

**Time and Date**

1.00 pm on Thursday, 8th October, 2020

Place

This meeting will be held remotely. The meeting can be viewed live by pasting this link into your browser:- <https://youtu.be/BC8c-BK3D4M>

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 6)
 - a) To agree the Minutes of the previous meeting held on 23 July, 2020
 - b) Any matters arising
4. **Hearing into Complaints Under Code of Conduct** (Pages 7 - 42)
Report of the Director of Law and Governance
5. **Annual Report of the Ethics Committee 2019-20** (Pages 43 - 50)
Report of the Director of Law and Governance
6. **Committee on Standards in Public Life: Annual Report for 2019-20**
(Pages 51 - 58)
Report of the Director of Law and Governance
7. **Review of officers' Gifts and Hospitality - 1 July 2019 to 30 June, 2020**
(Pages 59 - 68)
Report of the Director of Law and Governance
8. **Review of Members' Gifts and Hospitality - 1 July, 2019 - 30 June, 2020**
(Pages 69 - 84)
Report of the Director of Law and Governance
9. **Code of Conduct Update** (Pages 85 - 90)
Report of the Director of Law and Governance

10. **Work Programme** (Pages 91 - 100)
11. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

Julie Newman, Director of Law and Governance, Council House Coventry

Wednesday, 30 September 2020

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 Hetherington, J Mutton, S Walsh (Chair), D Welsh

Independent Members: S Atkinson, A Barton, R Wills, P Wiseman

Named Substitute Members: Councillors R Bailey and M Mutton

Suzanne Bennett
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Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.00 am on Thursday, 23
July 2020

Present:

Members: Councillor S Walsh (Chair)

Councillor A Andrews
Councillor P Hetherton
Councillor J Mutton
Councillor D Welsh

Other Members: Councillor M Mutton

Employees:- S Bennett, Law and Governance
C Bradford, Law and Governance
S Harriott, Law and Governance
J Newman, Director of Law and Governance and
Monitoring Officer
C Sinclair, Law and Governance

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

Public Business

1. Declarations of Interest

There were no declarations of interest.

2. Minutes

The Minutes of the meeting held on 20 November 2019 were agreed as a true record.

There were no matters arising.

3. Outcome of Code of Conduct Investigation

The Committee considered a report of the Director of Law and Governance which detailed the outcome of a Code of Conduct Investigation in respect of allegations that Councillor G Williams breached the Code of Conduct for Elected Members.

The Ethics Committee's complaints protocol set out how a complaint that an Elected Councillor has failed to comply with the Council's Code of Conduct is dealt with. The protocol requires that, where an investigating officer concludes that there is no evidence of a failure to comply with the Code of Conduct and no further action is required, the outcome of such investigations will be reported to the next ordinary meeting of the Ethics Committee. The investigation report on this matter had been completed in March 2020 and was attached as Appendix 1 to the report.

At a meeting of the City Council on 14 January, 2020, Councillor Williams made a statement that resulted in widespread criticism and resulted in six separate complaints alleging that Councillor Williams had breached the Code of Conduct for elected members.

The City Councillor's Monitoring Officer, supported by one of the Committee's Independent Persons, considered that the complaints merited a formal investigation and instructed Mr M Lewin as an appropriately experienced external investigator to undertake the investigation. Mr Lewin produced a draft report that he shared with the Complainants and Councillor Williams before forwarding his final report to the Council's Monitoring Officer.

Mr Lewin found that Councillor Williams' statement was ignorant, prejudiced and offensive, however he did not find that it amounted to a failure to show respect in breach of paragraph 3(j) of the Code. Mr Lewin considered that "There is a very high threshold to be crossed before political speech – even intolerant and offensive political speech – can be found to have breached the Code". In this case he did not find that that threshold was crossed.

Mr Lewin noted that Councillor Williams has been held accountable for his offensive statement in the public arena and had made a public apology.

Whilst recognising that, in light of the outcome of the investigation, there was no further action available to them, the Committee made a number of strong observations in relation to the comments made by Councillor Williams and recognised and welcomed the steps taken by other Councillors and the City Council to disassociate themselves from those comments.

RESOLVED that the outcome of the investigation, attached as Appendix 1 to the report, be noted.

(Note:- Councillor J Mutton abstained from this decision)

4. **Work Programme**

The Committee considered the draft Work Programme for 2020/21. The Work Programme included a separate table showing progress on the actions to be taken in connection with the Committee on Standards in Public Life's Best Practice Recommendations for local authorities contained in its report of January 2019.

RESOLVED that the Committee notes the Work Programme and progress on the best practise recommendations.

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

There were no other items of urgent public business.

(Meeting closed at 10.25 am)

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Public report (Ethics Committee)

Ethics Committee

8 October 2020

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

None

Title: Hearing into Complaint under Code of Conduct

Is this a key decision?

No

Executive Summary:

This report sets out brief details of a complaint made on 17 June 2020 by eight separate individuals (“the Complainants”). The content of each of the complaints is the same. The complaint is against Cllr Glenn Williams (the “Subject Member”) and relates to comments made by the Subject Member on Twitter.

The Complainants allege that the Subject Member breached the Council’s Code of Conduct for Elected and Co-opted Members in a number of respects, most notably in connection with comments that he has made on social media. These are detailed in Section 2.3 of the Stage 2 report.

An initial review concluded that there should be an investigation into the complaints. Julie Newman, the Council’s Monitoring Officer carried out the investigation. Ms Newman concluded that most of the examples of behaviour relied upon by the Complainants either fell outside of the timescale for considering complaints or had already been investigated and findings made. However, the matters raised in paragraph 2.3.8 of her report were new matters and so should be considered as part of the investigation. These matters related to tweets about using water cannon on anti-racist protestors and about “swarms” of illegal immigrants arriving in the UK.

The Stage 2 Investigation Report concluded that the Subject Member's postings were antagonistic and aimed to dehumanise and were incendiary and offensive. They crossed the boundary of acceptable respectful debate and amounted to a prima facie breach of Paragraph 3(j) of the Code (treating people with respect).

In accordance with Paragraph 7.4 of the Council's Complaints Protocol, the Deputy Monitoring Officer has referred the complaint to a hearing of the Ethics Committee.

Recommendations:

The Committee is requested to:

- (1) Hear the complaint against the Subject Member and determine whether he has breached the Code of Conduct;
- (2) if the Committee considers that there has been a breach or breaches of the Code of Conduct, determine what sanction or sanctions, if any, should be applied; and
- (3) authorise the Monitoring Officer, in consultation with the Chair of Ethics Committee, to publish the Full Decision on the Council's website at the same time that copies are made available to the parties to the hearing.

List of Appendices included:

Appendix 1: Code of Conduct for Elected and Co-opted Members

Appendix 2: Complaints Protocol

Appendix 3 Hearings Procedure

Appendix 4: Report of Investigating Officer

Appendix 5: Written opinion of the Independent Person

Background papers: None

Other useful documents: 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: Hearing into Complaint under Code of Conduct

1. Context (or background)

- 1.1 The Council adopted the Code of Conduct for Elected and Co-opted Members (“the Code”) at its meeting on 3rd July 2012. An extract of the relevant parts of the Code can be found at **Appendix 1** to this report. In addition, the Ethics Committee on 17 March 2017 approved a Complaints Protocol for use when dealing with Code of Conduct complaints. This is attached at **Appendix 2 to this report**.
- 1.2 On 17 June 2020, eight separate individuals (the Complainants) made a formal complaint to the Monitoring Officer. The complaints were the same and can be found as **Enclosure 1 to the Investigator’s Report (Appendix 4 to this report)**.
- 1.3 The complaints are against Councillor Glenn Williams (“the Subject Member”) and allege that he is a “known racist, xenophobe, misogynist and homophobe”. The complaints alleged that the Subject Member had breached paragraphs 2b, 2c, 2d, 2e, 3(f), 3(h), 3(j) and 3(k) of the Code and that it was unacceptable that he “still holds office”.

Full details of the Complainants’ complaint are set out in Enclosure 1 to the Investigator’s Report (Appendix 4 to this report) and in section 2.3 of the investigation Report.

2. Initial Review of Complaints

- 2.1 In accordance with the Complainants Protocol, the Monitoring Officer carried out an initial review of the complaint and recommended that the complaints should be investigated. Her recommendations were accepted by the Independent Person and the Chief Executive on 30 July 2020.

3. Investigation into the Complaint

- 3.1 The Monitoring Officer conducted the investigation into the complaint (“the Investigating Officer”).
- 3.2 The Investigating Officer issued her report on 11 September 2020. She found that:
 - (a) Most of the examples of unacceptable conduct submitted by the Complainants either fell outside the timescale for consideration or had already been investigated and findings made.
 - (b) The matters raised in paragraph 2.3.8 of her report (comments about the use of water cannon on anti-racist protestors and “swarms” of illegal immigrants) were new matters that had not been previously considered.
 - (c) The use of the metaphor “swarm” was clearly in this context antagonistic and aimed to dehumanise. It was likely that the Subject Member was making provocative comments to amplify his views, however in his role as an elected member he should be more measured in his public pronouncements and should avoid divisive and inflammatory rhetoric.
 - (d) The Subject Member’s pattern and habit of making disrespectful and inflammatory use of social media undermines the role of elected members of the City Council. These pronouncements cross the boundary of acceptable respectful debate and are incendiary and offensive.

- 3.3 The Investigating Officer concluded that there was a prima facie case that the Subject Member did fail to comply with paragraphs 3(j) of the Council's Code of Conduct.

The full Report is attached at Appendix 4 together with the documents referred to in the Report.

4. Response to the Investigating Officer's Report

- 4.1 Under the Council's Complaints Protocol, all parties have an opportunity to consider the Report and make a formal response to the Report, if they so wish.

- 4.2 In this case the Complainants did not make any comment on the Report.

- 4.3 The Subject Member made the following comments:

"As you have not followed the City Council's protocol your investigation is invalid and should never have taken place. You have not given me the information to which I am entitled and therefore will have to make my own complaint to the Chairman of the Ethics Committee.

As your investigation is invalid I cannot make comments, nor can I engage in the process, nor will I be bound by anything the committee decides. They should decide to throw it out as you have not followed procedure."

- 4.4 The Council's Independent Person was provided with a copy of the Report and was asked to give his views on it. His written opinion is attached at **Appendix 5**.

5. Hearings Procedure

- 5.1 Attached to this report at **Appendix 3** is the Hearing Procedure that will be followed during the hearing into this complaint. The Chair will have the right to depart from the procedure where he or she considers it appropriate to do so.

