



Ethics Committee

Time and Date

10.00 am on Wednesday, 26th June, 2019

Place

Committee Room 3, Council House, Coventry

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 4)
 - a) To agree the Minutes of the previous meeting held on 28 March, 2019
 - b) Any matters arising
4. **Annual Report of Ethics Committee 2018/19** (Pages 5 - 14)

Report of the Director of Finance and Corporate Services
5. **Six Monthly Review of Officers' Gifts and Hospitality** (Pages 15 - 26)

Report of the Director of Finance and Corporate Services
6. **Six Monthly Review of Members' Declarations of Gifts and Hospitality** (Pages 27 - 38)

Report of the Director of Finance and Corporate Services
7. **Code of Conduct Update** (Pages 39 - 48)

Report of the Director of Finance and Corporate Services
8. **Work Programme for the Ethics Committee 2019/20** (Pages 49 - 58)

Report of the Director of Finance and Corporate Services
9. **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

Tuesday, 18 June 2019

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett Tel: 024 7697 2299 Email: suzanne.bennett@coventry.gov.uk

Membership: Councillors A Andrews, P Hetherton, J Mutton, S Walsh (Chair), D Welsh

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

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

If you require a British Sign Language interpreter for this meeting OR if you would like this information in another format or language please contact us.

Suzanne Bennett

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Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.00 am on Thursday, 28
March 2019

Present:

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

Councillor K Taylor (by invitation)

Independent Persons

R Wills
P Wiseman

Employees (by Directorate):

Place: S Bennett, C Bradford, R Hammond, S Harriott, J Newman
S Bennett, C Bradford, C Bradford, Place Directorate
J Newman, Resources Directorate S Harriott, J Newman

Apologies: Councillors A Khan, G Duggins, G Ridley and S Walsh
S Atkinson and A Barton

Public Business

33. Chair of Meeting

In the absence of Councillor S Walsh, Councillor L Bigham was elected as Chair of the meeting.

34. Declarations of Interest

There were no declarations of interest.

35. Minutes

The Minutes of the meeting held on 10 January, 2019 were agreed and signed as a true record.

There were no matters arising.

36. Committee on Standards in Public Life: Report on Local Government Ethical Standards

The Committee considered a report of the Director of Finance and Corporate Services which indicated that the Committee on Standards in Public Life (CSPL) issued its report on Local Government Ethical Standards at the end of January,

2019. The report puts forward 26 recommendations for changes to the current regime, the bulk of which will require a change in the law.

The CSPL recognises that it could take some time to find parliamentary time to enable these recommendations to be enacted. It has however also put forward a set of fifteen recommendations of “Best Practice” which it feels that local authorities could look at implementing immediately without waiting for a change in the law.

The Ethics Committee received a presentation at the meeting which outlined:-

- The main report findings
- The main areas for concern
- An overview of the recommendations
- The fifteen “Best Practice” recommendations

The Committee considered the presentation in detail and expressed their support for the “Best Practice” recommendations, noting that the City Council already complies with a number of them, for example information in relation to Members gifts and hospitality is published on the Council’s website and there are four Independent Members on the Committee (as opposed to the recommendation that there should be at least two).

RESOLVED that the Ethics Committee:-

- (1) Supports the “Best Practice” recommendations of the Committee on Standards in Public Life.**
- (2) Requests the Monitoring Officer to draw up a Work Programme for the 2019/20 Municipal Year based on integrating the Best Practice recommendations into the Council’s codes and practices.**

37. Ethics Committee Work Programme 2018/19

The Committee noted their Work Programme for 2018/19, which would be updated for the new Municipal Year to incorporate those issues referred to in Minute 36.

38. Any Other Items of Urgent Public Business

There were no items of urgent public business.

(Meeting closed at 11.30am)



Ethics Committee
Council

26 June 2019
3 September 2019

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: Annual Report of Ethics Committee 2018/19

Is this a key decision?

No

Executive Summary:

This report forms the third annual report of the Ethics Committee, setting out the work of the Committee over the last municipal year. In particular, it reports on:

- Further work that the Committee has done in reviewing and revising governance arrangements with the finalisation of a Monitoring Officer Protocol and approval of a Social Media Protocol for Members.
- Consideration of the report by the Committee on Standards in Public Life on local government ethical standards. The Best Practice recommendations from the report will inform the Ethics Committee's work for the coming year (2019/20)
- Preliminary work on a review of the policy and guidance on gifts and hospitality for members and officers.
- 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 2019/20 municipal year. The Committee is asked to approve the report and recommend to full Council that it notes the

report and considers whether there is any work that it would wish the Committee to undertake.

Recommendations:

The Ethics Committee is recommended to:

- (1) Approve the Annual Report of the Committee; and
- (2) Recommend that Council notes the Annual Report and considers whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake.

Council is recommended:

- (1) To note the Annual Report of the Ethics Committee; and
- (2) To consider whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake.

List of Appendices included:

None

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?

