

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.00 am on Thursday, 26
July 2018

Present:

Members: Councillor L Bigham (Chair of the meeting)
Councillor A Andrews
Councillor A Andrews
Councillor L Bigham
Councillor J Mutton M Mutton (named substitute for Councillor D Gannon)

Independent Persons S Atkinson
A Barton
R Wills
P Wiseman

Employees (by Directorate):

Place R Aremu, S Bennett, C Bradford, C Bradford, Place
D Stratton, C Bradford, C Bradford, Place Directorate
N Hart, People Directorate
J Newman, Resources Directorate S Harriott, J Newman

People N Hart

Apologies: Councillors D Gannon and S Walsh

Public Business

1. **Chair**

RESOLVED that, in the absence of the Chair, Councillor Walsh, Councillor L Bigham be elected to Chair the meeting.

2. **Declaration of Interest**

There were no declarations of interest.

3. **Minutes**

The Minutes of the meeting held on 29 March, 2018 were agreed and signed as a true record.

There were no matters arising.

4. **Social Media Protocol for Elected Members**

The Committee considered a report of the Director of Customer Service and Transformation which proposed the introduction of a Social Media Protocol for

Elected Members. The report was also to be considered by the Cabinet Member for Policing and Equalities at his meeting on 26 July, 2018.

The report indicated that social media is a powerful communication and networking tool, which has become increasingly part of our everyday life. Social media is used to describe any kind of on-line tool that you can use for sharing information, including blogs, photo sharing, video sharing, social networks, mobile phone applications, texting, digital TV services and collaboration tools. Unlike a telephone conversation or an email, it is a broadcast medium meaning messages have the potential to be viewed by a wider range of people than just the intended recipient.

Although it is not a requirement for Elected Members to use social media to fulfil their job as a Councillor, an increasing number do so in an attempt to share information and to give and gauge opinions. As a result, a first-ever Social Media Protocol for Coventry City Council's Elected Members has been created, a copy of which was appended to the report. It has been designed to offer basic help and advice as well as highlighting good practice and helping to avoid potential pitfalls. The Protocol also complements the general rules under the Code of Conduct for Members.

The Committee welcomed the Protocol, recognising the importance of providing guidance for Elected Members and commended the officers for the extremely well written and user friendly style. The Committee discussed the benefits of "launching" the Protocol with appropriate training for Members and requested that a final version be circulated to all Members of the Committee.

RESOLVED that the Cabinet Member for Policing and Equalities be informed that the Committee fully support the introduction of the Social Media Protocol for Elected Members and recommend that the Protocol be "launched" with appropriate training sessions for all Elected Members.

5. Code of Conduct Update

The Committee received a report of the Director of Finance and Corporate Services which provided an update on national issues in relation to ethical behaviour of Elected Members and the local position in Coventry with regard to Code of Conduct issues.

The Committee discussed five cases from different Councils and noted the current position/outcome in each case.

In terms of the local picture, the Committee noted that nine new complaints had been received since the date of the last Committee meeting. Three complaints were from members of the public and in the rest of the cases, the complainant was a City Councillor. One complaint had been dealt with by way of an informal resolution and apology and the others were in the process of being reviewed. All complaints are being handled in accordance with the agreed Complaints Protocol.

The Committee noted a recent judicial review on the requirement for candidates for local elections to publish their home addresses in nomination papers. This is not the case for candidates in parliamentary elections or for candidates for the

election of Combined Authority Mayors who have Police and Crime Commissioner functions, who may withhold their home addresses. The Court had dismissed the application and so it would seem that the situation would only therefore change if the Government decides to change the law.

The Committee also noted that the outcome of the consultation by the Committee for Standards in Public Life on the Review of Local Government Standards, together with the consultation regarding expanding the disqualification criteria for local Councillors, were still awaited.

