

**Time and Date**

10.00 am on Thursday, 30 September, 2021

Place

Council Chamber, Council House, Coventry

Please note that in line with current Government and City Council guidelines in relation to Covid, there will be reduced public access to the meeting to manage numbers attending safely. If you wish to attend in person, please contact the Governance Services Officer indicated at the end of the agenda.

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 6)
 - a) To agree the Minutes of the previous meeting held on 4 March, 2021
 - b) Any matters arising
4. **One Coventry Values Update** (Pages 7 - 28)

Report of the Director of Human Resources
5. **Annual Report of the Ethics Committee 2020/21** (Pages 29 - 38)

Report of the Director of Law and Governance
6. **Review of the Complaints Protocol** (Pages 39 - 54)

Report of the Director of Law and Governance
7. **Review of Members' and Officers' Declarations of Gifts and Hospitality: 1 January 2021 to 30 June 2021** (Pages 55 - 64)

Report of the Director of Law and Governance
8. **Code of Conduct Update** (Pages 65 - 72)

Report of the Director of Law and Governance
9. **Work Programme for the Ethics Committee 2021/22** (Pages 73 - 80)

Report of the Director of Law and Governance

10. **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, 22 September 2021

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 P Hetherington, J Mutton, S Walsh (Chair) D Welsh (1 vacancy)

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

Named Substitute Member: Councillor M Mutton

Public Access

Please note that in line with current Government and City Council Covid guidelines, there will be reduced public access to the meeting to manage numbers attending safely.

Any member of the public who would like to attend the meeting in person is required to contact the following officer in advance of the meeting regarding arrangements for public attendance. A guide to attending public meeting can be found here:

<https://www.coventry.gov.uk/publicAttendanceMeetings>

Suzanne Bennett

Telephone: (024) 7697 2299

e-mail: Suzanne.bennet@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.30 am on Thursday, 4
March 2021

Present:

Members: Councillor S Walsh (Chair)

Councillor P Hetherton
Councillor J Mutton
Councillor D Welsh

Employees:-

S Bennett, Law and Governance
C Bradford, Law and Governance
L Knight, Law and Governance
J Newman, Director of Law and Governance and
Monitoring Officer

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

Public Business

30. Declarations of Interest

There were no declarations of interest.

31. Minutes

The Minutes of the meeting held on 21 January, 2021 were agreed and signed as a true record

There were no matters arising.

32. Outcome of a 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 Williams breached the Code of Conduct for Elected Members.

In August 2020 Councillor Williams made comments on his social media sites that related to the potential arrival of several asylum seekers who were to be placed by the Home Office in one of the hotels within Coventry. His comments resulted in four separate complaints being submitted alleging that Councillor Williams had breached the Code of Conduct for Elected and Co-opted Members.

The City Council's Monitoring Officer, supported by one of the Committee's Independent Persons, Mr Steve Atkinson, considered that the complaints merited

a formal investigation and instructed Ms Olwen Brown as an appropriately experienced external investigator to undertake the investigation.

Ms Brown produced a draft report that was shared with the Complainants and Councillor before forwarding her final report to the Council's Monitoring Officer. A copy of the final report was attached as an Appendix.

Ms Brown found that there was sufficient evidence in this matter to justify a finding that Councillor Williams had breached the Council's Code of Conduct for Elected Members.

Having considered the report of Ms Brown and following discussions with the Independent Person in this matter, the Monitoring Officer concluded that the matter should be resolved summarily, without a hearing before the Ethics Committee. This decision was made on the basis that on the 8th October 2020 the Ethics Committee held a hearing in respect of previous posts Councillor Williams had made on social media, in which they found that he had breached the Code of Conduct. This matter was then considered by a full Council meeting on the 8th December 2020, at which the Council resolved to send a formal letter of censure to Councillor Williams. Councillor Williams was admonished for failing to demonstrate leadership by example and to treat others with respect and that his behaviour had again fallen well below the standard that the Council expects of its elected Members.

As Councillor Williams had therefore been recently censured for his inappropriate use of social media and the Ethic Committee was recommended to note the outcome of this investigation.

Members of the Committee again expressed their concern regarding the current sanctions available to them in relation to breaches of the Code of Conduct, noting that any change to the current regime would require legislative changes. (Minute 35 below also refers)

RESOLVED that the Ethics Committee note the outcome of the investigation attached as an appendix to the report.

33. **Revised Code of Conduct for Elected and Co-opted Members**

Further to Minute 28/20, the Committee considered a report of the Director of Law and Governance which indicated that at its meeting on 21 January 2021, the Ethics Committee considered the Model Code of Conduct produced by the Local Government Association in December 2020. The Committee authorised officers to produce a revised Code of Conduct for onwards consideration by the Constitutional Advisory Panel, Cabinet Member and Council, but asked that the revised version be brought back to the Committee for their consideration.

Following consideration of the Code by the Constitutional Advisory Panel, a revised Code of Conduct was appended to the report for the Committee's consideration. The revised Code will be considered by the Cabinet Member for Policing and Equalities and Council on 8 and 16 March, 2021 respectively.

