

Imagine your council has a history of poor working relations between councillors and officers. This could be because councillors are too bullish, vocal and quick to blame in their dealings with officers.

What ideas could you suggest for improving the working relationship?

Look again at your ideas. It is likely that some open and honest discussions between both groups would be useful to identify the best way forward. Alongside some formal systems for improving the relationship (eg revised protocols or guidelines for councillors), there may also be merit in providing some training for councillors on joint working or ethical governance. In some cases, you may consider it useful for group leaders to talk to individual councillors about the strengths and weaknesses of their personal approach to joint working with officers.

Recognising your mutual expectations

There are some challenges in bringing together politicians and officers to provide for joint leadership – particularly where tensions around other important political relationships, are eg non-executive versus scrutiny relations, non-executive versus ward relations or administration versus opposition relations. Nevertheless, it is essential that officers work closely with political leaders while retaining sufficient impartiality.

In forging an effective working relationship, councillors and officers will have certain basic expectations of each other. Much of this is about ensuring high standards of behaviour and acting within a clear framework of ethical governance.



A guide to expectations

What councillors can expect from officers:

- a commitment to the authority as a whole, and not to an individual political group
- a working partnership
- a timely response to enquiries and complaints
- professional advice, not influenced by political views or preference
- integrity, mutual support and appropriate confidentiality.

What officers can expect from councillors:

- political leadership and direction
- a working partnership
- compliance with ethical standards and probity requirements
- non-involvement in the day to day management
- no special considerations.



“The relationship between the leader of a council and their chief executive is a key one in a council, when it is going well there is very little a council can’t achieve, if there are issues that remain unresolved the opposite is the case. Like any relationship it takes time and effort to get the most out of it, it is a complex multifaceted relationship which is neither static nor ever shifting in nature.

As councillors we not only have a relationship with the officers that we work with but also help mediate that relationship between them and the communities we serve. Sometimes challenging always respectful, never forgetting that our role is a unique one to enable and affect change both within the council and beyond the walls of the council offices.”

Cllr Peter Fleming OBE

Sevenoaks District Council



Challenge 3 – jointly tackling the challenges of your community

Imagine your council has a new, high profile, project to increase community awareness and involvement in a campaign to tackle anti-social behaviour. This is in response to an increase in complaints from residents about noise late at night, groups of young people congregating and drinking, cars being driven erratically and other visible damage, eg vandalism, litter dropping and spray graffiti on walls. Other partners, most notably local schools and the local chief constable, have also reported their concerns, asking the council to collaborate in identifying what action can be taken.

1) Identify a list of 10 key steps the council may wish to consider in addressing the situation described, including those which could be undertaken on a collaborative basis with other agencies.

2) Having identified the 10 key steps, consider whether each should be tackled by councillors (C), officers (O), or jointly by councillors and officers (J).

Reflect on your answers. It should be clear that most of the steps you have identified could be undertaken by either councillors or officers, although it is likely that there is more to be gained from using the skills, knowledge and experience of both.

Forging the relationship



Challenge 4 – Think about the nature of councillor/officer relations in the scenario below

What issues (if any) does it raise?

1) During the regular chairman's briefing before papers are issued for committee, the vice-chair asks the officer present if she could amend a recommendation in one of the reports. He explains that this is because he has had years of experience in this field and does not feel the recommendation would be workable. He states that he tried to come in and see her the week before but, because she was on holiday, he took the file from her desk and read it. The contents confirmed his opinion. He also feels that her recommendation would not be politically acceptable to his fellow councillors.

Once you have considered your response, please turn to Appendix A. This provides some advice on the ethical considerations involved.