6. Options Available to the Committee

- 6.1 At the end of the hearing, the Committee must consider whether the complaint has been upheld. The Committee may decide, on the information/representations before it that:
- The Subject Member has not failed to comply with the Code of Conduct
 - The Subject Member has failed to comply with the Code of Conduct in whole or in part.

- 6.2 In the event that the Committee finds that the Subject Member has failed to comply with the Code of Conduct, it must consider what sanctions, if any, it should apply. The sanctions available to the Committee are to:

- (i) decide to take no action;
- (ii) publish its findings in respect of the member's conduct;
- (iii) send a formal letter of censure to the member;

- (iv) report its findings to the Council either for information or to recommend censure of the member;
- (v) recommend to the member's Group Leader that the member be removed from any or all Committees or Sub-Committees of the Council (where applicable);
- (vi) recommend to the Leader of the Council that the member be removed from the Cabinet, or removed from particular portfolio responsibilities (where applicable);
- (vii) recommend the Monitoring Officer to arrange training for the member.

Any recommendation made under (v) to (vii) above will require the cooperation of all parties.

- 6.3 Where a Subject Member does not accept a sanction which has been imposed upon him/her by the Ethics Committee, the Monitoring Officer will submit a report to full Council which will then consider what action, if any, it should take as a result of the Subject Member's failure.

7. Results of consultation undertaken

- 7.1 Both the Complainants and the Subject Member have been consulted at each stage of these proceedings.

8. Timetable for implementing this decision

- 8.1 Any decisions of the Committee will be implemented within an appropriate time frame.

9. Comments from Director of Finance and Director of Law and Governance

- 9.1 Financial implications

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

- 9.2 Legal implications

The Council is required under Section 28 of the Localism Act 2011 to adopt a suitable Code of Conduct and to have in place arrangements under which allegations of failure to comply with the Code may be investigated and decisions on allegations can be made. The hearing into this complaint meets this requirement and assists the Council in promoting and maintaining high standards of ethical behaviour as is required under section 27 of the Act.

10. Other implications

- a. How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

Not applicable

- b. How is risk being managed?

Failure to consider and deal appropriately with complaints about councillors' behaviour could lead to damage to the Council's reputation as well as that of individual councillors. The hearing into this complaint is designed to ensure that the Council discharges its duty to promote and maintain high standards of conduct.

c. What is the impact on the organisation?

The hearing is to consider whether the behaviour of the Subject Member breached the Code of Conduct and as such will have no direct impact on the organisation. Nevertheless, the conclusions reached by the Committee may be relevant to other councillors.

d. Equality and Consultation Analysis (ECA)

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

e. Implications for (or impact on) climate change and the environment

None

f. Implications for partner organisations?

None

Report author:

Name and job title: Carol Bradford, Corporate Governance Lawyer, Regulatory Team

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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	Law and Governance	30.09.20	30.09.20
Names of approvers for submission: (officers and members)				
Finance: Graham Clark		Finance	23/09/20	24/09/20
Adrian West	Members and Elections Team Manager	Law and Governance	23/09/20	30.09.20
Members: Cllr Walsh	Chair of Ethics Committee		25/09/20	30.09.20

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www.coventry.gov.uk/councilmeetings

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Appendix 1: Code of Conduct for Elected and Co-opted Members (Extract)

PART 4A: CODE OF CONDUCT FOR ELECTED AND CO-OPTED MEMBERS COVENTRY CITY COUNCIL

I being a duly elected Councillor/Co-opted Member for Coventry City Council hereby declare that I will undertake my duties as follows:

1. I will represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.
2. As a holder of public office and as required by law I will behave in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in the Council:
 - a. Selflessness: I will act solely in terms of the public interest. I will not act in such a way as to gain financial or other material benefits for myself, my family, or my friends.
 - b. Integrity: I will not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.
 - c. Objectivity: I will make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.
 - d. Accountability: I am accountable for my decisions and actions to the public and must submit myself to whatever scrutiny is appropriate to my office.
 - e. Openness: I will be as open as possible about all the decisions and actions I take. I will give reasons for my decisions and restrict information only when the wider public interest or the law clearly demands.
 - f. Honesty: I will declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interests.
 - g. Leadership: I will promote and support these principles by leadership and example.
3. As a Member of Coventry City Council, I will act in accordance with the principles in paragraph 2 and, in particular, I will
 - (a) Champion the needs of residents - the whole community and all my constituents, including those who did not vote for me - and put the public interest first.
 - (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
 - (c) Not allow other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the City of Coventry or the good governance of the Council in a proper manner.
 - (d) Exercise independent judgement and not compromise my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a Member/Co-opted Member of this Authority.

(e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit.

(f) Be accountable for my decisions and cooperate when scrutinised internally and externally, including by local residents.

(g) Contribute to making the City Council's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding me and other Members to account but restricting access to information when the wider public interest or the law requires it.

(h) Behave in accordance with all my legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including on the use of the Council's resources.

(i) Value my colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

(j) Always treat people with respect, including the organisations and public I engage with and those I work alongside.

(k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Council.

(l) Not disclose information given to me in confidence by anyone or information acquired by me, which I believe, or ought reasonably to be aware, is of a confidential nature, without express authority and/or unless the law requires it.

Appendix 2

COVENTRY CITY COUNCIL ETHICS COMMITTEE

COMPLAINTS PROTOCOL

1. INTRODUCTION

- 1.1 This protocol sets out how a complainant (“Complainant”) may make a complaint (“Complaint”) that an elected Councillor or co-opted member of this Council, or of a parish council within its area, (“Councillor”) has failed to comply with their council’s Code of Conduct for Councillors (“Code”).
- 1.2 The protocol also sets out how the Council will deal with a Complaint.

2. THE CODES OF CONDUCT

- 2.1 The Council has adopted a Code of Conduct for Elected and Co-opted Members, which is available on the Council’s website.
- 2.2 Each parish council is also required to adopt a Code of Conduct. The parish councils’ Codes are available:
- (a) on any website operated by the respective parish council;
 - (b) on the City Council’s website (if we have been given a copy); or
 - (c) on request from the respective parish clerk (“Clerk”).

3. MAKING A COMPLAINT

- 3.1 In order to ensure that we have all the information which we need to be able to process a complaint, Complaints must be submitted on the standard Complaint Form, which can be downloaded from the Council’s website.
- 3.2 Complaints must be sent to the Monitoring Officer (see contact details below).
- 3.3 If a Complaint is received other than on the standard Complaint Form, we will not consider it but we will send the Complainant a copy of the form for completion. If anyone needs assistance completing the form, they can contact the Monitoring Officer.
- 3.4 Complainants should give us their name and a contact address or email address, so that we can acknowledge receipt of the Complaint and keep them informed of its progress. If a Complainant wants to keep their name and address confidential, they should indicate this on the standard Complaint Form. In this case we would not disclose their name and address to the Councillor without the Complainant’s prior consent. However, the Council does not normally investigate anonymous complaints or complaints where the Complainant wishes their details to remain confidential, unless there is a clear public interest in doing so.
- 3.5 Within 5 working days of receiving a Complaint, the Monitoring Officer will usually:

- (a) acknowledge receipt to the Complainant;
 - (b) send a copy of the Complaint to the Councillor, unless the Monitoring Officer considers that this may prejudice any investigation;
 - (c) send a copy of the Complaint to the Clerk (where the complaint relates to a parish councillor).
- 3.6 The Monitoring Officer will also notify the Councillor that they have the right to seek the views of the Independent Person (see paragraph 11 below). The Independent Person's contact details can be obtained from the Monitoring Officer (see contact details below).
- 3.7 The Monitoring Officer will keep the Complainant, the Councillor and the Clerk (where appropriate) informed of the progress of the Complaint, unless the Monitoring Officer considers that this may prejudice any investigation.

4. WILL THE COMPLAINT BE INVESTIGATED?

- 4.1 Where possible and appropriate, the Monitoring Officer will seek to resolve the Complaint informally, without the need for a formal investigation. Such informal resolution may involve the Councillor accepting that their conduct was unacceptable and offering an apology, or other remedial action by the Council or the respective parish council.
- 4.2 The Monitoring Officer will review every Complaint received and, in conjunction with the Chief Executive, take a decision as to whether it merits formal investigation. They will have regard to, but are not bound to follow, the guidelines set out in Appendix 1. This decision will normally be taken within 15 working days of receipt of the Complaint. Before making the decision, the Monitoring Officer and Chief Executive will consult with the leader of the political group to which the Councillor belongs (if appropriate) and will also consult with the Independent Person as to whether an investigation is appropriate. The Independent Person will be given an opportunity to review and comment on allegations which the Monitoring Officer and Chief Executive are minded to dismiss as being without merit, vexatious or trivial.
- When the Monitoring Officer has taken a decision, they will inform the Complainant, the Councillor and the Clerk (where appropriate) of their decision and the reasons for that decision.
- 4.3 Where the Monitoring Officer requires additional information in order to come to a decision, they may ask the Complainant, the Councillor or the Clerk (where appropriate) for such information. Where a Complaint relates to a parish councillor, the Monitoring Officer may also seek the views of the respective parish council before deciding whether the Complaint merits formal investigation.
- 4.4 If the Complaint alleges criminal conduct or breach of a regulation by any person, the Monitoring Officer has the power to call in the Police and/or other regulatory agencies. In such cases it may be necessary to postpone consideration of the Complaint until the Police or other action has been concluded.
- 4.5 If the Monitoring Officer decides not to investigate a Complaint, they will nevertheless report this to the next ordinary meeting of the Ethics Committee and to the relevant parish council (where appropriate) for information.

5. HOW IS AN INVESTIGATION CONDUCTED?

- 5.1 If the Monitoring Officer decides that a Complaint merits formal investigation, they will, where appropriate after consultation with the Independent Person, appoint an Investigating Officer who may be another senior officer of the Council, an officer of another Council or an appropriately experienced external investigator.
- 5.2 The Investigating Officer will decide whether they need to meet or speak to the Complainant to understand the nature of the Complaint and so that the Complainant can explain their understanding of events and suggest what documents the Investigating Officer needs to see, and who they need to interview.
- 5.3 The Investigating Officer would normally write to the Councillor and ask them to provide their explanation of events, and to identify what documents the Investigating Officer needs to see and who they need to interview. In exceptional cases, the Investigating Officer may delay notifying the Councillor until the investigation has progressed sufficiently.
- 5.4 At the end of the investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to the Complainant and to the Councillor, to give them both an opportunity to identify any matter in that draft report with which they disagree or which they believe requires more consideration. The Investigating Officer will aim to complete the draft report and circulate it for comment within 2 calendar months of being instructed by the Monitoring Officer.
- 5.5 Having received and taken account of any comments on the draft report, the Investigating Officer will send their final report to the Monitoring Officer.