The Committee made a number of comments in relation to the revised Code and the Director of Law and Governance indicated that these comments would be addressed as part of the training for all Members on the Code in May, 2021. It was noted that the Code would be updated with any minor typographical amendments.

The Committee's involvement and engagement in the launch of the new Code for all Members was sought and this was supported and welcomed.

RESOLVED that the revised Code be noted and that the Ethics Committee's involvement and engagement in the launch of the new Code, be approved.

34. **Review of Members' and Officers' Declarations of Gifts and Hospitality 1 July to 31 December, 2020**

The Committee noted a report of the Director of Law and Governance which indicated that indicated that, as a result of the Covid pandemic, no declarations of gifts and hospitality have been made by Members or officers during the period 1 July, to 31 December, 2021.

35. **Code of Conduct Update**

The Committee considered a report of the Director of Law and Governance which provided an update on national issues in relation to the ethical behaviour of elected Members and the local position in Coventry with regard to the Code of Conduct.

In considering a case involving Merthyr Tydfil Borough Council, the Committee noted that as the case was determined by the Adjudication Panel for Wales under the Welsh Standards regime, which is similar to the regime which existed in England up to 2012, a sanction to suspend had been applied. The Committee reiterated their concerns regarding the current sanctions available to them for breaches of the Code of Conduct and again noted that this required a legislative change, which many Local Authorities were calling for.

RESOLVED that the Director of Law and Governance be requested to write to the Government outlining the Committee's concerns regarding the current sanctions regime in relation to breaches of the Code of Conduct and pressing for legislative changes.

36. **Ethics Committee Work Programme 2021/22**

The Committee received a report of the Director of Law and Governance which detailed a proposed Work Programme for the Committee for 2021/22.

RESOLVED that the Work Programme for the Ethics Committee 2021/22 be approved.

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

There were no other items of urgent public business.

(Meeting closed at 11.10am)

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Ethics Committee

30 September 2021

Name of Cabinet Member:

Cabinet Member for Strategic Finance and Resources - Councillor R Brown

Director Approving Submission of the report:

Director of Human Resources

Ward(s) affected:

None

Title: One Coventry Values Update

Is this a key decision?

No

Executive Summary:

The purpose of this note is to provide the Ethics Committee with an update on the progress made with implementing the Council's One Coventry Values across the organisation and our future plans.

Recommendations:

The Ethics Committee is requested to consider and endorse the work undertaken and note the progress made in embedding the Council's One Coventry Values.

List of Appendices included:

Appendix 1- Employee Engagement

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: One Coventry Values Update

1. Context

1.1 The Council's People Plan was launched in early 2020 with two of its key aims being:

- To develop, introduce and embed a set of organisational Values for One Coventry which will be incorporated into recruitment, selection and appraisals.
- To develop, a comprehensive Employee Engagement Plan that not only provides a mechanism for a strong employee voice, dialogue from the bottom to the top of the organisation but also celebrates success and achievement.

1.2 Our 'One Coventry Values' were introduced in January 2021 and have been co-created with the support and input of over 1300 employees across the Council, set out below are our final set of Values.



1.3 The Employee Engagement plan (see Appendix 1) launched in June 2021 provides a framework which demonstrates how we will enable our employees to have a strong employee voice, how we will build our One Coventry ethos and 'One Coventry Values'.

1.4 The Engagement Plan sets out:

- The importance of employee engagement
- The proposed Employee Engagement Plan
- The measures of success
- The proposed timelines

The Engagement Plan includes the following six key areas that will enhance and improve employee engagement across the Council:



The plan was developed following;

- The results of our employee Health & Wellbeing survey conducted in June 2020
- The launch of our 'One Coventry Values' and
- Research carried out on national and local trends on employee engagement.

2 Where are we now?

2.1 The response to creating our 'One Coventry Values' and our recent 'Health and Wellbeing Survey' have shown just how valuable engagement is and as a result we will continue to build on this momentum as we recognise that there is still more work to be done.

2.2 There have been a number of significant successes and achievements to date which include;

a) Ensuring there is clarity of purpose of the Council's vision of One Coventry Value and behaviours. Specific actions completed to date include:

- Developing a new 'One Coventry Values' brand, promoting to employees via the intranet, Council sites, the Staff App, new employee lanyards and other corporate templates.
- Integrating the values within the Council's onboarding process including job adverts, job descriptions and an external Values webpage
- Embedding the values within the appraisal process
- Providing training to employees on the linkage between our behaviours and values

b) Creating a culture of open and honest communication which provides a mechanism for strong employee voice. Specific actions completed to date include:

- Developing a new Employee Newsletter which is accessible to all employees
- Working with employees across the organisation via focus groups to seek feedback on the development of a new employee recognition programme
- Working closely with our employee networks to ensure that there is a culture of honest and open communication with those employees from protected characteristics
- Implementing a new Staff App to engage with our wider workforce

3 Proposed next steps - September 2021 onwards

3.1 Moving forward, the People and Culture Team and Communications Team will continue to develop and enhance employee engagement across the organisation, focusing on the following areas:

- Embedding employee engagement and maximising opportunities to be inclusive throughout the employee lifecycle.
- Assessing communication methods and practices to promote employee engagement.
- Exploring options to seek ownership and role modelling of employee engagement across the Council.