Yes

Report title: Annual Report of Ethics Committee 2018/19

1. Context (or background)

- 1.1 The Council's Ethics Committee was established in 2012 following the introduction of new duties and responsibilities regarding ethical conduct in the Localism Act 2011. The Council as a whole has a legal duty to promote and maintain high standards of conduct by members and co-opted members of the authority. The Ethics Committee, through its work, assists in discharging this statutory duty.
- 1.2 The terms of reference of Ethics Committee also include:
- (a) Making recommendations to the Council on the appointment of "independent persons" under the Localism Act 2011;
 - (b) Approving and revising the Complaints Protocol which will set out the detailed procedures for considering complaints made against Elected and Co-opted Members under the Code of Conduct for Elected and Co-opted Members;
 - (c) Considering complaints made against Elected and Co-opted Members under the Code of Conduct for Elected and Co-opted Members in accordance with the Complaints Protocol;
 - (d) Monitoring the operation of the Code of Conduct for Elected and Co-opted Members and making appropriate recommendations to the relevant body;
 - (e) At the request of the member or co-opted member concerned, reviewing any decision of the Monitoring Officer not to grant a dispensation in relation to disclosable pecuniary interests in accordance with Section 33 of the Localism Act 2011;
 - (f) Monitoring the operation of the Code of Conduct for Employees and making appropriate recommendations to the relevant body;
 - (g) Considering complaints made against Elected Members of Finham Parish Council, Keresley Parish Council and Allesley Parish Council under the relevant Parish Council's Code of Conduct for Elected Members in accordance with the City Council's Complaints Protocol; and
 - (h) Considering any other matters which are relevant to the ethical governance of the Council, its Members or Employees.
- 1.3 The Committee approves a work programme for each year which includes regular reports as well as one off pieces of work. At its meeting in March 2017, the Committee agreed that in future it would submit an annual report to Council setting out the work that it has accomplished in the past year. This report comprises the third Annual Report of the Ethics Committee.

2. The Annual Report and Recommended Proposal

2.1 About the Committee

Ethics Committee comprises five councillors. In the municipal year 2018/19, the membership of the Committee was Cllr Walsh (Chair), Cllr Andrews, Cllr Bigham, Cllr Gannon and Cllr John Mutton. There were two named substitute members for the year, Cllr Bailey and Cllr Mal Mutton. Although not members of the Committee, the four Independent Persons appointed by the Council are encouraged to attend the meetings where possible. The Committee held four scheduled meetings in 2018/19.

2.2 Code of Conduct Complaints

The Council received a total of ten new complaints against councillors in the municipal year 2018/19. Nine complaints were against city councillors and one complaint was received about a councillor from one of the parish councils. In three cases the complainants were city councillors making a complaint against a fellow councillor, in one case the complainant was a parish council and in the remaining five cases the complaint was made by a member of the public. There was one self-referral from a councillor.

In eight cases the Chief Executive and Monitoring Officer decided to take no further formal action either because:

- (a) an initial review revealed no breach of the Code;
- (b) the matters which were the subject of the complaints related to matters which occurred when the subject councillor was not acting as an elected member.
- (c) the complaint was resolved informally.

The remaining two cases are in progress.

During the year, the Committee held two Code of Conduct hearings into complaints which were ongoing at the start of the municipal year.

2.3 Social Media Protocol for Elected Members

The Committee has been aware for some time that, the use of social media by councillors, both locally and nationally, can give rise to complaints. The Committee considered a draft Social Media Protocol for Elected Members at its meeting in July and recommended that it be approved by the Cabinet Member for Policing and Equalities and launched with appropriate training being offered to members. The Protocol was approved by the Cabinet Member on 26 July 2018.

2.4 Monitoring Officer Protocol

As part of its review of governance arrangements, the Committee approved a new Monitoring Officer Protocol which was subsequently approved by the Cabinet

Member for Policing and Equalities and by full Council. It now forms part of the published Constitution.

2.5 Committee on Standards in Public Life: Report on Local Government Ethical Standards

The Committee on Standards in Public Life (CSPL) announced its intention to carry out a review of ethical standards in local government in 2017/18. The Ethics Committee made representations to the CSPL on its review and in late January 2019 the CSPL published its report.

The CSPL report made a number of recommendations in connection with ethical standards in local government. Many of these will require a change in legislation if they are to be implemented. Among the recommendations were:

- a new revised code of conduct that will apply to all councils
- removal of the requirement to publish candidates' and councillors' home addresses
- a legal duty to declare membership of certain organisations
- a legal requirement to maintain and publish a members' register of gifts and hospitality
- fixed term appointments for Independent Persons
- local authorities to be given power to suspend a councillor for up to 6 months for a breach of the Code of Conduct and a right of appeal for councillors to the Local Government Ombudsman
- the abolition of criminal offences relating to Disclosable Pecuniary Interests

The Committee will be maintaining an interest in the Government's response to these recommendations.

The CSPL also published in their report a list of 15 Best Practice Recommendations which it considers that all councils can, and should, implement without the need for any change in the law. The CSPL will be reviewing the implementation of their best practice in 2020. The Ethics Committee devoted its March 2019 meeting to a consideration of these best practice recommendations to establish where the Council currently meets them and where further work is required. Much of its work programme for 2019/20 will be based around these best practice recommendations. (see paragraph 2.9).