6. WHAT HAPPENS IF THE INVESTIGATING OFFICER CONCLUDES THAT THERE IS NO EVIDENCE OF A FAILURE TO COMPLY WITH THE CODE OF CONDUCT?

- 6.1 The Monitoring Officer will review the Investigating Officer's report. If they are satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will send a copy of the Investigating Officer's final report to the Complainant, the Councillor, the Independent Person and the clerk of the parish council (where appropriate) and notify them that they are satisfied that no further action is required. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he or she may ask the Investigating Officer to reconsider their report.
- 6.2 The outcome of such investigations will be reported to the next ordinary meeting of the Ethics Committee and the relevant parish council (where appropriate) for information.

7. WHAT HAPPENS IF THE INVESTIGATING OFFICER CONCLUDES THAT THERE IS EVIDENCE OF A FAILURE TO COMPLY WITH THE CODE OF CONDUCT?

- 7.1 The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for a hearing by the Ethics Committee or, after consulting the Independent Person, seek Summary Resolution (see below).

Summary Resolution

- 7.2 The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, they will consult with the Independent Person and with the Complainant and seek to agree what they consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such a resolution may include the Councillor accepting that their conduct was unacceptable and offering

an apology, and/or other remedial action by the Council or the relevant parish council (where appropriate).

- 7.3 If the Councillor complies with the suggested resolution, the Monitoring Officer will report the matter to the Ethics Committee and the relevant parish council (where appropriate) for information but will take no further action.

Referral for Hearing

- 7.4 If the Monitoring Officer considers that Summary Resolution is not appropriate, or the Councillor does not comply with any suggested resolution, then the Monitoring Officer will refer the Investigating Officer's report to the Ethics Committee for a hearing to decide whether or not the Councillor has failed to comply with the respective Code of Conduct and, if so, whether to take any action in respect of the Councillor.

Hearing Procedure

- 7.5 The Monitoring Officer will conduct a "pre-hearing process", requiring the Councillor to give their written response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing.
- 7.6 The Chair of the Ethics Committee may issue directions as to the manner in which the hearing will be conducted.
- 7.7 The procedure for hearings is set out in Appendix 2: Hearing Procedure.
- 7.8 The Investigating Officer may ask the Complainant to attend the hearing to give evidence. The Complainant does not otherwise have the right to speak at the hearing, but they may usually attend as a member of the public.

8. WHAT ACTION CAN THE STANDARDS COMMITTEE TAKE WHERE A COUNCILLOR HAS FAILED TO COMPLY WITH THE CODE OF CONDUCT?

- 8.1 The Council has delegated to the Ethics Committee such of its powers to take action in respect of individual councillors as may be necessary to promote and maintain high standards of conduct.
- 8.2 The sanctions available to the Ethics Committee are set out in Appendix 2: Hearing Procedure.

9. WHAT HAPPENS AFTER A HEARING?

- 9.1 As soon as reasonably practicable, the Monitoring Officer will prepare a formal decision notice, in consultation with the Chair, and send a copy to the Complainant, the Councillor and the clerk of the parish council (where appropriate). They will also make that decision notice available for public inspection on the Council's website for at least 12 months after the hearing.

10. WHO ARE THE ETHICS COMMITTEE?

10.1 The Ethics Committee is a committee of the City Council. It is appointed by the City Council and comprises five Councillors and must reflect the political make-up of the council.

11. WHO IS THE INDEPENDENT PERSON?

11.1 The Independent Person is a person who has been appointed by a majority of all the Councillors on the City Council.

11.2 A person cannot be the Independent Person if they:

- (a) are, or have been within the past 5 years, a Councillor, co-opted member or officer of the Borough Council;
- (b) are or have been within the past 5 years, a Councillor, co-opted member or officer of a parish or town council within the Council's area, or
- (c) are a relative, or close friend, of a person within (a) or (b) above.

11.3 In 11.2(c) above, "relative" means:

- (a) A spouse or civil partner;
- (b) Someone living with the other person as husband and wife or as if they were civil partners;
- (c) A grandparent of the other person;
- (d) A lineal descendent of a grandparent of the other person;
- (e) A parent, sibling or child of a person within sub-paragraphs 11.3(a) or (b);
- (f) A spouse or civil partner of a person within sub-paragraphs 11.3(c), (d) or (e); or
- (g) Someone living with a person within sub-paragraphs 11.3 (c), (d) or (e) as husband and wife or as if they were civil partners.

11.4 The Independent Person is invited to attend all meetings of the Ethics Committee. Their views are sought and taken into consideration:

- (a) before the Monitoring Officer decides whether to investigate a Complaint in the circumstances set out in paragraph 4.2 above;
- (b) before the Monitoring Officer decides whether to refer an investigated Complaint for hearing or for Summary Resolution;
- (c) before the Committee takes any decision on whether the Councillor's conduct constitutes a failure to comply with the respective Code of Conduct; and
- (d) as to any action to be taken following a finding of failure to comply with the respective Code of Conduct.

11.5 The Independent Person can also be consulted by the Councillor.

12. APPEALS

12.1 There is no right of appeal for the Complainant or for the Councillor against a decision of the Monitoring Officer or of the Ethics Committee.

12.2 If someone feels that the City Council has failed to deal with a Complaint properly, they may make a complaint through the Council's ordinary complaints process. This process would not re-consider the original complaint but would consider the way in which that complaint had been handled.

13 REVISION OF THESE ARRANGEMENTS

13.1 The Ethics Committee may amend these arrangements and has delegated to the Chair of the Committee the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.

14 CONTACT DETAILS

14.1 The Council's Monitoring Officer is:

Julie Newman

Coventry City Council

Council House

Earl Street

Coventry

CV1 5RR

Tel: 024 7683 31606

Email: julie.newman@coventry.gov.uk

Appendix 1

ASSESSMENT GUIDELINES

The Monitoring Officer will have regard to these guidelines when deciding whether or not a Complaint should be investigated but they are not bound to follow them.

1. CIRCUMSTANCES WHERE THE MONITORING OFFICER MAY DECIDE TO ARRANGE A FORMAL INVESTIGATION

1.1 Where the allegation discloses a potential breach of the Code that the Monitoring Officer considers sufficiently serious to justify the time and cost of an investigation.

2. CIRCUMSTANCES WHERE THE MONITORING OFFICER MAY DECIDE THAT A COMPLAINT SHOULD NOT BE FORMALLY INVESTIGATED

- 2.1 Where it is possible and appropriate to resolve the Complaint informally, without the need for a formal investigation.
- 2.2 Where the Complaint is about someone who is no longer a Councillor.
- 2.3 Where the Complaint does not disclose a potential breach of the Code.
- 2.4 Where the information provided by the Complainant is insufficient to enable the Monitoring Officer to make a decision as to whether the Complaint should be referred for investigation or other action. In this case, the Complainant will be advised that it is possible to resubmit the Complaint with further information.
- 2.5 Where a substantially similar allegation has previously been made by the Complainant, or the Complaint has been the subject of an investigation by another regulatory organisation. In this case, the Monitoring Officer will only refer the Complaint for investigation or other action if they consider that there is a compelling reason to do so.
- 2.6 Where the Complaint is about something that happened more than 6 months ago, or where the lapse of time means there would be little benefit or point in taking action now. It is acknowledged, however, that where a delay has arisen as a result of criminal or other legal proceedings, or there are other good reasons for the delay, it may still be appropriate to refer the Complaint for investigation or other action.
- 2.7 Where the Complaint is anonymous or where the Complainant wishes to remain confidential unless the Monitoring Officer considers that there is a compelling reason to do so.
- 2.8 Where the Complaint discloses a potential breach of the Code of Conduct, but the Monitoring Officer considers that the Complaint is not serious enough to warrant further action.
- 2.9 Where the Complaint appears to be malicious, politically motivated or tit-for-tat, unless a serious matter is raised in the Complaint.

Appendix 2

HEARING PROCEDURE

1. BACKGROUND

- 1.1 This document sets out the procedure which the Ethics Committee will follow in hearing and determining allegations that a Councillor or co-opted member of the Council, or of a parish council within Coventry, has breached the respective council's Code of Conduct.
- 1.2 The purpose of the hearing is to decide whether or not a Councillor has failed to follow the respective Code and, if so, to decide whether or not any sanction should be imposed and what form any sanction should take.
- 1.3 The purpose of this document is to provide an efficient and effective hearing process that will help the Committee to deal with all the issues that need to be resolved in a way that is appropriate and fair to the Complainant and the Councillor. It will thereby promote public confidence in the Council's ability to deal fairly and properly with alleged breaches of the Codes of Conduct.
- 1.4 The procedure has been prepared with regard to relevant legislation, including the Localism Act 2011.

1.5 If there is any inconsistency between this procedure and the requirements of legislation the latter will prevail. Any matter not covered in this procedure will be determined by the Committee with regard to the relevant legislation.

2. INTERPRETATION

2.1 “Code” means the Code of Conduct for Councillors/Members of the respective Council.

2.2 “Councillor” means the councillor who is the subject of the allegation being considered by the Ethics Committee, unless stated otherwise. It also includes the Councillor’s nominated representative (if any).

2.3 “Independent Person” means the Independent Person appointed by the Council for this purpose (see paragraph 11 of the Complaint Procedures).

2.4 “Investigating Officer” means the person appointed by the Monitoring Officer to carry out the investigation. It also includes the Investigating Officer’s nominated representative (if any).

2.5 “Legal Adviser” means the officer responsible for providing legal advice to the Committee. This may be the Monitoring Officer, another legally qualified officer of the Council, or someone appointed for this purpose from outside the Council.

3. REPRESENTATION

3.1 The Councillor and/or the Investigating Officer may be represented or accompanied during the meeting by another person. However, a party to the hearing will only be permitted to be legally represented with the permission of the Committee.

4. LEGAL ADVICE

4.1 The Committee may take legal advice, in private if necessary, from its Legal Adviser at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the Committee should be shared with the Complainant, the Councillor and the Investigating Officer if they are present.

5. INTRODUCTIONS

5.1 The Chair will formally introduce all the members of the Ethics Committee and everyone else involved in the hearing.

6. PRELIMINARY MATTERS

6.1 The Legal Adviser will explain how the Committee is going to run the hearing and how witnesses will be dealt with (if any).

6.2 The Legal Adviser will also seek to resolve any preliminary issues before the hearing starts. If these cannot be agreed, the Committee shall decide them.

7. THE INVESTIGATING OFFICER’S CASE

7.1 The Investigating Officer will briefly describe the essence of the Complaint by reference to their report (including exactly what was alleged to have been said or done) and point out any significant disagreement as to the facts. The Investigating Officer may only introduce new matters with the agreement of the Committee.