- Aligning the Council's Reward and Benefits with our Values to identify opportunities to enhance employee engagement.

4 Timetable for implementing this decision

- 5.1 Continuing to deliver the Council's Employee Engagement priorities in line with Councils' Employee Engagement Plan, 2021–2023 ongoing.

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

5.1 Financial implications

There are no direct financial implications arising from this report. Work on the Coventry Values to date has been met from within existing resources.

5.2 Legal implications

The work on the Coventry Values supports adherence to the key principles arising from the Nolan committee on Standards in Public Life that as a Council employee officers must adhere to.

6 Other implications

N/A

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

By implementing the actions included in this Plan, we will increase levels of Employee Engagement, which will make the Council a better place to work for our people and a better place to live for our customers. We have seen the difference this has made at other organisations, and are keen to begin our engagement journey to deliver positive and meaningful results.

6.2 How is risk being managed?

N/A

6.3 What is the impact on the organisation?

None

6.4 Equality Impact Assessment (EIA)

N/A

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

N/A

6.6 Implications for partner organisations?

N/A

Report author(s):

Name and job title:

Louise Sobierski
Organisational Culture & Employee Engagement Manager

Directorate:

People

Tel and email contact:

02476 [972360](tel:02476972360)/Louise.Sobierski@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Service Area	Date doc sent out	Date response received or approved
Contributors: Grace Haynes	Head of People & Culture	Human Resources	13/9/2021	14/09/2021
Usha Patel	Governance Services Officer	Law and Governance	17/09/2021	17/09/2021
Other members				
Names of approvers for submission: (officers and members)				
Finance: Ewan Dewar	Finance Manager	Finance	15/09/2021	16/09/2021
Legal: Julie Newman	Director of Legal and Governance Services	Law and Governance	16/09/2021	16/09/2021
Director: Susanna Newing	Director of HR	Human Resources	16/09/2021	17/09/2021
Members: Name	Councillor R Brown, Cabinet Member for Strategic Finance & Resources		17/09/2021	21/09/2021

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

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Employee Engagement Plan 2021-2023



Introduction

We have been on a journey - a journey to understand the needs of our employees, to create our 'One Coventry Values', and to meet our objectives of driving performance and employee engagement to deliver on our key business strategies.

The response to creating our One Coventry Values and our recent Health and Wellbeing Survey have shown just how valuable engagement is and we will continue to build on this momentum as we recognise that there is still more work to be done.

Our new Employee Engagement Plan provides a strategic framework for improving Employee Engagement across the council in six key focus areas.

In this plan we will cover the following:

- 1. The importance of employee engagement**
- 2. The proposed Employee Engagement Plan**
- 3. The measures of success**
- 4. The proposed timelines**

"Pleased to be asked and involved."

Values Scribe session feedback

"Thank you for the survey as it shows you are considering how we can move forward appropriately and safely, and it's great we can have our say."

Health and Wellbeing Survey feedback

"Good to have employees at all levels included."

Values Bingo feedback



1. Importance of employee engagement

Let's start with why employee engagement is important, sharing data on how employee engagement has been proven to be key in driving a successful business, especially in this fast-changing and challenging environment.

According to one study¹, companies with higher employee engagement achieve more positive results in these four key areas:

1. Increases productivity - 21% more productive
2. Reduces absenteeism - 41% lower absenteeism
3. Reduces turnover - 59% less turnover
4. Improves safety - 70% fewer employee safety incidents

According to another study², engaged employees are valuable to a company because they will:

1. Recommend the company - 8.9 times more likely
2. Recommend an improvement - 5.3 times more likely
3. Do something good for the company - 4.7 times more likely
4. Voluntarily stay late at work - 5.3 times more likely

Our employees make a real difference to the people that live, work and visit Coventry. They are at the heart of our identity and what we stand for as an organisation, and they support our vision, shape our culture and reflect what we value as an organisation. Now more than ever we need to focus on how we can evolve and improve our engagement programmes to make the biggest impact on our employees and on the lives of our customers.

¹. Data from a Gallup survey. ². Data from a Temkin survey.

2. Proposed Employee Engagement Plan

We aim to improve employee engagement at the Council by delivering on the Employee Engagement Plan proposed and described in this section. Please note that this plan has been developed based on (1) The results of an employee survey conducted in June 2020, (2) Our new 'One Coventry Values', and (3) Research on trends on employee engagement.

The Plan includes the following six key focus areas that we believe will enhance and improve employee engagement at the Council:



1. Purpose, Mission and Values



2. Diversity and Inclusion



3. Open and Honest Communication



4. Leadership and Management Development



5. Learning and Development



6. Reward and Recognition

On the following pages we will share the objectives and proposed actions for each of these key focus areas.