Using your interpersonal skills

A key element of your success in forging effective working relationships with officers will be effective use of your own interpersonal skills. As with all other aspects of your role, good communication skills will help, as will your ability to influence those you are working with. Influencing is about understanding yourself and the effect or impact you have on others. Though it can, on occasions, be one way, the primary relationship is two way, and it is often about changing how others perceive you for the better. In councillor/officer relations, influencing is about moving things forward without pushing, forcing or telling others what to do. All too often, if you seek to influence officers through bullying or coercion you will not succeed in winning their support – and their lasting impression of you is likely to be negative.

The personal characteristics that can help to positively influence officers' perceptions can include:

- energy and enthusiasm
- a calm, even tempered, disposition
- an ability to be flexible and adaptable to different people and situations
- strong listening and observation skills
- an ability to act impartially or with neutrality
- self-confidence and gravitas
- demonstrable empathy and perception.

Interpersonal tactics for good councillor/officer relations

Be yourself, without defensiveness or hidden agendas, and share your experiences and feelings to establish empathy.

Describe what you see rather than being judgemental, eg “on the basis of what you’ve said, you don’t look to be supportive...”

Show you understand people’s situation, needs and feelings. Maintain your assertiveness, but avoid displays of unnecessary emotion (weakness or aggression) and unhelpful behaviours, eg immediate counter-attacks and talking over the top of people.

Keep people and problems separate, ie recognise that in many cases officers are not just ‘being difficult’ – real and valid differences can lie behind conflicting positions. By separating the problem from the person, real issues can be debated without damaging working relationships.

Explore options together, ie being open to the idea that a third position may exist and that you can get to this idea in collaboration with officers.

Listen first and talk second – to stand any chance of influencing officers you must first understand where they are coming from before feeling you must ‘defend’ your own position.

Focus on getting the support of the ‘early adopters’, ie there will usually be a proportion of officers who are open to new ideas or new ways of doing things.

Their support can often be influential in encouraging the more resistant to come forward, over time, in support of your views or action plans.

Of course the way that you approach officers and the particular style you adopt in trying to influence people can take a variety of forms, depending on your personal preferences and the situation you find yourself in. Being a good influencer will require you to adapt your approach depending on how directive you wish to be and whether you believe you should appeal to officer's emotions or intellect to achieve your desired result. This is again about judgement on your part.



Challenge 5 – using your influencing skills in councillor/officer relations

What tactics might you employ in seeking to influence your officer colleagues' views in the following scenarios?

1) You are looking to get some officer support for a community meeting in your ward, during which residents will be asked what they see as being the 'big issues' for the locality. You would like the council's newly recruited director of community services to attend the evening meeting with you, but have to find a way of convincing him that this is time well spent.

2) A joint councillor and officer working party has been set up to investigate more efficient ways of delivering council services for disabled people. The officer representative on the group is resistant to the idea of spending time and money consulting with the plethora of groups representing disabled people in the area to understand what local needs exist, preferring instead to use published statistics on levels of disability. You understand her concerns, but believe that two or three advocates could be co-opted onto the working party to provide some useful challenge and independent views.

3) A proposed rationalisation of library services has identified the library in your ward for closure. Your constituents are opposed to closure and you are concerned about the loss of this service in your community.

Relations with statutory officers

In reaching their decisions, councillors must have regard to the advice given by officers and, in particular, that offered by the:

- Chief Financial Officer, whose duties are prescribed under section 114 of the Local Government Finance Act 1988
- Monitoring Officer, whose duties are set out under section 5 of the Local Government and Housing Act 1989?
- Chief Legal Officer, who should be consulted when there is any doubt as to the council's power to act – or in determining whether any action proposed lies within the policy framework agreed by the council – or where the legal consequences of action or failure to act by the council might have important repercussions.

The statutory officers of the council are the head of paid service (usually the Chief Executive), the Monitoring Officer and the Section 151 Officer. All have a duty to advise the council as a corporate body. The ability of these officers to discharge their duties depends not only on effective working relations with their councillor colleagues, but also on the flow of information and access to the debating processes of politicians. As such, it is crucial that you have a good working relationship with your statutory officers that are based on a clear understanding of their roles and responsibilities.