7.2 With the Committee's permission, the Investigating Officer may then call such witnesses as are necessary to substantiate their conclusion that the Councillor has failed to comply with the respective Code.

7.3 The procedure for each witness shall be:

- (a) The Investigating Officer shall ask them questions;
- (b) The Councillor may ask them questions;
- (c) The Committee may ask them questions;
- (d) The Investigating Officer may ask them further questions to clarify matters raised by the Councillor and/or the Committee during their questioning.

7.4 The Committee may ask the Investigating Officer questions.

8. THE COUNCILLOR'S CASE

8.1 The Councillor will then have the opportunity to state their case by reference to their written response to the Investigating Officer's report. The Councillor may only introduce new matters with the agreement of the Committee.

8.2 With the Committee's permission, the Councillor may then call such witnesses as are necessary to substantiate their case.

8.3 The procedure for each witness shall be:

- (a) The Councillor shall ask them questions;
- (b) The Investigating Officer may ask them questions;
- (c) The Committee may ask them questions;
- (d) The Councillor may ask them further questions to clarify matters raised by the Investigating Officer and/or the Committee during their questioning.

8.4 The Committee may ask the Councillor questions.

9. SUMMING UP THE CASES

9.1 The Investigating Officer will then sum up their case.

9.2 The Councillor will then sum up their case.

10. THE INDEPENDENT PERSON'S VIEW ABOUT BREACH OF THE CODE

10.1 The Committee must take advice (orally or in writing) from the Independent Person before making a decision about whether or not the Councillor has breached the respective Code.

11. DECISION

11.1 The Committee will then decide whether or not they believe that the Councillor has failed to follow the respective Code.

11.2 The decision of the Committee will be announced in public and short reasons for the decision given.

12. IF THE COUNCILLOR HAS NOT FAILED TO FOLLOW THE CODE

12.1 If the Committee decides that the Councillor has not failed to follow the Code, the Committee may then consider whether to make any recommendations to the respective Council with a view to promoting high standards of conduct among councillors.

13. IF THE COUNCILLOR HAS FAILED TO FOLLOW THE CODE

13.1 If the Committee decides that the Councillor has failed to follow the Code, the Investigating Officer will be asked to make any representations about:

- (a) whether the Committee should apply a sanction; and, if so,
- (b) what form any sanction should take.

13.2 The Councillor will then be asked to make any representations about these matters.

13.3 The Committee may question the Investigating Officer and the Councillor to make sure that they have the information they need in order to make an informed decision.

13.4 The Committee must take advice (orally or in writing) from the Independent Person before making a decision about any sanction.

13.5 The Committee may impose one or more of the following sanctions:

- (a) Publish its findings in respect of the Councillor's conduct;
- (b) Report its findings to the Council or to the respective parish council (where appropriate) for information;
- (c) Recommend to the Councillor's political group leader (or in the case of councillors who are not part of a political group, recommend to the respective Council or Committees) that they be removed from any or all Committees or Sub-Committees of the respective Council;
- (d) Recommend to the Leader of the Council that the Councillor be removed from the Cabinet, or removed from particular portfolio responsibilities;
- (e) Recommend to the Council that the Leader of the Council should be removed as Leader;
- (f) Instruct the Monitoring Officer, or recommend the respective parish council (where appropriate), to arrange training for the Councillor and/or other councillors;
- (g) Recommend to the Council, or to respective parish council, that the Councillor be removed from all outside appointments to which they have been appointed or nominated by the Council or by the respective parish council;
- (h) Withdraw, or recommend to the respective parish council that it withdraws, facilities provided to the Councillor by the relevant Council, such as a computer, website and/or email and internet access; or
- (i) Exclude, or recommend to the respective parish council that it excludes, the Councillor from the relevant Council's offices or other premises, with the exception of meeting rooms which are necessary for attending Council, Committee and Sub-Committee meetings.

13.6 The Council has no power to suspend or disqualify the Councillor nor to withdraw councillors' basic or special responsibility allowances.

13.7 The Committee may impose a sanction to begin immediately or within a period of six months after the imposition of the sanction.

Appendix 3

Hearing Procedure for Ethics Committee on 8 October 2020–Councillor G Williams

1. The Chair will confirm that the Committee has the report before them and has read the report and appendices. The Chair will confirm the attendance of the Investigator (Julie Newman) and the Independent Person (Steve Atkinson).
2. The Chair will invite the Investigator Ms Newman to outline her investigation.
3. The Chair will then invite Councillor Williams to ask any questions of the Investigator. The Committee will then be asked if they have any questions for Ms Newman.
4. Councillor Williams will then be invited to state his case. The Chair will then invite Ms Newman to ask any questions of Councillor Williams. The Committee will then be asked if they have any questions for Councillor Williams.
5. The Chair will invite Ms Newman to sum up.
6. The Chair will invite Councillor Williams to sum up.
7. The Chair will ask the Independent Person, for his advice.
8. The Committee will adjourn to make a decision about whether or not Councillor Williams has breached the Code and will provide reasons for the formal decision notice.
9. The Committee will return and advise the Chair of their decision who will then announce the decision with short reasons for the decision.
10. If the Committee decides that the Councillor has not failed to follow the Code, the Committee may then consider whether or not to make any recommendations to Council with a view to promoting high standards of conduct amongst councillors.
11. If the Committee finds that Councillor Williams has breached the Code of Conduct, then the Committee will move on to consider whether or not any sanctions should be imposed.
12. The Chair will ask Councillor Williams to make any representations on the question of sanctions.
13. The Committee can ask for more information from either the Councillor or the Investigator in relation to the imposition of sanctions.
14. The Chair will ask the Independent Person for his views on the imposition of sanctions.
15. The Committee will adjourn to consider whether or not any sanctions should be imposed and what they should be
16. The Committee will advise the Chair of their decision on sanctions and the Chair will announce the decision.

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Member Code of Conduct: Consideration of a Complaint

Complaint by: 8 complainants

Complaint against: Councillor G. Williams

Enclosures to this memo are: -

- (a) Original complaint dated 17th June 2020
- (b) Investigation report dated 28th October 2016
- (c) Ethics Committee minutes dated December 2016
- (d) Investigation report dated 8th March 2020
- (e) Ethics Committee minutes dated July 2020

Introduction

The Council's Complaints Protocol relates to how a complaint made against an elected member should be dealt with. As the Monitoring Officer following consultation with the Independent Person, I concluded that the complaints merited formal investigation. This report is the outcome of my investigation.

1. Summary of Complaint

- 1.1 The complaint has been made by eight separate individuals, but the content of each of the complaints is the same. The complainants consider that Councillor Williams is “a known racist, xenophobe, misogynist, and homophobe” and believe that it is unacceptable that he “still holds office”.
- 1.2 As the monitoring officer I have determined that this matter should move to the Stage 2 of the complaints protocol and this approach has been agreed by the Independent Person appointed in this matter.

2. Background and detail regarding the Complaint

- 2.1 Copies of the original complaint are enclosed with this report as are the previous reports and Ethics Committee minutes that relate to matters that the complainants have raised but which have already been considered by the committee.

2.2 The Complainants allege that Councillor Williams has breached the following principles set out in the Member Code of Conduct (Code of Conduct). These are the following sections of paragraphs 2 and 3:

2.2.1 2. b. Integrity: I will not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.

2.2.2 2. c. Objectivity: I will make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.

2.2.3 2. d. Accountability: I am accountable for my decisions and actions to the public and must submit myself to whatever scrutiny is appropriate to my office.

2.2.4 2. e. Openness: I will be as open as possible about all the decisions and actions I take. I will give reasons for my decisions and restrict information only when the wider public interest or the law clearly demands.

2.2.5 3. (f). Be accountable for my decisions and cooperate when scrutinised internally and externally, including by local residents

2.2.6 3. (h) Behave in accordance with all my legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including on the use of the Council's resources

2.2.7 3 (j.) Always treat people with respect, including the organisations and public I engage with and those I work alongside.

2.2.8 3 (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Council.

2.3 In support of their allegations the complainants raise a number of matters that are considered individually below:-

2.3.1 The complainants consider that Councillor Williams does not adhere to the code around demonstrating Integrity as he is "clearly influenced by Donald Trump and US politics"

- 2.3.2 The complainants consider that Councillor Williams does not adhere to the code around Objectivity as “Due to William's bigotry I do not trust that he will make objective decisions based on merit as he has prejudiced views towards people of colour, immigrants, the LGBTQ+ community, women, and the working class”
- 2.3.3 The complainants consider that Councillor Williams does not adhere to the code around Accountability as “ Williams has faced numerous calls to resign, petitions, complaints but still hold office despite what the public, the people he serves, think.”
- 2.3.4 The complainants consider that Councillor Williams does not adhere to the code around Openness as “after being asked questions on his work twitter account he responds with 'I'm not required to give you a response’”.
- 2.3.5 The complainants consider that Councillor Williams does not adhere to the code around behaving in accordance with all legal obligations as he does not comply with the Equality Act 2010 that “protects people from discrimination, harassment and victimisation on the basis of their 'protected characteristics’”.
- 2.3.6 The complainants consider that Councillor Williams does not treat people with respect as “He has not treated the public with respect. It would be hard to find a defence against racist and homophobic views”
- 2.3.7 The complainants in their complaint give examples as to when they consider Councillor Williams has breached the Code as outlined above from his comments as follows.

“he does not "believe in multiculturalism”

- he claimed non-English speaking immigrants were “taking over” the country and should “go home”

- he said Enoch Powell, who incited violence against immigrants in his 1968 "Rivers of Blood" speech, was right

- he then said "I stand by anything I say and I can defend myself on anything I say" which is NOT an apology, breaching 1(d) in the Council's Code of Ethics.

- he said 'that the UK will be "overrun with kebab shops" if Turkey joined the EU'

- he said two women kissing was 'pornography'

- he said the city should teach 'traditional family values' and 'not how to be promiscuous' in response to inclusive sex education

2.3.8 The complainants in their complaint give examples as to when they consider Councillor Williams has breached the Code as outlined above from his twitter comments as follows:

"He tweeted this about anti-racist protesters, in response to a question asking how people would deal with them: 'Glenn Williams @Glenn_Williams1

.

Jun 6

WATER CANNONS!! Khan really is the worst Mayor, ever!' This features a photograph of Margaret Thatcher, referencing the horrendous treatment of striking miners in 1984.

He tweeted this about the refugee crisis which I stress is a crisis and not an invasion: 'Glenn Williams @Glenn_Williams1

.

May 25

If only the press would spend as much time, indeed ANY time, reporting on the SCANDAL of illegal immigrants arriving on our shores in swarms!" " "

- 2.4 Councillor Williams chose not to respond to the complaints as he was concerned that they were vexatious and before agreeing to respond wished for confirmation of the complainant's names and addresses. Councillor Williams was not prepared to provide confirmation that he would not pass on these personal details to any third person and as a result I did not consider in the circumstances that the information should be disclosed.