Purpose, Mission and Values

☆☆☆ Purpose, Mission and Values

Objective:

Ensure the Council's vision of 'One Coventry' is achieved through the actions and behaviours of our workforce to align with our 'One Coventry' values.

According to studies³, only 32% of employees know their company values and 23% of employees apply them to their work every day. Since our values are critical to the success of the organisation, this work will ensure that this does not happen here.

Proposed Actions:

Embed company values:

Develop a plan to embed our 'One Coventry' values throughout the employee journey from onboarding to exiting the organisation to ensure they are understood, lived and employees are being held accountable for them.

Drive leadership values role modelling:

Develop a set of leadership behaviours and training programmes centered around our new values to ensure senior leaders understand the important role they have to play in role modelling them, and are being held accountable for living them.

³ The first piece of data is from a Reward Gateway study and the second piece of data is from a Gallup study.

Diversity and Inclusion



Diversity and Inclusion (D&I)

Objective:

Create a culture that allows our employees to bring their whole selves to work, feeling respected and valued for who they are, which will lead to increased levels of satisfaction, engagement and productivity or performance.

According to a study⁴, 67% of job seekers consider workplace diversity an important factor when considering employment opportunities, and more than 50% of current employees want their workplace to do more to increase diversity. This shows the growing importance of D&I to current and future employees.

Proposed Actions:

Develop D&I communications strategy:

Design a communications strategy, approach and branding to drive and support D&I at the Council, ensuring that what and how we communicate is done in an inclusive manner, representing our diverse community through images, language, etc.

Measure and monitor D&I across employee events:

Develop events and activities to support and meet the needs of our diverse workforce, and then measure and monitor attendance to ensure these objectives are met. When under-representation is discovered, determine and remove barriers, and make required changes.

Measure overall D&I effectiveness:

Introduce questions into our annual and pulse surveys that relate to D&I in order to measure, monitor and improve where required.

⁴ Data from a Glassdoor study.

Open and Honest Communication



Open and Honest Communication

Objective:

Create a culture of open and honest communication where information is shared in a meaningful and effective way, and where we provide mechanisms to enable a strong employee voice to encourage and drive two-way communication.

According to a study⁵, employee productivity increases by 20 to 25% in organisations where employees are connected through effective communication. According to another study⁶, employees who feel their voice is heard are 4.6 times more likely to feel empowered to perform their best work. Both of these results could have a positive impact on our people and on the Council.

Proposed Actions:

Enhance communication tools:

Develop a plan to improve communication tools to include a monthly/quarterly cascade approach, an employee newsletter, and a toolkit for managers to use to engage with their teams. In addition, we'll further develop our Staff App to better meet the needs of employees who work remotely and have limited access to the Intranet and Council email.

Drive and support employee voice:

Develop a plan and mechanisms to encourage and support employee feedback to include employee engagement surveys, new starter and leaver surveys, an employee suggestion scheme, an engagement champion network group, and partnership with Trade Union colleagues. Reports will be produced to share data from the findings so that we can action them accordingly.

⁵ Data from a study by the Journal of Experimental Psychology.

⁶ Data from a Salesforce study.

Leadership and Management Development



Leadership and Management Development

Objective:

Strengthen the Leadership and Management across the Council to enable managers to confidently lead and engage with their teams.

According to a study⁷, there is a 70% differential in employee engagement related to managers and management practice. This shows the impact leaders and managers can have on their teams.

Proposed Actions:

Enhance leadership and management programmes:

Review existing leadership and management development programmes with an aim to improve and add to them in order to enhance leadership capabilities and drive employee engagement.

⁷ Data from a Gallup study.

Learning and Development



Learning and Development

Objective:

Provide continuous development of learning that addresses both professional/personal needs and legislative requirements that helps both the employee and the organisation to grow.

According to a study⁸, 68% of employees say that learning and development is most important to them, and that they want to continue strengthening the skills they already have and gain new ones. This shows the importance of learning and development to employees.

Proposed Actions:

Enhance learning and development offerings:

Review and enhance existing learning and development offerings so that our employees are equipped with the knowledge and skills required to support our employee engagement initiatives (e.g. values, D&I, communication).

⁸ Data from a ClearCompany study.

Reward and Recognition



Reward and Recognition

Objective:

Provide a reward and recognition offering that attracts, values, motivates and retains talent and supports and drives our organisational values and objectives.

According to a study⁹, 40% of employees say they'd put more energy into their work if they were recognised more often, and companies who have effective recognition programmes are 12 times more likely to obtain powerful business results. These show the power of employee recognition.

According to a study¹⁰, every £1 spent on employee wellbeing will result in £5 back in reduced absenteeism, presenteeism and staff turnover. This shows the importance of investing in wellbeing initiatives.

Proposed Actions:

Develop recognition plan:

Develop a plan and programmes to recognise employees for their contributions to align with living our values.

Support and promote wellbeing:

Continue to promote and review wellbeing offerings to support a culture of health and wellbeing across the organisation.