2.6 Officer and Members Gifts and Hospitality

The Council has strict rules about when and if members and officers can accept gifts and/or hospitality. The Committee considers that this policy reflects the way in which the Council through its members and officers operates and provides more effective checks and balances on the receipt of gifts and hospitality. All directorates have a common register which requires gifts and hospitality to be approved by a senior officer. The Committee reviews these registers on average twice a year.

In addition to its routine monitoring of declarations, the Committee has this year begun a review of the rules on declaration of gifts and hospitality by members and officers and to review and revise its guidance on the subject. This will be undertaken in the light of the CSPL's recommendations on gifts and hospitality.

2.7 Operation of Register of Disclosable Pecuniary Interests

The Committee undertook its third review of the operation of the Register of Disclosable Pecuniary Interests in July 2018.

Between May 2017 and April 2018, the registers were viewed a total of 7,689 times with an average of 641 views a month. This gave an average number of views per month for each councillor of 12. The number of views for each councillor varied significantly from 608, being the highest number of views over 12 months to 57, being the lowest. While some of these views may be attributed to officers and to the members themselves, it is clear that members of the public are viewing entries in the register on a regular basis.

Councillors are reminded each year after Annual Council to review and, if necessary, update their entries on the register, particularly as some councillors may need to declare new appointments or remove old ones. In 2018, 11 councillors amended their registers following Annual Council. In the 2017/18 municipal year, 24 councillors made at least one change to their register, with 8 councillors making more than one update. Councillors are actively keeping registers under review and updating as appropriate.

2.8 Review of Ethical Standards in Parish Councils

The Committee received a report in January 2019 on how ethical standards operate in the three parish councils in Coventry. This was a table top exercise which set out some information about the financial position and operation of each of the parish councils. This report covered the same matters that had been considered in previous years when reviewing the operation of standards within parish councils.

In addition, the Committee was updated on the situation in relation to Keresley Parish Council where, because of the resignation of several parish councillors, along with the parish clerk, the parish council had not been quorate for some time and so could not conduct its business. The City Council had made an order under Section 91 of the Local Government Act 1972 to appoint the Chair of a neighbouring parish council as a temporary councillor until new councillors could be elected or co-opted. Councillor Weaver, Chair of the Meriden Parish Council, worked with the remaining parish councillors and City Council officers to get the parish council into a position where it was able co-opt three new Councillors. The Clerk to Meriden Parish Council, acted as locum clerk to the parish council and continues to do so until a new clerk can be appointed. Councillor Weaver has continued to work with and mentor the members of Keresley Parish Council.

2.9 Work Programme for 2019/20

Apart from regular reports on, among other things, Code of Conduct complaints, updates from the Monitoring Officer and officer and member gifts and hospitality, this year the Committee will focus its work on ensuring that the Council meets the fifteen best practice recommendations of the Committee on Standards in Public Life. In particular it will:

- review the Code of Conduct for Elected and Co-opted Members to include provisions relating to bullying and harassment and complying with formal investigations
- work on the publication of registers of gifts and hospitality and revision to guidance
- update the Complaints Protocol to give a wider consultative role for Independent Persons in code of conduct investigations and to address any conflicts of interest when undertaking a standards investigation.
- review the guidance for people wishing to make a complaint against a councillor
- investigate the process whereby the Council reports on the separate bodies that it has set up or which it owns
- consider how senior officers can meet regularly with political group leaders or whips to discuss standards issues.

2.10 Recommendation

The Committee is recommended to

- (1) Approve the Annual Report of the Committee; and
- (2) recommend that Council notes the Annual Report and to consider whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake.

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

Not applicable.

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

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

6 Other implications

None

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

Not applicable.

6.2 How is risk being managed?

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

6.3 What is the impact on the organisation?

No direct impact at this stage

6.4 Equalities / EIA

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

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Carol Bradford, Corporate Governance Lawyer, Place & 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	12/06/19	12/06/19
Names of approvers for submission: (officers and				

members)				
Finance: Graham Clark	Lead Accountant	Place	10/06/2019	10/06/2019
Legal: Julie Newman	City Solicitor and Monitoring Officer	Place	07/06/2019	10/06/2019
Barry Hastie	Director of Finance and Corporate Services	Place	07/06/2019	10/06/2019
Councillor Walsh	Chair of Ethics Committee		18/6/19	18/06/2019

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Ethics Committee

26 June 2019

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 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 2018.

Recommendations:

The Ethics Committee is recommended to consider the entries of gifts and hospitality received by officers for the second six months of 2018 and make any recommendations that it considers appropriate.