3. Analysis of Complaint

- 3.1 The Code of Conduct only applies to councillors when they are acting in their capacity as an elected member or holding themselves out to be a councillor. In this case the behaviour took place in public either in a Council meeting or on a social media where Councillor Williams clearly refers to his role as a Councillor. His twitter description describes him as "Councillor for Bablake ward, Coventry. True Brexit. Working hard to protect our Greenbelt. Making Bablake great again. Coventry's Countryside Mayor".
- 3.2 In considering this complaint the concerns outlined by the complainants have been considered, Councillor Williams has had the opportunity to respond, I have reread the previous investigations and Ethics Committee minutes and viewed Councillor Williams twitter feed.
- 3.3 The complainants are concerned about a breach of the code as outlined in 2.3 above. There concerns stem from what they consider Councillor Williams believes making it inappropriate for him to be an elected member representing Coventry residents.
- 3.4 In support of these allegations the complainants give examples. The examples provided in paragraph 2.3. 1 – 2.3.7 either fall outside of the timescale for consideration as a complaint or have already been investigated and findings made. A copy of these investigations and the minutes of the ethics committee meetings that considered these investigations are attached
- 3.5 The matters raised in paragraph 2.3.8 are however new matters that have not previously been considered and it is these matters that are been considered now as part of this Stage 2 investigation.
- 3.6 Councillor Williams' use of social media can often be provocative and this can be challenging and cause offence to some residents. Councillor Williams' position is that his views are his own and if people do not like them they should not follow him on social media. This position is however difficult when you are in a position of public office and you should be held accountable and open to scrutiny. Councillor Williams also clearly uses social media as a tool to provide information about his work as a Councillor. The complaint alleges that Councillor Williams did not treat people with respect. "Respect" is not defined in the Council's Code of Conduct but must be viewed objectively. Account should be taken of the councillor's intent in their conduct and how their behaviour would

reasonably be perceived by the public and the individual. Conduct that is unreasonable, unwarranted and personalised, may be perceived to be disrespectful

- 3.7 Councillor Williams suggested the use of Water Cannons reacting to a discussion thread about protests that had taken place in London that day.

Glenn Williams
[@Glenn_Williams1](#)

WATER CANNONS!! Khan really is the worst Mayor, ever!

Water cannons are not used in the UK for a number of reasons including “ the possibility to cause primary, secondary and tertiary injuries, including musculoskeletal injuries such as spinal fracture, as well as other serious injuries such as concussion, eye injury and blunt trauma.” (Home Secretary’s oral statement on use of Water cannons – July 2015)

Councillor William’s comment received a response which is still live and is copied below. These are of course not Councillor William’s words but demonstrates the inflammatory response the such discourse can generate.

Replying to

[@Glenn_Williams1](#)

Water cannons are for wimps. Medium machine guns at least.

- 3.8 A few weeks before (25th May) he made his statement on Twitter about water cannons Councillor Williams was commenting about press coverage of an incident relating to a government advisor and tweeted:

Glenn Williams
[@Glenn_Williams1](#)

If only the press would spend as much time, indeed ANY time, reporting on the SCANDAL of illegal immigrants arriving on our shores in swarms!

When questioned on twitter about his comments on the 27th May Councillor Williams repeated the comment saying:

“Flattered you hang on my every word! I'm more concerned with the swarms of illegal immigrants that are being escorted to the Kent coast.”

3.9 Councillor Williams has not provided any reasons for his postings and it is regrettable that he made the decision not to respond to the complaints made. The use of the metaphor “swarm” is clearly in this context antagonistic and aims to dehumanise. It is likely he was making provocative comments to amplify his views however in his role as an elected member he should be more measured in his public pronouncements and should avoid divisive and inflammatory rhetoric. It is my view that Councillor William’s pattern and habit of making disrespectful and inflammatory use of social media undermines the role of elected members of the City Council. These pronouncements cross the boundary of acceptable respectful debate and are incendiary and offensive.

3.10 Having considered each of the alleged breaches of the Code there is evidence of a prime facie case that Councillor Williams has breached paragraph 3 (j) of the Code.

4. Recommended Action

It is therefore recommended that this matter be considered by the Ethics Committee to determine if there has been a breach as this investigation purports.

[Redacted signature]

.....Julie Newman, Monitoring Officer

Date: 11/09/20

Enclosure 1

The form **Councillor complaint** has been submitted.

The reference number is **FS218457546**.

This form was created by the E-Communications team. If you'd like to make any changes to this form, please email webeditors@coventry.gov.uk.

Please consider the complaint I have described in this form and in the evidence attached. I understand and accept that the details will normally be disclosed to the Member, particularly if the matter goes forward for investigation. I understand the complaint will be processed in accordance with the Council's Complaints Protocol. Please tick to confirm.: Yes

Date: 17/06/2020

Name of individual(s) : Glenn Williams

Name of their Authority(ies): Coventry City Council

Do you work for the Authority(ies) listed above? : No

Are you are a Member of the Authority(ies) listed above?: No

1. WHO is the complaint about? - if it is more than one person name them all. :
Councillor Glenn Williams

2. WHY are you complaining about them? - say what went on, how you felt about it and why you think it is unacceptable or inappropriate. : Glenn Williams is a known racist, xenophobe, misogynist, and homophobe. He does not represent me or most people in my ward. We are aware that petitions have been made against Cllr Williams before but during this time of racial tension and what is perhaps the largest civil rights movement in history, it is unacceptable that Cllr Williams still holds office.

In 2016 Glenn Williams expressed racist and xenophobic sentiments and was suspended from the Conservatives however was still allowed to stand as an Independent.

Furthermore in 2020 Glenn Williams expressed homophobic sentiments at a council meeting.

His twitter account, which is not a personal account, is filled with messages of hate and expressing sympathy with Donald Trump, a known racist and misogynist.

I feel disgraced that he still is allowed to represent me and my fellow Coventry residents whilst holding these views. It is unacceptable to be in a position of authority and care and hold such prejudiced and biased beliefs.

3. WHICH part of the Member's Code of Conduct are you alleging has been broken? Please be specific and if necessary, reference the paragraph. : '1(b)

Integrity: I will not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.' - Williams is clearly influenced by Donald Trump and US politics.

'1(c) Objectivity: I will make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits' - Due to William's bigotry I do not trust that he will make objective decisions based on merit as he has prejudiced views towards people of colour, immigrants, the LGBTQ+ community, women, and the working class.

'1(d) Accountability: I am accountable for my decisions and actions to the public and must submit myself to whatever scrutiny is appropriate to my office.' Williams has faced numerous calls to resign, petitions, complaints but still hold office despite what the public, the people he serves, think.

'1(e) Openness: I will be as open as possible about all the decisions and actions I take. I will give reasons for my decisions and restrict information only when the wider public interest or the law clearly demands.' - after being asked questions on his work twitter account he responds with 'I'm not required to give you a response.'

'3(f) [I will] (f) Be accountable for my decisions and cooperate when scrutinised internally and externally, including by local residents.' See above, 1(d).

As stated on the Coventry City Council Website, "The Equality Act 2010 protects people from discrimination, harassment and victimisation on the basis of their 'protected characteristics', which are:

age
race
disability
sex
gender reassignment
sexual orientation
religion or belief (or lack of religion or belief)
pregnancy and maternity
marriage or civil partnership"

With this in mind, Williams has breached 3(h): 'Behave in accordance with all my legal obligations, alongside any requirements contained within the Council's policies, protocols and

procedures, including on the use of the Council's resources.'

'3(j) Always treat people with respect, including the organisations and public I engage with and those I work alongside' He has not treated the republic with respect. It would be hard to find a defence against racist and homophobic views.

4. WHAT did they do? If it relates to their language or behaviour write down what they actually said/did as you need to say what they did that was unacceptable to you : -he does not "believe in multiculturalism"

- he claimed non-English speaking immigrants were "taking over" the country and should "go home"

- he said Enoch Powell, who incited violence against immigrants in his 1968 "Rivers of Blood" speech, was right

- he then said "I stand by anything I say and I can defend myself on anything I say" which is NOT an apology, breaching 1(d) in the Council's Code of Ethics.

<https://www.bbc.co.uk/news/uk-england-coventry-warwickshire-36905045>

- he said 'that the UK will be "overrun with kebab shops" if Turkey joined the EU'

<https://www.mirror.co.uk/news/uk-news/tory-councillors-whatsapp-messages-said-8422031>

- he said two women kissing was 'pornography'

- he said the city should teach 'traditional family values' and 'not how to be promiscuous' in response to inclusive sex education

<https://attitude.co.uk/article/coventry-city-councillor-called-to-resign-after-suggesting-lgbtq-people-are-promiscuous/22647/>

He tweeted this about anti-racist protesters, in response to a question asking how people would deal with them: 'Glenn Williams

@Glenn_Williams1

.

Jun 6

WATER CANNONS!! Khan really is the worst Mayor, ever!' This features a photograph of Margaret Thatcher, referencing the horrendous treatment of striking miners in 1984.

He tweeted this about the refugee crisis which I stress is a crisis and not an invasion:

'Glenn Williams

@Glenn_Williams1

.

May 25

If only the press would spend as much time, indeed ANY time, reporting on the SCANDAL of illegal immigrants arriving on our shores in swarms!

5. WHEN did this take place? Be specific on the dates and times otherwise it becomes very difficult to investigate (if that is what happens) : July 2016, January 2020, dates of tweets are included above.

6. WHERE? - be specific where it all took place - give the address and also the details of the venue - was it in a meeting room/corridor/in the street/in the pub etc. :

On Whatsapp, in council meetings, on his Twitter public platform.

7. WITNESS - who else was there and heard what went on - you need to name the persons who can potentially be asked questions about the incident : This was all public.

8. Evidence (if this applies). Attach to this form copies of any correspondence, documents, names and details of witnesses and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint. :

Your ethnic origin: White

Enclosure B



Appendix 1 -
UPDATED.pdf

Enclosure C

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=161&MIId=11059&Ver=4>

Enclosure D

<https://edemocracy.coventry.gov.uk/documents/s47628/04a%20-%20Appendix.pdf>

Enclosure E

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=161&MIId=12295&Ver=4>

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Appendix 5: Written Opinion of the Independent Person

When contacted by the Monitoring Officer, I agreed to be the Independent Person for this Complaint and that I would make myself available for contact from Cllr Williams, should he wish to discuss the matter with me. Cllr Williams has not contacted me.