Update annual appraisals:

Embed our values into annual appraisals to ensure the behaviours are assessed and recognised.

Promote benefits:

Develop a plan to ensure that benefit programmes are accessible to our entire workforce, and that they are promoted throughout the year to ensure they are valued and utilised.

⁹ Data from a Gallup study.

¹⁰ Data from research by Greater Birmingham Chamber of Commerce.

3. Measures of success

In order to measure the success of the Employee Engagement Plan, we have selected a variety of KPI's that fit into four key categories to represent the impact the Plan will have on the organisation and our employees. For each, we have shown in the table below the change we are working towards.

	Measure
<p>Workforce analysis statistics</p> <ul style="list-style-type: none"> Sickness absence reduction Reduce stress, anxiety and depression Positive candidate feedback on their recruitment Increased Staff App usage Workforce representation of under-represented groups Improved D&I data and recording 	<ul style="list-style-type: none"> Under 10 days By 5% 85% 20% 75%
<p>Organisational development</p> <ul style="list-style-type: none"> Completion of mandatory training Completion of leadership training Completion of appraisals Positive induction feedback Completion of talent and leadership development training for under-represented employees across the organisation 	<ul style="list-style-type: none"> 85% 85% 90% 85%
<p>Workforce planning and management</p> <ul style="list-style-type: none"> Reduction in turnover Positive leaver feedback Positive new starter feedback 	<ul style="list-style-type: none"> 10% 85% 85%
<p>Employee engagement</p> <ul style="list-style-type: none"> Improved employee engagement survey feedback Improved pulse survey feedback 	<ul style="list-style-type: none"> 48% completion

4. Proposed Timelines

We are proposing that the work outlined in this paper will be done over the next two years, as shown in the table below:

	Focus Area	Action	Timing
	1. Purpose, Mission and Values	<ul style="list-style-type: none"> Embed company values Drive leadership values role modelling 	<ul style="list-style-type: none"> Years 1 & 2 Year 1
	2. Diversity and Inclusion	<ul style="list-style-type: none"> Develop D&I communications strategy Measure and monitor D&I across employee events Measure overall D&I effectiveness 	<ul style="list-style-type: none"> Year 1 Year 1 & 2 Year 1 & 2
	3. Open and Honest Communication	<ul style="list-style-type: none"> Enhance communication tools Drive and support employee voice 	<ul style="list-style-type: none"> Years 1 & 2 Years 1 & 2
	4. Leadership and Management Development	<ul style="list-style-type: none"> Enhance leadership and management programmes 	<ul style="list-style-type: none"> Year 1
	5. Learning and Development	<ul style="list-style-type: none"> Enhance learning and development offerings 	<ul style="list-style-type: none"> Year 1
	6. Reward and Recognition	<ul style="list-style-type: none"> Develop recognition plan Support and promote wellbeing Update annual appraisals Promote benefits 	<ul style="list-style-type: none"> Year 1 Year 1 Year 1 Year 1

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Public report
Ethics Committee
Council

Ethics Committee
Council

30 September 2021
18 October 2021

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 2020/21

Is this a key decision?

No

Executive Summary:

This report forms the fifth 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 developing a new Code of Conduct
- A new Travel and Conference Policy produced by the Committee
- Consideration of complaints made under the Code of Conduct

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 2021/22 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 2020/21

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 fifth 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 2020/21, 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 4 scheduled meetings in 2020/21 along with a special meeting to consider a revised Code of Conduct for Elected and Co-opted Members. All meetings were held remotely.

2.2 *Code of Conduct Complaints*

The Council received a total of 26 new formal complaints against councillors in the municipal year 2020/21. One complaint was withdrawn. The remaining 25 complaints were against city councillors with no complaints against parish councillors. There were 2 complaints by a city councillor against another city councillor.

Fifteen of the complaints related to one councillor. These were dealt with as follows:

- In October 2020 the Committee held a hearing to consider 8 separate complaints relating to the same incident. The Committee found that there had been a breach of the Code and referred the matter to full Council with a recommendation that the councillor be censured.
- In March 2021 the Committee considered an Investigator's report into 4 separate complaints relating to another incident. The Investigator concluded that there had been a breach of the Code. The Monitoring Officer decided that, in the light of the October hearing when the councillor had been censured, there was little to be gained from a further hearing and the complaint was resolved summarily.
- Two complaints were recommended for informal resolution (at Stage One)
- One complaint was recommended for no further action (at Stage One)

Of the 10 remaining cases, the Chief Executive and Monitoring Officer decided to take no further formal action in 6 cases. Two complainants made complaints about more than one councillor and those are presently at Stage 2 in respect of one of the councillors only with no further action being taken against the other councillors. The final two complaints are also proceeding to Stage 2.

During the year, the Committee considered the investigator's report into six complaints which were ongoing at the start of the municipal year, where the investigator had concluded that there had been no breach of the Code.