Appendix included: Table of Gifts and Hospitality received by Officers: July to December 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: 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 2018. 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
Contributors:				
Suzanne Bennett	Governance Services Officer	Place		
Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Place	11/06/2019	12/06/2019
Julie Newman	Legal Services Manager	Place	07/06/2019	11/06/2019
Barry Hastie	Director of Finance and Corporate Services	Place	07/06/2019	11/06/2019
Cllr Walsh	Chair, Ethics Committee		14/06/18	18/06/2019

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APPENDIX 1: REGISTER OF OFFICER GIFTS AND HOSPITALITY JULY TO DECEMBER 2018

Officer	Date	Description	G or H?	£	Provided by	Justification	Any conflict or future tender?	Approved by	Date
Chief Executive's Office									
Chief Executive	03.07.18	Private Dinner for Chief Executives and Whitehall Officials as part of LGA Conference	H	£75	Local Partnerships/LGA/ HM Treasury/Welsh Government	Representing CCC to discuss current/topical issues facing Local Government	No	N/A	N/A
Chief Executive	04.07.18	LGA Chief Executives Dinner	H	£75	Engie	Representing CCC to discuss current/topical issues facing Local Government	No	N/A	N/A
Chief Executive	12.09.18	1 night's complimentary accommodation at the Ininside Hotel, Manchester	H	£200	Local Government Chronicle	Representing CCC and Solace - Early morning guest speaker at LGC Summit on 13.09.18 - fair funding reform and financial sustainability	No	N/A	N/A
Chief Executive	21.09.18	NSPCC Charity Gala Ball	H	£100	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	02.10.18	1 night's complimentary accommodation at Carden Park Hotel, Cheshire	H	£200	Local Government Strategy Forum	Representing CCC and Solace - early morning guest speaker at Local Government Strategy Forum on 03/10 - 'Avoiding the Cliff Edge - The Future	No	N/A	N/A

						Funding of Local Government'			
Chief Executive	17.10.18	Chief Executives' Dinner at British Airways i360, Brighton as part of Solace Summit	H	£75	Zurich Municipal	Representing CCC discussing current issues facing local government	No	N/A	N/A
Chief Executive	18.10.18	Solace Annual Charity Dinner at Hilton Metropole, Brighton	H	£75	Virgin Media	Representing CCC discussing current issues facing local government	No	N/A	N/A
Chief Executive	24.10.18	West Midlands Dinner Chaired by Lord Kerslake at The Ivy, Birmingham	H	£75	Engie	Representing CCC discussing the key issues facing the West Midlands Combined Authority with 6 Met Chief Executives and the Chief Executive of the WMCA	No	N/A	N/A
Chief Executive	03.11.18	WaterAid Charity Ball	H	£100	Severn Trent	Representing CCC at charity event to raise funds for WaterAid to support its goal of getting water, toilets and hygiene to the millions of people still living without these basic human rights	No	N/A	N/A
Chief Executive	21.11.18	SDU Health and Social Care Awards Dinner at Edgbaston Cricket Club	H	£75	Sustainable Health and Care Forum	Representing CCC and as Chair of the SDU Cross Systems Group - presenting an award	No	N/A	N/A
Chief Executive	23.11.18	VIP Performance of Sleeping	H	£50	Belgrade Theatre	Representing CCC discussing local issues with	No	N/A	N/A

		Beauty at Belgrade Theatre				key partners in an informal setting.			
Chief Executive	06.12.18	Birmingham Royal Ballet performance of The Nutcracker at Birmingham Hippodrome	H	£100	Birmingham Hippodrome Theatre Trust	Representing CCC to learn more about the work of the Birmingham Hippodrome Trust in the West Midlands	No	N/A	N/A
People Directorate									
Deputy Chief Executive (People)	17.07.18	Graduation dinner	H	£25	Warwick University	Dinner was provided as part of a networking event	No	Chief Executive	10.0818
Contract Officer	18.12.18	Bottle of wine and chocolates	G	£5 to £10	Manager of Adult Social Care commissioned service	Christmas gift	No	Head of Strategic Commissioning	19.12.18
Place Directorate									
Director of Streetscene & Regulatory Services	02.07.18	Event	H	£33	Go Ape	Coventry City Council are in the process of considering a High Wires course for Coombe Country park. This was an opportunity to try the offering from the market leader	Not as a council officer, but as a director of Coombe Abbey Park Ltd.	Deputy Chief Executive (Place)	07.18
Director of Finance and Corporate Services	10.07.18	Dinner	H	£40	Arlingclose	Part of the benefits of attending the CIPFA Conference as approved by Cabinet	No	Deputy Chief Executive (Place)	07.18
Finance Manager –	10.07.18	Dinner	H	£40	Arlingclose	Part of the benefits of attending the CIPFA	No	Director of Finance and Corporate Services	07.18