I have had sight of the report would comment that:

- The conclusion that Cllr Williams' use of the term 'swarms' aims to 'dehumanise' is a fine one and I am not sure that it should be seen as antagonistic; although, from my previous knowledge of Cllr Williams - in a private meeting and from his attendance at the Ethics Committee - it is likely that Cllr Williams intended his intervention to be provocative.

- Taken together, I have reservations about the view that the two comments are 'incendiary', although they are very likely to 'offend' the average person.

- Where I think that there is a more major breach is the fact that he is - unreasonably - electing not to engage with the complaints process; which puts him in potential breach of sections 2(d) and 3(f) of the Code, in that he is not accepting accountability and scrutiny of his actions. As explained in the report, and as evidenced by his email response (which should be shared with the Committee), he does not have good reason not to cooperate.

- I think that the history of previous Complaints against Cllr Williams and the decisions made by the Ethics Committee in relation to his behaviour is relevant also and should be taken into account in considering this latest Complaint, as a pattern has been established. Although the sanctions available to the Ethics Committee, should it decide to take action, are limited, it is not in the interest of the Council's reputation that such continued breaches are perceived to be condoned.

My recommendation is that Cllr Williams has committed a breach in his use of language (albeit not major) - as he has done before - but that, having done so, he has committed a much greater and clearer breach by his non-cooperation with the investigation into the Complaint; thereby compounding the level of his non-compliance with the Code of Conduct.

I hope that these comments are helpful to the Ethics Committee in its deliberation on this Complaint.

Steve Atkinson
Independent Person
24 September 2020

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Public report
Ethics Committee
Council

Ethics Committee
Council

8 October 2020
20 October 2020

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

None

Title: Annual Report of Ethics Committee 2019/20

Is this a key decision?

No

Executive Summary:

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

- Work that the committee has carried out on the Committee on Standards in Public Life's best practice recommendations
- Training for parish councils
- Amendments to the Complaints Protocol

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 2020/21 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 to:

- (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 2019/20

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 fourth 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 2019/20, the membership of the Committee was Cllr Walsh (Chair), Cllr Andrews, Cllr Hetherington, Cllr John Mutton and Cllr Welsh. 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 2 scheduled meetings in 2019/20 along with a special meeting to consider a Code of Conduct matter. Two meetings were cancelled, one of which was because of the Covid-19 outbreak.

2.2 Code of Conduct Complaints

The Council received a total of 18 new formal complaints against councillors in the municipal year 2019/20. One complaint was against someone who is not a councillor and one was a service complaint. The other 16 complaints were against city councillors with no complaints against parish councillors. There was 1 complaint by a city councillor against another city councillor. Six of the complaints related to one councillor.

One complaint related to all councillors but did not fall within the councillor complaints process. In two cases the complainants withdrew their complaints.

Of the 13 remaining cases, the Chief Executive and Monitoring Officer decided to take no further formal action in 6 cases.

Six cases were referred to an external investigator as they all related to the same incident involving one councillor. The investigator's report was considered by the Committee at its meeting on 23 July 2020. The remaining case is in progress.

During the year, the Committee held one Code of Conduct hearing into a complaint which was ongoing at the start of the municipal year.

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

The Committee on Standards in Public Life (CSPL) published its report on its review of ethical standards in local government in late January 2019.

The report also included a list of 15 Best Practice Recommendations which it considered that all councils could, 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 has spent some time at each of its meetings in 2019/20 reviewing the Council's progress in putting these best practice recommendations into action.

2.4 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 normally reviews these registers on average twice a year. However, because the March 2020 meeting had to be cancelled, it only reviewed registers for the first 6 months of 2019.

2.5 Parish Councils

During the early part of the year the Monitoring Officer and Deputy Monitoring Officer offered all three parish councils the opportunity to attend training on the Code of Conduct. A session was arranged for Keresley Parish Council in July 2019.

2.6 Other Work

The Committee has continued to receive regular reports on ethical standards cases across the country. It has also considered reports on:

- The result of an independent report into decision making at Birmingham City Council; and
- Amendments to the Complaints Protocol to require consultation with an Independent Person at the initial review stage of a complaint.

2.7 Work Programme for 2020/21

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 is looking at work in the following areas:

- Its response to the Local Government Association consultation on the draft Model Code of Conduct
- The development and approval of a travel and conference policy
- Monitoring, and responding to, the Local Government Association's work on civility in public life
- The work of a member/officer group which is developing a local response to the LGA's guidance on intimidation in public life
- Employee values

The Committee will continue to monitor progress on any outstanding issues relating to the Committee on Standards in Public Life's best practice recommendations for local authorities.

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.

Council is recommended to

- (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.

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 Director of Law and Governance

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, Regulatory Team, Legal Services

Directorate: Law and Governance

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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	Law and Governance	11/09/20	14/09/20
Names of approvers for submission: (officers and members)				
Finance: Graham Clark	Lead Accountant	Finance	11/09/20	14/09/20
Legal: Julie Newman	Director of Law and Governance	Law and Governance	11/09/20	15/09/20
Councillor Walsh	Chair of Ethics Committee		16/09/20	16/09/20

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Ethics Committee

8 October 2020

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

None

Title:

Committee on Standards in Public Life: Annual Report for 2019-20

Is this a key decision?

No

Executive Summary:

This report is to outline the matters raised in the Annual Report for 2019- 2020 of the Committee on Standards in Public Life and to inform the Ethics Committee of relevant matters of concern in their work area on a national level.

Recommendations:

The Ethics Committee is recommended to

- (1) note the content of the report and consider any points upon which it may wish to take action; and
- (2) request the Monitoring Officer to continue to monitor the national picture as regards standards and report back on any issue which may be of relevance to the Council on a local level.

List of Appendices included:

None

Other useful background papers: Committee on Standards in Public Life Annual Report July 2019-June 2020

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/902998/CSPL_Annual_Report_2019-2020.pdf

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: Committee on Standards in Public Life: Annual Report 2019-20

1. Context (or background)

1.1 The Committee on Standards in Public Life ('the CSPL') was set up in 1994. It monitors, reports and makes recommendations on all issues relating to standards in public life. This includes not only the standards of conduct of holders of public office, but all those involved in the delivery of public services. Its purpose is to help promote and maintain ethical standards in public life and thereby to protect the public interest through:

- monitoring standards issues and risks across the United Kingdom (by invitation in the devolved areas);
- conducting inquiries and reviews and making practical and proportional recommendations that are generally implemented;
- researching public perceptions on standards issues relating to specific areas of concern, and also over time.

Its terms of reference make it clear that it encompasses all involved in the delivery of public services, not solely those appointed or elected to public office.

1.2 Whilst it is a national body, having an overarching concern about public standards, its views and recommendations can be taken in account by local government and other organisations delivering public services when designing, implementing and monitoring their own ethical standards regime. The CSPL has undertaken and been involved in 4 key pieces of work in their financial year 2019-2020 (to which this report relates):

- AI and Public Standards
- Local Government Ethical Standards-follow up
- Intimidation in Public Life- follow up; and
- Parliament: Bullying and Harassment

In addition, the Committee organised some events and activities to mark its 25th anniversary in October 2019.

1.3 This report gives a very brief overview of the main areas of work of the CSPL over the last 12 months.

2 Options considered and recommended proposal

2.1 *Local Government Ethical Standards—follow up*

2.1.1 The Committee has followed up its report (published in January 2019) by liaising with leadership organisations in local government, the Local Government Ombudsman and the Ministry of Housing, Communities and Local Government.

2.1.2 The Committee has expressed its pleasure that a draft Model Code of Conduct has been produced for consultation by the Local Government Association but has noted that it awaits the government's formal response to its report.

2.1.3 The Committee still intends to review local council's take up of its best practice recommendations, but in view of the pandemic, has deferred this to later in the year.

N.B. Since the CSPL's report was drafted, it has now written to all local authorities to say that it will be contacting them in the autumn.

2.2. *Artificial Intelligence and Public Standards*

2.2.1 A major review into artificial intelligence and public standards was the main focus of the Committee's work. This is relevant as technologically assisted decision-making is adopted more widely across the public sector.

2.2.2 The report was published in February 2020 and concluded that the government is currently failing on openness regarding its use of new technology, and that risks need to be mitigated to uphold accountability and openness. It found that regulators will need to adapt to a new data-driven world, and that a central body is needed to assist this process.

2.2.3 The report was well-received, and the Committee is awaiting the government's formal response.

2.3 *Intimidation in Public Life*

2.3.1 The Committee's report on a review of intimidation in public life, with particular reference to the experience of Parliamentary candidates at the 2017 General Election was published in December 2017.

2.3.2 The report made 33 recommendations to government, social media companies, political parties, press organisations, MPs, candidates and other public office-holders. The Government responded formally to the report on 7 March 2018 committing to action on most of the recommendations made to government and again in March 2019, updating action taken in response to the report

2.3.3. The Committee has received further correspondence from social media companies and attended meetings with the Parliamentary authorities to discuss the security offer to MPs. The Chair has written a blog post and given media interviews on the impact of intimidation on democracy. In September the Chair wrote an open letter to all public office holders on the tone of public debate and the importance of upholding public standards.

2.3.4 The Committee continued its partnership with The Jo Cox Foundation and during the December 2019 General Election campaign, jointly published a 3- point pledge calling on all candidates to pledge to:

- set an appropriate tone when campaigning
- lead by example to foster democratic debate
- promote and defend the dignity of others, including opponents.

The pledge had significant pick-up on social media and was endorsed by candidates from across the parties.

2.4 *Parliament: Bullying and Harassment*

2.4.1 The Committee has continued to take a close interest in the response of the Parliamentary authorities to the independent assessments of what must be done to address bullying and harassment in both Houses of Parliament. While progress has been slow, there have been significant developments this year. These included:

- The opening up of the Independent Complaints and Grievance Scheme to those who either have complaints pre-dating June 2017 or are no longer employed in the parliamentary community.
- Consultation on the implementation of a fully independent process for determining complaints of bullying, harassment or sexual harassment in the Commons.
- Approval by the House of Commons Commission of plans to establish a new Independent Expert Panel to ensure that complaints relating to bullying and harassment in the Commons are determined entirely independent of MPs.
- In the Lords, a new Conduct Committee has been appointed.

Long lasting cultural change takes time and the Committee will continue to actively monitor progress.

2.4.2 The Committee has continued to hold meetings with senior people in Parliament responsible for delivering change and providing visible leadership in building a culture of respect and value across both Houses.

2.5 *Future Work*

2.5.1 The Committee's plans for further work this year has been affected by the Covid-19 pandemic. Nevertheless, it will maintain an active watching brief over the coming year (2020/21) on the impact of Covid-19 on standards in local and national government and intends to contribute to reviews and inquiries on these issues. The Committee has also announced that it will undertake a new review into electoral regulation.