2.3 New Code of Conduct for Elected and Co-opted Members

In the summer of 2020, the Local Government Association (LGA) held a consultation on a new Model Code of Conduct which it had produced in response to the Committee on Standards in Public Life's report on local authority standards (2019). In December 2020, the LGA published its final version of the Code which the Committee considered in depth at a special in January 2021. The Ethics Committee approved the new Code, subject to some additions and revisions in formatting and this has now been approved by full Council.

The new Code differs from the previous Code in that:

- (a) The Code explicitly applies to Councillors who are claiming to act as a Councillor or who give the impression that they are doing so as well as where a Councillor refers publicly to their role or uses knowledge they could only obtain in their role as a Councillor.
- (b) The Code explicitly applies to Councillors who are claiming to act as a Councillor or who give the impression that they are doing so as well as where a Councillor refers publicly to their role or uses knowledge they could only obtain in their role as a Councillor.
- (c) The Code explicitly applies to Councillors who are claiming to act as a Councillor or who give the impression that they are doing so as well as where a Councillor refers publicly to their role or uses knowledge they could only obtain in their role as a Councillor.
- (d) Councillors must not bring their role or local authority into disrepute
- (e) Councillors must agree to undertake any Code of Conduct training provided, co-operate with a Code of Conduct investigation, not intimidate any person involved in any investigation and comply with any sanctions imposed
- (f) There is an obligation to register any gifts or hospitality regardless of value which could give rise to real or substantive personal gain and the limit for all other gifts and hospitality has been raised to £50.
- (g) There is a requirement to register membership of any body exercising functions of a public nature, directed to charitable purposes or one of whose principle purposes includes the influence of public opinion.

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 of the Covid pandemic, there have been no declarations by officers in the last year and only one by a member.

2.5 Travel and Conference Policy

As part of a wider review of the Constitution, Council on 8 September 2020 resolved that:

- (a) The Conference and Travel Protocol be removed from the Constitution;
- (b) Officers be authorised to produce a policy for the approval of conference and travel costs for members and officers;
- (c) Once drafted, the policy be approved by Ethics Committee;
- (d) A register of travel and conference attendance costing more than £500 and all travel outside of the UK be maintained and published; and
- (e) The register of travel and conference costs be scrutinised by Ethics Committee twice a year.

At its meeting in December 2020, the Committee approved a new Travel and Conference Policy. Its main points are:

- travel and conference attendance for officers and members requires the approval of the appropriate budget holder;
- the requirement for members to seek Cabinet Member approval for attendance at conference is removed (subject to the approval of the appropriate budget holder). An exception is where the budget holder wishes to attend a conference themselves.
- any expenditure which is likely to be £500 or more (including subsistence costs) must be entered onto a public register, together with all travel outside the UK.

2.6 Other Work

The Committee has continued to receive regular reports on ethical standards cases across the country, where these have been available. It has also considered reports on:

- The result of a rapid non-statutory review into serious governance and risk management issues at Nottingham City Council;
- Steps taken by the Ministry of Housing Communities and Local Government in the wake of arrests in connection with accusations of bribery and witness intimidation at Liverpool City Council.
- The Committee on Standards in Public Life's short report on its review of progress by local authorities against its 15 Best Practice Recommendations for ethical standards.

The Committee has also maintained watching brief on the programme of work being undertaken by the LGA on civility in public life and also on work being undertaken locally on supporting members in dealing with challenges associated with public service, particularly in relation to intimidation and abuse.

2.7 Work Programme for 2021/22

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:

- 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
- Reviewing the operation of the new Code of Conduct for Elected and Co-opted Members
- A review of the guidance to members on declaring interests in the light of the changes to the requirements to register membership of organisations
- A review of the Complaints Protocol to align with the new Code of Conduct

The Committee will also maintain a watching brief on any legislative changes arising from the Committee on Standards in Public Life's report and recommendations of January 2019.

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

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	Law and	20.9.21	20.9.21

	Services Officer	Governance		
Names of approvers for submission: (officers and members)				
Finance: Graham Clark	Lead Accountant	Finance	03.09.21	07.09.21
Legal: Julie Newman	Director of Law and Governance	Law and Governance	27.08.21	03.09.21
Councillor Walsh	Chair of Ethics Committee		17.09.21	17.9.21

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Ethics Committee

30 September 2021

Name of Cabinet Member: N/A

Director Approving Submission of the report:
Director of Law and Governance

Ward(s) affected: N/A

Title: Review of Complaints Protocol

Is this a key decision?
No

Executive Summary:

At its meeting in March 2021, the Committee decided that it should review the Complaints Protocol in the light of the new Code of Conduct for Elected and Co-opted Members, which was approved for use by full Council. The intention was to see if any changes needed to be made to the protocol.

Officers have reviewed the protocol and feel that no changes are required as a result of the new Code. However, the Committee is asked to review the current protocol in case there are any other changes that it would wish to make.

Recommendations:

- (1) The Committee confirms that no revisions are required to the Complaints Protocol as a result of the adoption of the new Code of Conduct for Elected and Co-opted Members; and
- (2) The Committee considers whether there are any other amendments that it wishes to make to the Complaints Protocol.