Challenge 6 – the role of statutory officers

Imagine there has been a range of issues facing your council about councillor behaviour and councillor and officer relations. The issues have been focused around one councillor. Although it is clear that all is not well, the problems are 'low level' but recurrent. The chief executive is reluctant to get involved, so the issues have been left to the political party to sort out.

What could the chief executive do?

Reflect on your response. There is probably a fair amount that the chief executive could do. In fact, a chief executive could be proactive in:

- (a) Setting and demonstrating high standards of ethical behaviour, openness and honesty, and
- (b) Resolving issues around poor councillor behaviour, if they have not been addressed and resolved by the political parties. This could take the form of talking to leaders of political parties and individuals about behaviour, ensuring training is provided to councillors, ensuring that any guidelines on appropriate/inappropriate behaviour are circulated to councillors and invoking locally agreed standards procedures.

Final word

Summary

The working relationship between councillors and officers is integral to the successful operation of an effective local authority. Politicians and managers have vital roles to play in providing a form of joint leadership which is based on shared knowledge, skills and experience. And at the heart of this relationship should be a common vision, shared values and mutual respect.



Challenge 7 – where do you go from here?

Look back over the material contained in earlier sections of this workbook and consider the following:

a) What key action points can you identify to improve the way you work with your officer colleagues, ie what three or four things might you start doing, keep doing or stop doing?

b) Have you identified any gaps in your knowledge or shortcomings in your personal skills? If so, please set these out below and identify how any further training or development might help you, eg further reading/research, attending courses, coaching, mentoring, work shadowing etc.

Appendix A

Ethical considerations in activity 4

Scenario

During the regular chairman's briefing before papers are issued for committee, the vice chair asks the officer present if she could amend a recommendation in one of the reports. He explains that this is because he has had years of experience in this field and does not feel the recommendation would be workable. He states that he tried to come in and see her the week before but, because she was on holiday, he took the file from her desk and read it. The contents confirmed his opinion. He also feels that her recommendation would not be politically acceptable to his fellow councillors.

Ethical considerations

In acting in this way, it appears that the chairman is directing the officer to change her recommendation, which is likely to compromise her impartiality. These actions may be in breach of the locally agreed code of conduct. On the other hand the chairman may be raising legitimate concerns about the recommendations, in an appropriate manner, to an officer who is at a level of seniority where such challenges are appropriate. In these circumstances the action is unlikely to constitute a breach. Removing the file from the officer's desk and reading it may raise concerns in relation to treating others with respect, but this is not likely to be serious enough to justify further action.

Officers' reports are based on their professional opinions, although they must have regard to political realities within the council. Therefore, it would be inappropriate for a councillor to direct an officer in this manner. It is for the officer to determine whether to amend the report or to leave it as it is (in which case councillors

must not bring pressure on the officer or direct change). Councillors can overturn the recommendation at committee, and this occurs where good reasons can be shown at planning committees.

Councillors' access to information must be channelled through the proper officer and in line with agreed protocols and statutory requirements. It should be pointed out that taking the file from the officer's desk without permission is not the proper way to get access to the file. The taking of files by unauthorised persons may be in breach of data protection laws.

The scenario also raises concerns about councillors' involvement in day to day operations rather than strategic decision making. An appropriate response would be to use the officer and councillor briefing mechanism to exchange advance information and to explore political sensitivities prior to drafting of reports and recommendations.

All councillors should be aware of:

- policy, protocols and/or guidance on officer reports and rules of delegation
- legislation and protocols for access to information and in particular the additional rights of councillors of scrutiny committees
- guidance on the role of chairman's briefing.

Sources of further information

Publications

The Councillors' Guide

Local Government Association (LGA)
www.local.gov.uk

Highlighting Political Leadership

The LGA's range of political leadership development programmes helps to support and develop councillors ensuring our local politicians are confident and capable; well-equipped and well supported to make a difference, deliver and be trusted.