2.6 *Recommendations*

The Ethics Committee is recommended to

- (1) note the content of the report and consider any points upon which it may wish to take action; and
- (2) request the Monitoring Officer to continue to monitor the national picture as regards standards and report back on any issue which may be of relevance to the Council on a local level.

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 Not applicable

5. Comments from Director of Finance and Director of Law and Governance

5.1 Financial implications

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

5.2 Legal implications

The Council's current standards regime complies fully with the Localism Act 2011. However, the implications of the Annual Report are that the Ethics Committee may wish to continue to monitor how the follow up work on the report on local government ethical standards progresses.

6. Other implications

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 the Ethics Committee may wish to consider the wider impact of the damage to public confidence in the elected membership of the Council if the ethical standards framework is not perceived as transparent and effective.

6.3 What is the impact on the organisation?

There is no immediate impact on the organisation.

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

Report author(s): Carol Bradford

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

Directorate: Law and Governance

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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	Law and Governance	14/09/20	
Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Finance	11/09/20	14/09/20
Julie Newman	City Solicitor and Monitoring Officer	Law and Governance	11/09/20	15/09/20
Cllr Walsh	Chair, Ethics Committee		16/09/20	16/09/20

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Ethics Committee

8 October 2020

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

None

Title: Review of Officers' Gifts and Hospitality 1 July 2019 to 30 June 2020

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. The report for the six months to 30 December 2019 was due to be considered by the Committee at its meeting in March 2020, which was cancelled. This report therefore sets out the entries in the Registers for the period 1 July to 30 June 2020.

Recommendations:

The Ethics Committee is recommended to consider the entries of gifts and hospitality received by officers for the 12 months ending 30 June 2020 and make any recommendations that it considers appropriate.

Appendix included: Table of Gifts and Hospitality received by Officers: 1 July 2019 to 30 June 2020

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 Officers' Gifts and Hospitality 1 July 2019 to 30 June 2020

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. Because the March 2020 meeting was cancelled, it was not possible for the Committee to consider the report on gifts and hospitality received in the 6 months ending 30 December 2019. This report therefore covers the period 1 July 2019 to 30 June 2020.

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 Officers have been asked to provide details of gifts and hospitality received during the 12 months ending 30 June 2020. The declarations are set out in the Table in the Appendix to this report. There have been no declarations of gifts and hospitality since just before nationwide restrictions were imposed in March.

Recommendation:

The Ethics Committee is recommended to consider the entries of gifts and hospitality received by officers for the 12 months ending 30 June 2020 and make any recommendations that it considers appropriate.

3. Results of consultation undertaken

Officers were asked to provide details of their registers.

4. Timetable for implementing this decision

4.1 Not applicable.

5. Comments from Director of Finance and Director of Law and Governance

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: Carol Bradford

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

Directorate: Law and Governance

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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	Law and Governance	14/09/20	14/09/20
Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Finance	11/09/20	14/09/20
Julie Newman	Director of Law and Governance	Law and Governance	11/09/20	15/09/20
Cllr Walsh	Chair, Ethics Committee		16/09/20	16/09/20

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APPENDIX 1: REGISTER OF OFFICER GIFTS AND HOSPITALITY 1 JULY 2019 TO 30 JUNE 2020

Officer	Date	Description	G or H?	£	Provided by	Justification	Any conflict or future tender?	Approved by	Date
Chief Executive's Office									
Chief Executive	15.08.19	Lunch at The Botanist, Birmingham	H	£50	Shearer Property Group	To discuss transition and future arrangements for key developments in the city.	No	N/A	N/A
Chief Executive	11.09.19	One night complimentary accommodation at Inside Hotel Manchester	H	£200	Emap/LGC	Guest speaker at the LGC Summit at 08:45 on 12/09/19	No	N/A	N/A
Chief Executive	12.09.19	Dinner at Coventry Cathedral as part of the British Science Festival	H	£75	British Science Association	Representing CCC to showcase the cutting-edge science, technology and engineering taking place across Coventry & Warwickshire and the wider West Midlands region.	No	N/A	
Chief Executive	27.09.19	NSPCC Charity Ball at the Ricoh Arena	H	£100	Coventry & Warwickshire Children's Charity	Representing CCC at the highest profile charity event for children in need across the city.	No	N/A	N/A
Chief Executive	15.10.19	Solace Summit - International Dinner at The Sky by the Water Bar, Birmingham	H	£75	Solace	Representing Solace to welcome International delegates to the Solace Summit.	No	N/A	N/A

Chief Executive	16.10.19	Solace Summit - Zurich Municipal Dinner at Warwick Castle	H	£75	Zurich Municipal	Representing CCC networking with other Chief Executives and Solace Business Partners to discuss current issues facing local Government.	No	N/A	N/A
Chief Executive	17.10.19	Solace summit - Annual Charity Dinner at Hilton Metropole, Birmingham	H	£75	Virgin Media	Representing CCC networking with other Chief Executives and Solace Business Partners to discuss current issues facing local Government.	No	N/A	N/A
Chief Executive	02.11.19	Wasps -v- Bath at the Ricoh Arena	H	£75	Wasps	Representing CCC and joining key partners to promote the city and discuss partnership working initiatives.	No	N/A	N/A
Chief Executive	05.11.19	Coventry University Chancellor's Dinner	H	£75	Coventry University	Annual event to reflect on the past twelve months at Coventry University, and across Coventry, to acknowledge the impact of City of Sport, look ahead to City of Culture and highlight the role all partners play in creating Coventry as a City of Hope.	No	N/A	N/A
Chief Executive	23.01.20	Lunch at Gino D'Acampo, Birmingham	H	£50	NSG Developments	To discuss investment and development opportunities in the city	No	N/A	N/A
People Directorate									
Deputy Chief Executive People	24.10.19	Lunch at the Ricoh	H	£	Coventry University	Being Well festival	No	Chief Executive	

Deputy Chief Executive People	04.11.19	Dinner at Coombe Abbey	H	£	Chris Ham and Don Berwick	Introduction to Don Berwick	No	Chief Executive	
Director of Housing and Transformation	21.11.19	Business awards	H	£60	Orbit Housing	Progressing housing and homelessness agenda	No	Deputy Chief Executive People	11.09.19
Head of Housing and Homelessness	21.11.19	Business awards	H	£60	Orbit Housing	Progressing housing and homelessness agenda	No	Deputy Chief Executive People	11.09.19
Place Directorate									
City Solicitor and Monitoring Officer	11.07.19	Reception by Barristers Chambers for legal professionals	H	£15	11KBW	Networking event with other legal professionals from public and private sector.	No— Chambers instructed on legal cases	Director of Finance and Corporate Services	01.08.19
Director of Transportation & Highways	22.11.19	Rail trip to Winchester including lunch and dinner	H	£100	RLB – CCC VLR cost Consultants	Networking event – CCC embarking on procurement of Joint Venture to deliver VLR – opportunity to network with companies that may be interested in future JV opportunity	No	Deputy Chief Executive Place	
Senior Rail Programme Manager	22.11.19	Rail trip to Winchester including lunch and dinner	H	£100	RLB – CCC VLR cost Consultants	Networking event – CCC embarking on procurement of Joint Venture to deliver VLR – opportunity to network with companies that may be interested in future JV opportunity	No	Director of Transportation & Highways	
Major Projects Lead Lawyer	03.12.19 and 04.12.19	Complimentary pass to attend a Local Government Conference.	H	£100	Local Government Partnership Network	Networking and opportunity to learn what other Local Authorities are undertaking to face challenges which also exist in Coventry.	No	City Solicitor and Monitoring Officer	28.11.19

		(accommodation and meal)							
Director of Business, Investment and Culture	30.10.19	Vodafone Business Lounge at Wasps vs Bath Match	H	£50	Vodafone Business Group	Working closely with Vodafone - Networking	No	Deputy Chief Executive Place	31.10.19
Business Development Advisor	21.02.19	Wasps vs Saracens Rugby Match	H	£75	Wright Hassall Solicitors	Ongoing relationship with Wright Hassall relating to delivery of external projects.	No	Head of Economic Development	11.02.20



Ethics Committee

8 October 2020

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

None

Title: Review of Members' Declarations of Gifts and Hospitality 1 July 2019 to 30 June 2020

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 July 2019 to 30 June 2020. The Committee was due to review declarations made during the last 6 months of 2019 at its meeting on 19 March 2020. That meeting was cancelled and so those declarations have been included in this report along with any declarations made during the first 6 months of 2020.

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 July 2019 to 30 June 2020 and to make any recommendations that it considers appropriate.

List of Appendices included:

Appendix 1: Declarations of gifts and hospitality received between 1 July 2019 to 30 June 2020.

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 July 2019 to 30 June 2020

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. The Committee meeting due to be held on 19 March 2020 was cancelled and so this report includes a full 12 months of declarations, instead of the usual 6 months. Appendix 1 contains copies of all declarations received from members from 1 July to 30 June 2020.

2. Options considered and recommended proposal

2.1 The declarations received between 1 July 2019 and 30 June 2020 are attached as Appendix 1. In total 9 forms have been received from 7 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 12 months to 30 June 2020 and to make any recommendations that it considers appropriate.

2.3 The requirement to declare gifts and hospitality is being considered as part of the proposed Model Code of Conduct produced by the Local Government Association. Officers will keep the Committee updated on any developments.