List of Appendices included: Complaints Protocol

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 Complaints Protocol

1. Context (or background)

- 1.1 In March 2021 the Committee agreed to include a review of the Complaints Protocol in its work programme in case changes were needed to take account of the new Code of Conduct for Elected and Co-opted Members.

2. Options considered and recommended proposal

- 2.1 Attached as an Appendix to this report is the current approved Complaints Protocol. Officers have reviewed the protocol and consider that no amendments are required as result of changes in the Code of Conduct. Officers consider that the protocol will need to be revised if the changes recommended by the Committee on Standards in Public Life to sanctions (including a right of appeal to the Local Government and Social Care Ombudsman) are ever enacted. Officers will continue to monitor the legislative changes required to implement the CSPL's recommendations on sanctions and report back to the Committee.
- 2.2 This does, however, offer an opportunity for the Committee to review the existing protocol and consider whether there are any changes that it would wish to make to the document.

2.3 Recommendations

The Committee is recommended to:

- (1) Confirm that no revisions are required to the Complaints Protocol as a result of the adoption of the new Code of Conduct for Elected and Co-opted Members; and
- (2) consider whether there are any other amendments that it wishes to make to the Complaints Protocol.

3. Results of consultation undertaken

- 3.1 None

4. Timetable for implementing this decision

- 4.1 Any changes approved by the Committee will be implemented immediately.

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

- 5.1 Financial implications
There are no financial implications arising from this report.
- 5.2 Legal implications
The City Council has a legal obligation under the Localism Act 2011 to have a process in place for dealing with complaints under the Code of Conduct. It is good practice to keep this protocol under review, particularly when there are changes to the Code of Conduct itself.

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 directly applicable but regularly reviewing the protocol for dealing with Code of Conduct complaints will help to improve confidence in the Council's ethical standards regime.

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 review and keep up to date the protocol can impact on the organisation's ethical behaviour and transparency.

6.3 What is the impact on the organisation?

The regular review of the Complaints Protocol will assist in facilitating good and transparent decision making on councillor complaints.

6.4 Equalities / EIA

None

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None

Report author(s):

Name and job title: Carol Bradford Corporate Governance Lawyer

Directorate: Law and Governance

Tel and email contact: 024 7697 7271

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 Co-ordinator	Law and Governance	20.9.21	20.9.21
Names of approvers for submission: (officers and members)				
Finance: Graham Clarke	Lead Accountant	Finance	03.09.21	07.09.21
Director: Julie Newman	City Solicitor and Monitoring Officer	Law and Governance	27.08.21	03.09.21
Members: Cllr Seamus Walsh	Chair, Ethics Committee		17.09.21	17.9.21

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Appendix

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.

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30 September 2021

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' and Officers' Declarations of Gifts and Hospitality: 1 January 2021 to 30 June 2021

Is this a key decision?

No

Executive Summary:

The Committee would normally, at this meeting, receive a report on declarations of gifts and hospitality by both members and officers for the period 1 January to 30 June 2021. As a result of the Covid pandemic, only four declarations by members have been made during this period and four declarations by officers. The member declarations are attached as Appendix 1 to this report and the officer declarations shown in Appendix 2 to this report.

The Committee is asked to note the position and to note that for members the threshold above which gifts and hospitality must be declared has risen from £25 to £50.

Recommendations:

The Ethics Committee is asked to note the position regarding declarations.

List of Appendices included:

Appendix 1: Declarations by Members

Appendix 2: Declarations by Officers

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' and Officers' Declarations of Gifts and Hospitality: 1 January 2021 to 30 June 2021

1. Context (or background)

- 1.1 The Ethics Committee, as part of its work programme, reviews on a regular basis the declarations of gifts and hospitality made by both members and officers.

2. Options considered and recommended proposal

- 2.1 The Committee would normally, at this meeting, receive a report on declarations of gifts and hospitality by both members and officers for the period 1 January to 30 June 2021. As a result of the Covid pandemic, only four declarations by members have been made during this period and these is attached as Appendix 1 to the report. Four declarations have been made by officers which are shown in Appendix 2 to this report.

There have been no requests by members of the public to view the register during this time.

- 2.2 The Committee is recommended to note the position and the fact that the threshold for members' declarations has increased from £25 to £50.

3. Results of consultation undertaken

- 3.1 None.

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

Members are required to declare Gifts and Hospitality under 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.

Officers are required to declare acceptance of gifts or hospitality in accordance with Council policy.