Useful websites

The LGA website is a valuable source of help and advice for all those in local government.
www.local.gov.uk

The LGA website has many pages discussing community leadership and a number of publications, a series of case studies, and development programmes for councillors and council officers.

For more information please go to:
www.local.gov.uk/our-support/highlighting-political-leadership

The Local Authorities (Model Code of Conduct) (England) Order 2007

www.legislation.gov.uk/ukxi/2007/1159/contents/made



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Ethics Committee

29 March 2018

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Finance and Corporate Services

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 2017/18 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 1 July to 31 December 2017.

Recommendations:

The Ethics Committee is recommended to consider the entries of gifts and hospitality received by officers for the second six months of 2017 and make any recommendations that it considers appropriate.

Appendix included: Table of Gifts and Hospitality received by Officers: July to December 2017

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
- Items such as coffee mugs, diaries, calendars, pens or other promotional materials can be retained if they are in use in the office and can be considered to form part of the general mailings of a company.
- 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, or where the Council should be seen to be represented, 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.

The rules relating to gifts and hospitality were amended by the Committee in July 2016 and those changes were accepted by full Council in September 2016.

2. Options considered and recommended proposal

- 2.1 The Directorates have been asked to provide details of gifts and hospitality received during the second 6 months of the year. The position for each directorate is set out in the Table in the Appendix to this report.

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 Director of Finance and Corporate Services

- 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: Place

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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
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Suzanne Bennett	Governance Services Officer	Place	19/03/18	19/03/18

Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Place	19/03/18	19/03/18
Julie Newman	Head of Legal Services	Place	19/03/18	20/03/18
Barry Hastie	Director of Finance and Corporate Services	Place	19/03/18	21/03/18
Cllr Walsh	Chair, Ethics Committee		19/03/18	19/03/18

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

APPENDIX 1: REGISTER OF OFFICER GIFTS AND HOSPITALITY JULY TO DECEMBER 2017

Officer	Date	Description	G or H?	£	Provided by	Justification	Any conflict or future tender?	Approved by	Date
Chief Executive's Office									
Chief Executive	04.07.17	Guest speaker at dinner at Crowne Plaza Hotel Birmingham- LGA Conference fringe event	H	£75	Veredus/New Local Government Network (NLGN)	Drawing on experience from WMCA and CCC, speaking about effective leadership and collaboration in local government	No	N/A	N/A
Chief Executive	05.07.17	Local Authority Chief Executives dinner at ICC Birmingham	H	£75	Local Government Association	Representing WMCA/CCC, promoting the City and the WMCA and discussing current issues affecting Local Government	No	N/A	N/A
Chief Executive	22.09.17	NSPCC Charity Ball at Ricoh Arena	H	£75	Jaguar Land Rover	Representing CCC at the highest profile charity event for children in need across the city	No	N/A	N/A
Chief Executive	09.10.17	Private Dinner and Roundtable at Highbury Hall Birmingham	H	£75	Shakespeare Martineau	Roundtable to discuss regional development, sustainable place making and inclusive growth	No	N/A	N/A
Chief Executive	17.10.17	University of Warwick Chancellor's Dinner at The Slate, University of Warwick	H	£50	University of Warwick	Representing CCC, promoting the city and discussing key issues with regional partners	No	N/A	N/A
Chief Executive	01.11.17	Dinner at Old Trafford Stadium as part of Solace Summit	H	£75	Zurich Municipal	Representing CCC discussing current issues facing local government	No	N/A	N/A