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 Director of Law and Governance

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

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

Directorate: Law and Governance

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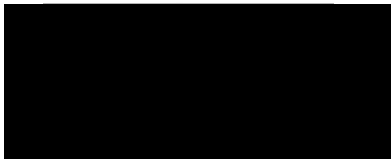
Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Law and Governance	14/09/20	14/09/20
Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Finance	11/09/20	14/09/20
Julie Newman	Director of Law and Governance	Law and Governance	11/09/20	15/09/20
Cllr Walsh	Chair of Ethics Committee		16/09/20	16/09/20

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Appendix: Extracts from Members' Register of Gifts and Hospitality: 1 July to 30 June 2020

Declaration of Gifts and Hospitality under Members' Code of Conduct

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	21.11.19
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Editor of the Coventry Telegraph
Full details of what was received	Coventry Telegraph Business Awards
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£150
Justification for accepting the gift or hospitality	To show support for the event which includes awards for a host of different businesses, charities and public sector bodies operating in fields as diverse as manufacturing, professional services, property and hospitality.
Signature of member:	
Date:	22.11.19

Declaration of Gifts and Hospitality under Members' Code of Conduct


Name of Elected Member	Linda Bigham
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Lord Mayor
Date on which gift or hospitality was offered and received or accepted	November 9th, 2019
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Volgograd City,
Full details of what was received	Russian Shawl
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Difficult to price £35.00
Justification for accepting the gift or hospitality	Civic 75 th Anniversary visit from Volgograd delegation
Signature of member: Date: 26 th November 2019	

September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct



Name of Elected Member	Linda Bigham
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Lord Mayor
Date on which gift or hospitality was offered and received or accepted	October 31st, 2019
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Volgograd City,
Full details of what was received	Goat hair knee rug and socks
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Difficult to price approx. £65.00
Justification for accepting the gift or hospitality	Civic 75 th Anniversary visit to Volgograd
Signature of member: Date: 26 th November 2019	

Declaration of Gifts and Hospitality under Members' Code of Conduct

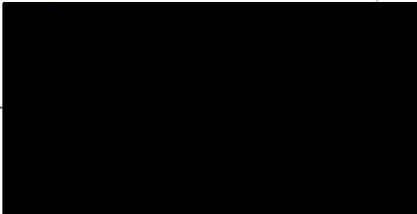
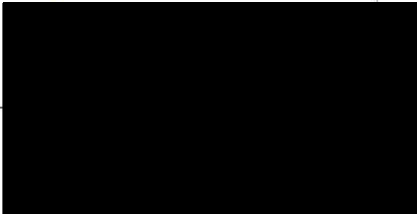

Name of Elected Member	Cllr Ridley
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader of the Opposition
Date on which gift or hospitality was offered and received or accepted	21.11.19
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Editor of the Coventry Telegraph
Full details of what was received	Coventry Telegraph Business Awards
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£150
Justification for accepting the gift or hospitality	To show support for the event which includes awards for a host of different businesses, charities and public sector bodies operating in fields as diverse as manufacturing, professional services, property and hospitality.
Signature of member:	
Date:	3.12.19

September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

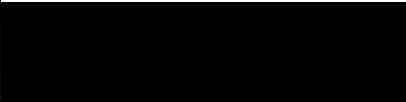
Name of Elected Member	Councillor George Duggins
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader and Cabinet Member, Policy and Leadership
Date on which gift or hospitality was offered and received or accepted	20 th October 2019
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Wasps RFC, Coventry.
Full details of what was received	2 x tickets for Wasps v London Irish plus hospitality before and after the game
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£280 + VAT
Justification for accepting the gift or hospitality	Representing the City Council as Leader.
Signature of member:	
Date:	21 st November 2019 

Declaration of Gifts and Hospitality under Members' Code of Conduct


Name of Elected Member	Councillor George Duggins
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader and Cabinet Member, Policy and Leadership
Date on which gift or hospitality was offered and received or accepted	21 st December 2019
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Wasps RFC, Coventry.
Full details of what was received	1 x ticket for Wasps v Harlequins plus hospitality before and after the game
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£140 + VAT
Justification for accepting the gift or hospitality	Representing the City Council as Leader. 
Signature of member:	
Date:	23 rd December 2019 

September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

Name of Elected Member	Cllr Pat Seaman
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Cabinet Member Children and Young People
Date on which gift or hospitality was offered and received or accepted	28 th September 2019
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Coventry Rugby
Full details of what was received	Lunch and Match ticket x 1 Adult
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Estimated cost £25
Justification for accepting the gift or hospitality	To represent Coventry City Council at the first home game played on the new surface of Butts Park Arena
Signature of member:	
Date:	18/11/2019

Declaration of Gifts and Hospitality under Members' Code of Conduct

Name of Elected Member	Cllr Christine Thomas
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	28 th September 2019
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Coventry Rugby
Full details of what was received	Lunch and Match ticket x 1 Adult
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Estimated cost £25
Justification for accepting the gift or hospitality	To represent Coventry City Council at the first home game played on the new surface of Butts Park Arena
Signature of member:	
Date:	5 th November 2019

September 2015

Declaration of Gifts and Hospitality under Members' Code of Conduct

Name of Elected Member	Julia Lepoidevin
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Shadow Cabinet Member Children & Young People
Date on which gift or hospitality was offered and received or accepted	10 th June 2020
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Residents in the community
Full details of what was received	Hamper from, Bettys Harrogate
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£40-£50.00?
Justification for accepting the gift or hospitality	This was a thank you gift for my voluntary work, and the work that I undertake in the community.
Signature of member: Date:	Julia Lepoidevin 11.6.2020

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8 October 2020

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

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 Councillor L: Bournemouth Christchurch and Poole Council

In January 2020, Bournemouth Christchurch and Poole Council's Standards Committee considered an investigation into a complaint about a councillor whose use of social media (specifically Twitter) was alleged to have breached the Code of Conduct.

The complaints arose when the councillor re-tweeted an article in a local online magazine which the complainants considered as hate speech and anti-Semitic. The complainants believed that by re-tweeting the article, Cllr L endorsed and promoted the sentiments in the article.

The Investigator recommended that no further action be taken against Cllr L because he had concluded that the councillor had not been acting in her capacity as a councillor when she re-tweeted the article. This was because although her account at the time included "Labour councillor" as one of her activities, she posted without using her council title, she did not use her Twitter account to deal with Council business and there were no postings about her activities at the council or about the business of the Council generally. The Investigator felt that a constituent interested in Cllr L's council activities would not find such information on Twitter. Neither would they interpret her activities on Twitter as part of her council duties.

Although the Standards Committee resolved that the Code of Conduct did not apply to Cllr L on this occasion, it did have a discussion about the wider issues of how councillors made use of social media and the take-up of training among councillors.

Commentary: *this case again shows how careful councillors need to be in their use of social media and how difficult it can be to distinguish between posts in a personal and in an official capacity. While the Investigator was able to make this distinction, the three complainants clearly believed that the councillor was acting in her official capacity.*

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 33 new complaints since the date of the last meeting at which the previous report was considered (12 September 2019). While this appears to be a relatively high number of complaints, it does cover a twelve-month period. In addition, 20 of the complaints relate to one councillor.

1.3.3 The position with regard to the complaints is as follows:

- Two complaints were withdrawn by the complainants
- Four complaints were either service complaints or no formal complaint was received
- Five complaints were reviewed, and no further action agreed
- Six complaints (against one councillor) were investigated and no breach found
- Eight complaints (against one councillor) have been investigated and will be coming before the Committee
- Eight complaints are in progress at the time of writing this report

1.3.4 The Monitoring Officer will update the Committee on any complaints received before the meeting and progress on those already received.

1.3.5 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.

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 Director of Law and Governance

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: Carol Bradford

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

Directorate: Place

Tel and email contact: 024 7697 7271 carol.bradford@coventry.gov.uk;

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Law and Governance	14/09/20	14/09/20
Names of approvers for submission: (officers and members)				
Finance: Graham Clark		Finance	11/09/20	14/09/20
Legal: Julie Newman	City Solicitor and Monitoring Officer	Law and Governance	11/09/20	15/09/20
Councillor Walsh	Chair of Ethics Committee		16/09/20	16/09/20

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Public report Ethics Committee

Ethics Committee

8 October 2020

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

Not applicable

Title:

Work programme for the Ethics Committee 2020/21

Is this a key decision?

No

Executive Summary:

This report sets out the previously approved work programme for the Committee for the remainder of the Municipal Year 2020/21. The Committee is asked to consider the work programme and make any suggestions for additional or alternative reports. The Work Programme again includes a separate table showing the actions to be taken in connection with the Committee on Standards in Public Life's Best Practice Recommendations for local authorities contained in its report of January 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: Approved 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 2020/21

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 the previously approved 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 (CSPL) 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. 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.

2. Options considered and recommended proposal

2.1 The work programme has been approved by the Committee at its meeting on 23 July 2020. The Committee is asked to consider whether there are any other matters that they would want to consider during the year or items that they would want to defer.

2.2 Officers will also monitor and report on any legislative changes arising from the CSPL's report and recommendations of January 2019 and any progress on the new National Code of Conduct.

2.3 The Committee's attention is drawn to the fact that the report on the Annual Report of the Local Government and Social Care Ombudsman has been moved to the December meeting. In its place, the report on the Committee on Standards in Public Life's annual report has been brought forward from the December meeting.

2.4 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 Director of Law and Governance

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 the Council Plan?

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?

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

6.4 Equality Impact Assessment (EIA) There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) climate change and 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 Services

Directorate: Law and Governance

Tel and email contact: 024 7697 7271 carol.bradford@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Law and Governance	14/09/20	14/09/20
Names of approvers for submission: (officers and members)				
Finance: Graham Clark	Finance	Finance	11/09/20	14/09/20
Legal: Julie Newman	Director of Law and Governance	Law and Governance	11/09/20	15/09/20
Cllr Walsh	Chair: Ethics Committee		16/09/20	16/09/20

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Appendix 1

Work Programme for the Municipal year 2020/21

Meeting no. and date	Topics
2020/21	
1. October 2020	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Annual Report of the Committee
	Officers Gifts and Hospitality -Inspection of Registers for the 12 months from June 2019.
	Members Gifts and Hospitality -Inspection of Registers for the 12 months from June 2019.
	Standards in Public Life- update from national body usually published in August each year.
	Work Programme 2020/21
2. December 2020	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Travel and Conference Policy
	Annual Report of Local Government Ombudsman
	Civility in Public Life
	Intimidation in Public Life
	Work Programme 2020/21
3. March 2021	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Officers Gifts and Hospitality -Inspection of Registers for last 6 months of 2020.
	Members Gifts and Hospitality -Inspection of Registers for last 6 months of 2020.
	Employee Values
	Review of Guidance to Councillors on Declaration of Interests
	Work Programme 2021/22

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.	Add Newcastle – Upon-Tyne definition into code of conduct Consider whether a paragraph could be inserted into the Employee’s Code of Conduct as well	Completed Completed
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.	Include statement in code must comply Check prohibition on trivial or malicious allegations	Considering LGA Draft Model Code of Conduct Completed
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.	Ensure easily available to public Include on work programme for committee annually Monitoring Officer (MO) to talk to local MO groups to share codes across neighbouring authorities	Completed Pending progress on LGA Model Code of Conduct Completed
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	Check web editors re prominence on website –see where the relevant forms are & whether easy for members of the public to use Customer service to be advised as how can access on website to provide to any customers who call	Completed Completed
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.	A link to Ethics Committee reports on gifts and hospitality has been placed on the Council’s website	Completed
6	Councils should publish a clear and straightforward public interest test against which allegations are filtered.	Complaints Protocol includes assessment criteria against which complaints will be considered	Completed
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	Completed
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 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	Completed
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 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.	Raise at Heads of Legal WMCA group to seek agreement can call on neighbouring authorities when there is potential conflict.	Completed
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	Consider as part of next annual governance statement - 19/20	

	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.		
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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