Corporate Finance						Conference as approved by Cabinet			
Director of Finance and Corporate Services	11.07.18	Dinner	H	£25	Zurich	Part of the benefits of attending the CIPFA Conference as approved by Cabinet	No	Deputy Chief Executive (Place)	
Finance Manager – Corporate Finance	11.07.18	Dinner	H	£25	Zurich	Part of the benefits of attending the CIPFA Conference as approved by Cabinet	No	Director of Finance and Corporate Services	
Deputy Chief Executive (Place)	13.07.18	Lunch: 10 th Annual Small Business Engagement	H	£30	Federation of Small Businesses	Networking and to build good working relationships	No	Chief Executive	03.19
Deputy Chief Executive (Place)	19.07.18	Graduation dinner	H	£25	University of Warwick	Supporting the celebration of Warwick University graduates—networking event	No	Chief Executive	18.07.18
Director of Streetscene & Regulatory Services	04.09.18	Stakeholder evening and pre-launch	H	£20	LEVC	To maintain good working relationship with LEVC	No	Deputy Chief Executive (Place)	09.18
Director of Streetscene & Regulatory Services	12.09.18	Gala Dinner-RISING Global Peace Forum	H	£35	Coventry University	Gala Dinner & networking for members of RISING Board	No	Deputy Chief Executive (Place)	09.18
Deputy Chief Executive (Place)	23.08.18	Dinner at Dresden for a trip for planning of the new Dresden City Hall	H	£30	Mayor of Dresden	Building good working relationships	No	Chief Executive	03.19
Deputy Chief Executive (Place)	26.09.18	Dinner with Neil Rami and Paula Deas at Cielo Restaurant, Birmingham	H	£30	Neil Rami	Building good working relationships	No	Chief Executive	03.19

Director of Streetscene & Regulatory Services	04.10.18	Opening event with half price dinner	H	£25	Bistro Pierre	Opening & networking event with BID for new restaurant in new city centre development.	No	Deputy Chief Executive (Place)	10.18
Nine employees within Revenues Service	04.10.18	VIP opening of Bistro Pierre - Opening event with half price dining	H	£150	Coventry BID manager in conjunction with Bistro Pierre	Promotes effective working relationship with the Coventry BID	No	Acting Head of Revenues	28.09.18
Director of Finance and Corporate Services	01-02.11.18	CIPFA Director of Finance Retreat	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)	
Director of Streetscene & Regulatory Services	21.11.18	VIP Coventry Light Switch on at Cosy Club	H	£15	Cosy Club	Supporting city events and maintaining good working relationships with local partners	No	Deputy Chief Executive (Place)	11.18
Director of Finance and Corporate Services	11.18	Book – 'Town Hall, Buildings, People and Power – to be given to the Council for general viewing.	G	£25	CCLA	Includes a section on Civic Buildings in Coventry	The donor provides investment services which are managed by the Treasury Team	Deputy Chief Executive (Place)	11.18

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Ethics Committee

26 June 2019

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 for the period 1 September 2018 to 28 February 2019. The Committee last reviewed these at its meeting on 6 November 2018. 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 2018 to 28 February 2019 and to make any recommendations that it considers appropriate.

List of Appendices included:

Appendix 1: Declarations of gifts and hospitality received between 1 September 2018 and 28 February 2019.

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 2018 to 28 February 2019.

2. Options considered and recommended proposal

- 2.1 The declarations received since 1 September 2018 are attached as Appendix 1. In total 8 forms have been received from 4 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 in the last six months 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 currently 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

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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	14/06/19	17/06/19
Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Place	10/06/2019	10/06/2019
Julie Newman	Legal Services Manager	Place	07/06/2019	10/06/2019
Barry Hastie	Director of Finance and Corporate Services	Place	07/06/2019	10/06/2019
Cllr Walsh	Chair of Ethics Committee		14/06/19	18/06/2019

This report is published on the council's website:

Appendix

Extracts from Members' Register of Gifts and Hospitality: 1 September 2018 to 28 February 2019

Name of Elected Member	Cllr Ridley
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader of the Opposition
Date on which gift or hospitality was offered and received or accepted	23.11.18
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	The Belgrade Theatre
Full details of what was received	2 tickets for the VIP performance of Sleeping Beauty
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£35.00 x 2 (cost of ticket on general sale)
Justification for accepting the gift or hospitality	The Belgrade Theatre invited all Councillors to the VIP night, including the Lord Mayor.
Signature of member: Date:	 5.11.18

Name of Elected Member	Cllr Ridley
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader of the Opposition
Date on which gift or hospitality was offered and received or accepted	2.1.19
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Three Spires Theatre
Full details of what was received	2 tickets for the VIP performance of Beauty and the Beast
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£15.00 x 2 (cost of ticket on general sale)
Justification for accepting the gift or hospitality	The Theatre invited all Councillors to the VIP night, including the Lord Mayor.
Signature of member: Date:	 2.1.19

Name of Elected Member	Cllr Andrews
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Deputy Leader of the Opposition
Date on which gift or hospitality was offered and received or accepted	6.12.18
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Coventry University
Full details of what was received	Gala Dinner
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Approx. £75
Justification for accepting the gift or hospitality	Asked to be a guest by Coventry University at their gala dinner to celebrate 175 years.
Signature of member: Date:	2.1.19

Name of Elected Member	Cllr Andrews
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Deputy Leader of the Opposition
Date on which gift or hospitality was offered and received or accepted	6.1.19
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	KM&T was the organiser, but the host was Inspire Insurance.
Full details of what was received	Rugby match tickets Wasps V Northampton Saints plus hospitality
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Approx. £100
Justification for accepting the gift or hospitality	To build relationships with the business community and to discuss potential impact of No Deal Brexit.
Signature of member:	
Date:	6.1.19