RESOLVED that the Ethics Committee:-

- (1) Notes the cases determined under the standards regime nationally and request that the City Solicitor and Monitoring Officer, 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 and delegates any actions arising from these to the City Solicitor and Monitoring Officer, in consultation with the Chair of the Ethics Committee.**

6. Annual Report of the Ethics Committee 2017/2018

The Committee considered a report of the Director of Finance and Corporate Services which formed the second annual report of the Ethics Committee setting out the work of the Committee over the last municipal year. In particular, the report detailed:-

- Further work that the Committee has done in reviewing the revising governance arrangement and developing a Member Officer Protocol and Monitoring Officer Protocol. This follows on from work in 2016/17 on the Whistleblowing Policy and Complaints Protocol
- Representations that the Committee has made to the Committee on Standards in Public Life as part of its review of local government ethical Standards
- Training for Councillors and Independent Persons on the Code of Conduct and ethical matters
- A review of ethical standards in parish councils

The report also details other, regular work of the Committee over the last year and sets out a brief overview of work to be undertaken in the 2018/19 Municipal Year.

The Committee approved the Annual Report.

RESOLVED that the City Council be recommended to:-

- 1) Note the Annual Report of the Ethics Committee**

2) Consider whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake

7. Annual Review of the Register of Disclosable Pecuniary Interest

The Committee considered a report of the Director of Finance and Corporate Services which detailed information on the Register of Disclosable Interests and on actions taken in the last 12 months to encourage Elected Members to keep their declarations up to date. The report also detailed the frequency with which the online register had been viewed.

RESOLVED that the review of the Register of Disclosable Pecuniary Interests be noted and that a further update be submitted in 12 months.

8. Draft Monitoring Officer Protocol

The Committee considered a report of the Director of Finance and Corporate Services appended to which was a draft Monitoring Officer Protocol. The draft had been updated as a result of feedback received from members of the Committee (Minute 31/17 refers).

The decision to draft a Monitoring Officer Protocol arose from the Committee's consideration of public interest reports issued in connection with two other Councils. Many of the actions criticised in those two reports arose from a "blurring of the lines" between Officers and Members, inappropriate behaviour by Members towards officers and a lack of arrangements in place to deal with such issues. Whilst there were, and are, no particular areas of concern in Coventry, the lack of any arrangements to deal with issues if they occurred could result in an erosion of ethical standards. Such arrangements are typically set out in Member/Officer Relations Protocol and a Monitoring Officer Protocol, which are considered to be good practice.

The report indicated that a Monitoring Officer Protocol is beneficial as it sets out for both Members and officers the roles and responsibilities of the Monitoring Officer, what resources should be available to the Monitoring Officer and how they will discharge those duties. It also sets out what is expected of Members and other officers in terms of keeping the Monitoring Officer informed to ensure the effective and efficient discharge of their roles and responsibilities.

The Protocol outlines working arrangements including:-

- Access to resources
- Access to information
- The relationship between the Monitoring Officer, other statutory officers, leading Members and external bodies
- Standards matters
- The Constitution

Once adopted, the monitoring and periodic review of the Protocol would be the responsibility of the Monitoring Officer.

RESOLVED that the Ethics Committee approve the Monitoring Officer Protocol as appended to the report submitted and recommends the Constitutional Advisory Panel that it recommends to the Cabinet Member for Policing and Equalities and the City Council that the Protocol should be adopted and included in the Constitution.

9. Work Programme for the Ethics Committee 2018/2019

The Committee considered a report of the Director of Finance and Corporate Services appended to which was a proposed Work Programme for the Committee for 2018/19.

The Committee discussed Members gifts and hospitality and noted that the guidance on this had not be reviewed or updated for some time.

RESOLVED:-

(1) That approval be given to the proposed Work Programme for Ethics Committee for 2018/19 as appended to the report

(2) That a review of Members' gifts and hospitality be included in the Work Programme for 2018/19.

10. Any Other Items of Urgent Public Business

There were no other items of urgent public business.

(Meeting closed at 10.40 am)