Chief Executive	02.11.17	Solace Summit Dinner at the Imperial War Museum, Trafford Wharf	H	£75	Solace - Sponsored by Virgin Media	Representing CCC discussing current issues facing local government	No	N/A	N/A
People Directorate									
Deputy Chief Executive People	01.11.17	Dinner	H	£75	Zurich Municipal	As part of SOLACE conference	No	Chief Executive	03.01.18
Social Worker	21.12.17	Bar of chocolate, aftershave and deodorant	G	£11.50	Parent/carer of child	Politeness: chocolate shared in the office and aftershave etc donated to young person who came into care	No	Duty Manager	21.12.17
Place Directorate									
Director of Finance and Corporate Services	11.07.17	Dinner	H	£40	Arlingclose	Part of the benefits of attending the CIPFA Conference as approved by Cabinet in May 2016.	No	Deputy Chief Executive Place	07.17
Director of Finance and Corporate Services	12.07.17	Lunch	H	£40	Capita	Part of the benefits of attending the CIPFA Conference as approved by Cabinet in May 2016.	No	Deputy Chief Executive Place	07.17
Director of Finance and Corporate Services	12.07.17	Dinner	H	£25	Zurich	Part of the benefits of attending the CIPFA Conference as approved by Cabinet in May 2016.	No	Deputy Chief Executive Place	07.17
Finance Manager (Corporate Finance)	11.07.17	Dinner	H	£40	Arlingclose	Part of the benefits of attending the CIPFA Conference as approved by Cabinet in May 2016.	No	Director of Finance and Corporate Services	22.09.17

Finance Manager (Corporate Finance)	12.07.17	Lunch	H	£40	Capita	Part of the benefits of attending the CIPFA Conference as approved by Cabinet in May 2016.	No	Director of Finance and Corporate Services	22.09.17
Finance Manager (Corporate Finance)	12.07.17	Dinner	H	£25	Zurich	Part of the benefits of attending the CIPFA Conference as approved by Cabinet in May 2016.	No	Director of Finance and Corporate Services	22.09.17
Deputy Chief Executive	18.07.17	Dinner	H	£50	Lord Bhattacharyya	Working dinner to maintain good working relationships with CCC and WMG	No	Chief Executive	07.17
School Appeals	12.07.17	Box of M&S biscuits	G	£6	Parent & family	Thanks for good service provided. Shared in office	No	Acting Monitoring Officer	14.09.17
Head of Project Delivery	06.09.17	Awards Lunch	H	£20	Turner & Townsend	Network event with consultants engaged with to deliver capital project	No	Director of Project Management & Property Services	10.17
Project Manager	06.09.17	Awards Lunch	H	£20	Turner & Townsend	Network event with consultants engaged with to deliver capital project	No	Head of Project Delivery	10.17
Director of Finance and Corporate Services	05/06.17	Lunch, dinner, overnight accommodation and breakfast.	H	£170	The Society of Municipal Treasurers	This is a professional organisation for Local Authority Section 151 officers which provides access to networks, analysis and information.	No – SMT is not an organisation that provides services.	Deputy Chief Executive Place	10.17
Deputy Chief Executive	22.09.17	Dinner	H	£50	Jaguar Land Rover	To maintain good working relationship with JLR	No	Chief Executive	09.17
Deputy Chief Executive	17.10.17	Dinner	H	£50	University of Warwick	To maintain good working relationship with University of Warwick	No	Chief Executive	10.2017

Director of Finance and Corporate Services	17/18.10.17	Lunch, dinner, overnight accommodation and breakfast.	H	£170	CIPFA	CIPFA is the professional accounting authority for Local Authorities and this event offers a unique opportunity for Section 151 officers to network and discuss strategic financial issues affecting the sector.	No – it is conceivable that CIPFA could tender for some services but I will ensure I am not part of any decision-making process in which this is a potential outcome.	Deputy Chief Executive Place	10.17
Director of Project Management & Property Services	12.10.17	EV100 Dinner	H	£40	DIT & AIO	Joint dinner with Electric Vehicle companies at British Motor Museum.	No	Deputy Chief Executive	10.17
Deputy Chief Executive	30.10.17	Dinner	H	£50	University of Warwick	To maintain good working relationship with University of Warwick	No	Chief Executive	10.17
Deputy Chief Executive	07.11.17	Dinner	H	£35	Warwick Manufacturing Group	To maintain good working relationship with WMG	No	Chief Executive	10.17
Director of City Centre and Major Projects Development	09.11.17	Insider Awards	H	£45	Insider	Insider Awards – we won the Regeneration Project Award	No	Deputy Chief Executive	11.17
Deputy Chief Executive	06.12.17	Event	H	£20	Royal Shakespeare Theatre	To maintain good working relationship with RSC	No	Chief Executive	11.17