Name of Elected Member	Cllr Lynnette Kelly
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Elected Member
Date on which gift or hospitality was offered and received or accepted	13.12.18
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Coventry University
Full details of what was received	Meal and wine
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Estimate £30
Justification for accepting the gift or hospitality	Celebrating achievements of Coventry University, a major employer and economic driver for the city.
Signature of member:	
Date:	9.1.19

Name of Elected Member	Julia Lepoidevin
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Shadow Cabinet Member Children and Young People
Date on which gift or hospitality was offered and received or accepted	6 th December 2018
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Coventry University Dinner
Full details of what was received	Meal with Wine
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£50.00
Justification for accepting the gift or hospitality	A celebration of 175.00 years of Coventry University in the City.
Signature of member: Date:	J Lepoidevin 12.1.2019

Name of Elected Member	Cllr Andrews
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Deputy Leader of the Opposition
Date on which gift or hospitality was offered and received or accepted	13.1.19
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Coventry Blaze
Full details of what was received	The Blaze vs Flames game - European City of Sport celebration event.
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Approx. £30 x 2 tickets
Justification for accepting the gift or hospitality	To show support for Coventry Blaze and the European City of Sport celebration event.
Signature of member:	
Date:	15.1.19

Name of Elected Member	Cllr Ridley
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader of the Opposition
Date on which gift or hospitality was offered and received or accepted	13.1.19
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Coventry Blaze
Full details of what was received	The Blaze vs Flames game - European City of Sport celebration event.
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Approx. £30 x 2 tickets
Justification for accepting the gift or hospitality	To show support for Coventry Blaze and the European City of Sport celebration event.
Signature of member: Date:	 15.1.19



Ethics Committee

26 June 2019

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
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 City Solicitor and Monitoring Officer, in consultation with the Chair of the Ethics Committee.

List of Appendices included: None

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, any cases reported are taken from general research where councils publish details of their conduct hearings in public.

1.2.2 Councillors Y, G and W: Lancaster City Council

Three councillors have been subject to a special Standards Committee hearing into allegations that they had breached the Code of Conduct following an investigation into a leak of sensitive information. It is difficult to give an accurate picture of what the issues were in this case as Lancaster City Council does not normally publish its Standards reports or investigations. However it would appear that sensitive information about a fourth councillor was leaked without authority and during the subsequent investigation, the behaviour of Cllrs Y,G and W was called into question.

The summary of findings published by the Council shows that:

Cllr Y: had brought the Council into disrepute by misleading the Council's investigator. The Committee concluded that his account of events was inconsistent, and he appeared to have tried to mislead the investigator about his whereabouts on a particular weekend. The Committee decided that Cllr Y's membership of the Standards Committee should be removed.

Cllr G: had (1) brought the Council into disrepute by misleading the Council's investigators and by his failure to take part in the investigation and (2) that he had been guilty of conduct that amounted to intimidation of a person who is likely to be involved in the investigation or in its administration. This involved intimidation of the Chief Executive Office and intimidation during an interview with Cllr W.

In particular, the Committee concluded that Cllr G misled officers during the investigation into the leak of sensitive data in that he made a misleading statement about when he was aware of standards hearing. The Councillor failed

to cooperate with the reasonable requests of the Monitoring Officer to participate in an interview concerning the leak of sensitive information. The Committee found that the Councillor's misleading statement and failure co-operate with the Council's Monitoring Officer was a course of conduct that offended against the principles of accountability, openness and honesty. As such they were found to be actions or omissions that brought the office of Councillor and the Council into disrepute.

With regard to the Chief Executive, Cllr G had told the Chief Executive that he thought one of Cllr G's colleagues was being mistreated or bullied in connection with a Standards Committee matter. Cllr G threatened to go to the press if the matter was not resolved that day. This was inappropriate conduct by the Councillor and the Committee found that the threat made in respect of the Standards Committee matter amounted to intimidation of a person (the Chief Executive) involved in the administration of the investigation.

Cllr G subsequently attended an interview of Cllr W. It was explained to him that it was inappropriate for him to be in attendance by the Council's Monitoring Officer. He did not take any active part in the interview. The Committee found that Cllr G's presence at the interview was a means of asserting control or influence over Cllr W. The Committee considered this to be inappropriate conduct and intimidation contrary to the Members Code of Conduct.

The Committee determined that Councillor G was to be censured in the minutes of the hearing.

Cllr W: The Committee found that the Cllr W had (1) brought the Council into disrepute by seeking sensitive information to pass onto members of the public and (2) that he bullied a member of staff.

In particular, the Committee concluded that Cllr W had telephoned the Council's democratic services department in order to seek confirmation as to the identity of a member of public connected to a Standards Committee case. The Committee found that the telephone call was a misuse of the Councillor's powers in that the request to a junior member of staff was such as to undermine the junior officer. This is a course of behaviour defined as bullying in the Code of Conduct.

The Councillor was later interviewed by officers. Cllr G attended the interview in support of Cllr W. Towards the end of the interview Councillor W repeatedly asked officers for the name of the subject member of the public. He informed officers that he wanted the name to pass onto his customers. The Committee found that the request, and the Councillor's stated motive for the same to be unacceptable behaviour.

The Councillor's inappropriate requests for information evidenced a lack of integrity. This being the case, the behaviour was such as to bring the office of Councillor or the Council into disrepute contrary to paragraph 5 of the Members Code of Conduct.

The Committee determined that Councillor W was to be censured in the minutes of the hearing.

1.2.3 Councillor G: Devon County Council

At its meeting in January 2019 the Committee considered a report about an investigation into, and ongoing legal action connected with allegations that Cllr G, former leader of the Council, had sexually harassed four of its employees. In October 2018, Cllr G issued a claim for judicial review of the Council's decision. He raised at least 10 grounds of challenge including lack of procedural fairness. Permission was refused on these grounds however permission was allowed on one narrow point – whether or not the Council were allowed to impose a sanction restricting access to Council premises.

Cllr G had also appealed against his refusal for permission in respect of the other grounds and a hearing was expected to take place in early 2019. That hearing has now taken place and his application was rejected, with permission on all of the remaining grounds refused and the earlier award of costs to the Council upheld.

The case underlines the freedom allowed to local authorities under the Localism Act 2011 in regulating their own procedures for dealing with complaints against elected members. In Devon's case, their complaints procedure provided for anonymity of the complainants and did not allow for an oral hearing before the Standards Committee. The court held that, when assessed overall, the procedure was not unfair – Cllr G had the opportunity to answer the complaints in person before an independent QC, and to provide comments on his draft report, as well as being able to make written submissions to the Standards Committee. The judge also appeared to accept the Council's argument that Article 6 of the European Convention on Human Rights does not apply to local government standards matters, which are essentially disciplinary in character.

1.2.4 Birmingham City Council

Members of the Committee may be aware of the long running management dispute at Birmingham City Council in 2017 concerning its refuse collection service. The Leader of the Council at that time was Cllr John Clancy. Cllr Clancy

resigned as Leader in September 2017 after criticism of his handling of the dispute.

After the dispute was concluded, the city council asked a firm of lawyers, VWV, to consider whether appropriate and lawful processes were followed in reaching and approving an agreement to end the industrial action, purportedly made on 15 August 2017. The review did not seek to consider operational issues that led to the dispute but concentrated on the lawfulness of decision-making.

VWV reached a number of conclusions about how council decision-making operated including:

- Cllr Clancy did not have the authority or power to enter into an agreement as set out in the ACAS statement made on 15 August 2017.
- An “informal” meeting of Cabinet on 18 August 2017, had no power to ratify the agreement.
- The council failed to accept the “norms of decision making” and that day to day governance of how a council ought to be run was, in 2017, “missing/distorted”.
- The council needed to consider whether there were grounds for bringing action against a member for both misconduct and misfeasance in public office.
- Member/officer protocols ought to be reviewed.
- There might be potential breaches of the Councillor’s Code of Conduct which the council needed to consider.

In a statement the council said that it had made a series of improvements to its Corporate Governance plan to address these issues which was monitored monthly. It had also referred the matter to the Chair of its Standards Committee to consider whether further action was needed and had reviewed and revised its elected member induction programme. In addition, its member development programme was being improved as part of a four-year plan, and the findings of this independent review would be built into that process.

Cllr Clancy refused to take part in the review and had said that the report was “utter nonsense from start to finish” and “a whitewash”. He insisted that he had acted appropriately and with full legal powers throughout the dispute. He also claimed a failure by officers to carry out his instructions “and to frustrate them politically and administratively” was unlawful and actionable.

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 one new complaint since the date of the last Committee meeting, which relates to a city councillor. The complaint is at Stage 1 in the complaints protocol.

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

Code of Conduct Training for Parish Councils

1.3.4 The Monitoring Officer and Deputy Monitoring Officer have offered to hold training sessions on the Code of Conduct for all three parish councils in the Coventry area. A session has been arranged for Keresley Parish Council in early July.

2. Options considered and recommended proposal

Members of the Committee are asked to:

1. Note the cases determined under the standards regime nationally 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 City Solicitor and Monitoring Officer, 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 Any actions arising from this report will be implemented as soon as possible.

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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Suzanne Bennett	Governance Services Officer	Place	12/06/19	12/06/19
Names of approvers for submission: (officers and members)				
Finance: Graham Clark		Place	10/06/2019	10/06/2019
Legal: Julie Newman	City Solicitor and Monitoring Officer	Place	07/06/2019	10/06/2019
Barry Hastie	Director of Finance and Corporate Services	Place	07/06/2019	10/06/2019
Councillor Walsh	Chair of Ethics Committee		18/06/19	18/06/19

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Ethics Committee

26 June 2019

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 2019/20

Is this a key decision?
No

Executive Summary:

This report suggests areas of work for the Ethics Committee for the Municipal Year 2019/20. The Committee is asked to consider the draft work programme and make any suggestions for additional or alternative reports. The Work Programme also includes a separate table showing the actions to be taken in connection with the CSPL's Best Practice Recommendations for local authorities contained in its report which the Committee has previously discussed at its meeting in March 2019.