Ethics Committee

29 March 2018

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Finance and Corporate Services

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 14 September 2017. The Committee is asked to consider the declarations.

Recommendations:

The Ethics Committee is recommended to consider the gifts and hospitality register entries received from 1 September 2017 to 28 February 2018 and to make any recommendations that it considers appropriate.

List of Appendices included:

Appendix 1: Declarations of gifts and hospitality received between 1 September 2017 and 28 February 2018.

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 1 September 2017 to 28 February 2018.

2. Options considered and recommended proposal

2.1 The declarations received since 1 September 2017 are attached as Appendix 1. In total three forms have been received from two elected Members. There have been no requests by members of the public to view the register during this time.

2.2 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 the Director of Finance and Corporate Services

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: Place

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Enquiries should be directed to the above person.

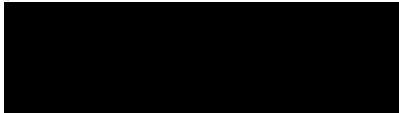
Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Place	19/03/18	20/03/18
Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Place	19/03/18	19/03/18
Julie Newman	Head of Legal Services	Place	19/03/18	20/03/18
Barry Hastie	Director of Finance and Corporate Services	Place	19/03/18	21/03/18
Cllr Walsh	Chair of Ethics Committee		19/03/18	19/03/18

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Appendix

Extracts from Members' Register of Gifts and Hospitality: 1 September 2017 to 28 February 2018


Declaration of Gifts and Hospitality under Members' Code of Conduct

Name of Elected Member	Cllr Jayne Innes
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Cabinet Member for City Services
Date on which gift or hospitality was offered and received or accepted	17 th September 2017
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	UK Cycling
Full details of what was received	Framed British Cycling Jersey with plaque
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	<p>Cost of Jersey on British Cycling site: £52.90</p> <p>Cost of frame online: £19.99</p> <p>Overall cost including plaque estimated at £75</p>
Justification for accepting the gift or hospitality	It was part of an official presentation from UK Cycling at the beginning of City Ride, to commemorate this year's city ride.
Signature of member:	
Date:	7/11/17

September 2015

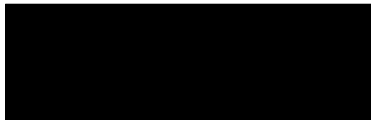
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Declaration of Gifts and Hospitality under Members' Code of Conduct

Name of Elected Member	RAM P. LAKHA
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	DEPUTY CABINET MEMBER
Date on which gift or hospitality was offered and received or accepted	27-09-2017
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	BELGRADE THEATER
Full details of what was received	2 Tickets (£12-00 each)?
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£24-00
Justification for accepting the gift or hospitality	<p>William FREEMAN is story of Black American who suffered extreme discrimination in 19th Century as slave. THE STORY FOLLOVED ON to explain what is happening - the discrimination still exists!</p> <p>So I wanted to understand the dept of discrimination in modern society.</p>
Signature of member: Date: 4/10/17.	

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Declaration of Gifts and Hospitality under Members' Code of Conduct

Name of Elected Member	Ram P. LAKHA
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Deputy Cabinet Member CITY SERVICES
Date on which gift or hospitality was offered and received or accepted	12-10-2017
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	BELGRADE
Full details of what was received	PINK SARI REVOLUTION
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	I used one ticket worth £12
Justification for accepting the gift or hospitality	<p>THIS DRAMA IS AIMED TO HIGHLIGHT THE SOCIAL INEQUALITY with within caste system of India and even more - the plight of women who suffer more because of social pressure.</p> <p>I am campaigning against caste system and this is was relevant to the campaign</p>
Signature of member: Date: 22/10/2017	

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Ethics Committee

29 March 2018

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Finance and Corporate Services

Ward(s) affected:

Not applicable

Title:

Work Programme for the Ethics Committee 2018/19

Is this a key decision?

No

Executive Summary:

This report suggests areas of work for the Ethics Committee for the Municipal Year 2018/19. 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 POrogramme

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: Work Programme for the Ethics Committee 2018/19

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 draft 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 First it is proposed that there should continue to be a standing item for each meeting, by way of a Monitoring Officer / Code of Conduct update, which will incorporate 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 it is suggested that the Ethics Committee continue to review declarations of Gifts and Hospitality by both officers and members at six monthly intervals. This will 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, an annual review of the Register of Disclosable Pecuniary Interests and a review of any Annual Report from the Committee on Standards in Public Life.
- 2.4 Fourthly, further to paragraph 1.2.7 of the Code of Conduct Report an update will be provided at the next meeting if available.
- 2.5 Fifthly a Review of Code of Good Practice on Planning Matters will also be provided if available to assist the Committee in matters of planning.
- 2.6 Finally, it is recommended that the Committee produces its second annual report on its activities during the previous municipal year. It is recommended that the annual report is considered by the Committee at its first meeting of the year with a view to it being considered at the first available Council meeting. The report helps to highlight the work of the Committee and ensure that ethical standards have a high profile within the Council.
- 2.7 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 Director of Finance and Corporate Services

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: Place

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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:				
Suzanne Bennett	Governance Services Officer	Place	19/03/18	20/03/18
Names of approvers for submission: (officers and members)				
Finance: Graham Clark		Place	19/03/18	19/03/18
Legal: Julie Newman	Head of Legal Services	Place	19/03/18	20/03/18
Director: Barry Hastie	Director of Finance and Corporate Services	Place	19/03/18	21/03/18
Cllr Walsh	Chair: Ethics Committee		19/03/18	19/03/18

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Appendix 1

Work Programme for the Municipal year 2018/2019

Meeting no. and date	Topics	Lead officer
2018/19		
1. July 2018		
	Monitoring Officer/Code of Conduct/ Members Complaints Update.	Julie Newman
	Annual Report of the Committee	Julie Newman
	Annual review of Register of DPs.	Adrian West
	Committee on Standards in Public Life Review of Local Government Standards Update	Julie Newman
	Code on Good Practice on Planning Matters Update	Julie Newman
	Draft Monitoring Officer Protocol	Julie Newman
	Work Programme 2018/19	Julie Newman
2. September 2018		
	Monitoring Officer/Code of Conduct/ Members Complaints Update.	Julie Newman
	Officers Gifts and Hospitality -Inspection of Registers for first 6 months of 2018.	Julie Newman
	Members Gifts and Hospitality -Inspection of Registers for first 6 months of 2018.	Julie Newman
	Work Programme 2018/19	Julie Newman
3. December 2018		
	Monitoring Officer/Code of Conduct/ Members Complaints Update.	Julie Newman
	Standards in Public Life- update from national body usually published in August each year.	Julie Newman
	Annual review of Parish Councils ethical standards regime.	Julie Newman
	Work Programme 2018/19	Julie Newman
4. March 2019		
	Monitoring Officer/Code of Conduct/ Members Complaints Update.	Julie Newman
	Officers Gifts and Hospitality -Inspection of Registers for last 6 months of 2018.	Julie Newman

	Members Gifts and Hospitality -Inspection of Registers for last 6 months of 2018.	Julie Newman
	Work Programme 2018/19	Julie Newman

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