Recommendations:

The Ethics Committee is recommended to review the work programme attached as Appendix 1 and the Table of Best Practice Recommendations at Appendix 2 and make any changes or amendments the Committee considers appropriate.

List of Appendices included:

Appendix 1: Work programme
Appendix 2: Table of Best Practice Recommendations

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 2019/20

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, at Appendix 1, the 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. It also includes, at Appendix 2, a table setting out the Best Practice Recommendations of the Committee on Standards in Public Life annotated to show current progress.

1.2 The Committee's work programme takes account of the need to promote standards and addresses this in a number of ways. Beyond the regular reports which the Committee receives each year, no additional topics have been included at this stage to allow work on the Best Practice Recommendations to proceed as set out in the table at Appendix 2. The work programme is, however, 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.

2. Options considered and recommended proposal

2.1 The work programme includes regular items on:

- Code of Conduct/ Monitoring Officer Update
- Declarations of gifts and hospitality by members and officers
- Ethical standards in parish councils
- Annual report to full Council
- CSPL annual report

2.2 In addition the two reviews of members' gifts and hospitality and declaration of interests have been included in the work programme for the Committee's meeting in December.

2.3 Recommendation

The Ethics Committee is recommended to review the work programme attached as Appendix 1 and the Table of Best Practice Recommendations at Appendix 2 and make any changes or amendments the Committee considers appropriate.

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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Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Place	14.06.19	17.06.19
Names of approvers for submission: (officers and members)				
Finance: Graham Clark		Place	12.06.19	12.06.19
Legal: Julie Newman	Legal Services Manager	Place	12.06.19	13.06.19
Director: Barry Hastie	Director of Finance and Corporate Services	Place	12.06.19	13.06.19
Cllr Walsh	Chair: Ethics Committee		14.09.19	18/06/2019

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www.coventry.gov.uk/councilmeetings

Appendix 1: Work Programme for the Municipal year 2019/2020

Meeting no. and date	Topics
2019/20	
1. 26 June 2019	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Annual Report of the Committee
	Officers Gifts and Hospitality -Inspection of Registers for second 6 months of 2018. (Held over from 2018/19)
	Members Gifts and Hospitality -Inspection of Registers for second 6 months of 2018. (Held over from 2018/19)
	Work Programme 2019/20
2. 12 September 2019	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Officers Gifts and Hospitality -Inspection of Registers for first 6 months of 2019.
	Members Gifts and Hospitality -Inspection of Registers for first 6 months of 2019.
	Standards in Public Life- update from national body usually published in August each year.
	Work Programme 2019/20
3. 5 December 2019	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Review of Members' Gifts and Hospitality policy and guidance
	Review of Declaration of Interests guidance for Members
	Work Programme 2019/20
4. 19 March 2020	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Officers Gifts and Hospitality -Inspection of Registers for last 6 months of 2019.
	Members Gifts and Hospitality -Inspection of Registers for last 6 months of 2019.
	Work Programme 2020/21

Appendix 2: Best Practice Work Programme

	Best Practice	Action	Status
1	Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.	<p>Add Newcastle – Upon-Tyne definition into code of conduct</p> <p>Consider whether a paragraph could be inserted into the Employee’s Code of Conduct as well</p>	<p>New code to be drafted</p> <p>Confirmed is within policy - completed</p>
2	Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.	<p>Include statement in code must comply</p> <p>Check prohibition on trivial or malicious allegations</p>	<p>New Code to be drafted</p> <p>Covered through the sifting process at Stage 1. - completed</p>
3	Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.	<p>Ensure easily available to public</p> <p>Include on work programme for cttee annually</p> <p>MO to take local MO groups to share codes across neighbouring authorities</p>	<p>Is on intranet – completed</p> <p>Taken to Heads of Legal Group WMCA and agreed - completed</p>
4	An authority’s code should be readily accessible to both councillors and the public, in a prominent position on a council’s website and available in council premises	<p>Check web editors re prominence on website – see where the relevant forms are & whether easy for members of the public to use</p> <p>Customer service to be advised as how can access on website to provide to any customers who call</p>	<p>Prominence improved - completed</p> <p>Customer Services advised - completed</p>

5	Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.	6 monthly reports on gifts and hospitality currently published on modern.gov Investigate hosting registers on modern.gov	
6	Councils should publish a clear and straightforward public interest test against which allegations are filtered.	Publish on website	
7	Local authorities should have access to at least two Independent Persons.		Completed
8	An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.	Amend complaint process to include this stage	
9	Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.		Completed
10	A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.	Check accessible on website Review timescales and include in process	Completed
11	Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances	Write to Parish Councils and offer assistance in reviewing their codes to include this action and best practice actions	
12	Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.		Completed
13	A local authority should have procedures in	Raise at Heads of Legal	Completed

	place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.	WMCA group to seek agreement can call on neighbouring authorities when there is potential conflict.	
14	Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.	Consider as part of next annual governance statement - 19/20	
15	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.	Set up quarterly meeting with group leader, Deputy Leader and whips. CEO, S151 officer and MO.	

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