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 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, and officers, 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

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		21.09.21
Names of approvers for submission: (officers and members)				
Graham Clark	Lead Accountant	Finance	03.09.21	07.09.21
Julie Newman	Director of Law and Governance	Law and Governance	27.08.21	03.09.21
Cllr Walsh	Chair of Ethics Committee		17.09.21	17.09.21

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Appendix 1: Declarations of Gifts and Hospitality: Members

	Cllr Jim O'Boyle
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Cabinet Member for Jobs and Regeneration
Date on which gift or hospitality was offered and received or accepted	12 th June 2021
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Wasps
Full details of what was received	2 x Tickets and Hospitality
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Estimated £150 in total
Justification for accepting the gift or hospitality	To represent the Council as Cabinet Member.
Signature of member:	
Date:	23 rd June 2021

Name of Elected Member	Cllr Linda Bigham
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	Received: 30 June 2021
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	City of Culture 2021
Full details of what was received	Invite x2 for Partner's Night at Assembly Festival Gardens to be held on 8 th July 2021
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	Value of tickets - £17pp (£34.00)
Justification for accepting the gift or hospitality	To support the event in the year of Coventry, City of Culture
Signature of member:	Linda Bigham
Date:	01 July 2021

Name of Elected Member	Cllr George Duggins
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader of Coventry City Council
Date on which gift or hospitality was offered and received or accepted	Thursday 8 th July 2021
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	City of Culture Trust
Full details of what was received	2 tickets to Circolombia at Assembly Festival Gardens
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£50
Justification for accepting the gift or hospitality	To represent the City Council as Leader.
Signature of member:	
Date:	12/07/21

Name of Elected Member	Cllr George Duggins
Position held e.g. cabinet member, shadow cabinet member, elected member etc.	Leader of Coventry City Council
Date on which gift or hospitality was offered and received or accepted	Saturday 12 th June 2021
Person or organisation offering or providing the gift or hospitality and link to the Council if appropriate	Wasps
Full details of what was received	1 ticket to Wasps Vs Leicester Tigers and hospitality.
Actual cost or estimated cost e.g. face value of tickets, price of set menu at venue etc.	£75
Justification for accepting the gift or hospitality	To represent the City Council as Leader.
Signature of member:	
Date:	23/06/21

Appendix 2: Declarations of Gifts and Hospitality: Officers

Date	Officer declaring	Donor	Gift/hospitality	Approx value	Justification
9.2.21	LFT Programme Officer	Grenade Energy	Energy drinks donated to 6 Covid community testing sites	£900	LFT sites are part of the Covid-19 response. The company had surplus supplies nearing shelf life and were gifting to vaccination and testing centres as a gesture of goodwill to volunteers/ employees
18.3.21	1. Head of Recruitment, Payroll & Pensions. 2. Payroll & Pensions Manager 3. Digital. Transformation Manager.	Zellis	Coffee and cake	£15	Zellis were holding a webinar and arranged for all participants to have a coffee and cake.
12.06.21	Chief Executive	Wasps/Ricoh Arena	Tickets to Wasps v Leicester Tigers	£75	Representing CCC and joining key partners to promote the city and discuss partnership working initiatives. This included current and potential sponsors for UK City of Culture 2021.
29.06.21	Chief Executive	Shearer Property Group (SPG)	Lunch at Bistro Pierre, Coventry	£30	To discuss and agree next steps on the City Centre South Scheme.

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30 September 2021

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 position with regard to matters concerning local authorities 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. Liverpool City Council

The Committee has previously been advised of issues relating to Liverpool City Council following the arrest of 5 people in connection with offences of bribery and witness intimidation.

In December 2020 the Secretary of State for Housing, Communities and Local Government appointed Max Caller CBE to lead a statutory Inspection at the City Council, to be completed by the end of March 2021. The Secretary of State requested consideration of the following functions of the council and their alignment with the best value duty:

- planning,
- highways,
- regeneration and
- property management functions and
- the strength of associated audit and governance arrangements in the exercise of those specified functions.

In addition, the inspection team was directed to consider whether the authority has effective arrangements in place for securing best value in the functions listed above.

The subsequent report was published in March 2021. The report found multiple failings in the way in which the services inspected were managed such as:

- Compliance with Standing Orders, regulations and the overriding legislation was clearly not part of the culture of the organisation.
- The failure to comply with the rules relating to Key Decisions, Scrutiny, exempt reports and probity was evident but there appeared to be no action to address this. There was evidence that officers were not supported and were exposed to aggressive challenge.

- There is insufficient resource at the top and in the corporate centre to drive changes and embed them Council wide.
- With regard to local authority companies, the principles of good company governance in a local authority context were not understood and best value not delivered.

Recommendations of the report

The report makes a number of recommendations amongst which are:

1. The appointment of commissioners for an initial period of three year.
2. Delegate to the commissioners the power to consider and consult on a proposal to change the electoral cycle to an all-out election every four years (form election by thirds).
3. Direct the council to prepare and implement an Improvement Plan. This is to include, among others:
 - Changes to the Constitution including delegations, the establishment of a standards committee, mandatory training of members, declarations of interests and gifts and hospitality
 - Prior commissioner approval for heads of terms for any property transaction
 - Review the roles and case for continuing with each subsidiary company of the council
 - Review the officer structure
 - Devise and implement a programme of cultural change for members and officers.

The Secretary of State has invited Liverpool City Council to make representations on the report, while indicating that he is minded to implement a package of measures based on the statutory report.

1.2.2 London Borough of Croydon

On 29 October 2020, a rapid non-statutory review was commissioned by the Secretary of State for Housing, Communities and Local Government to examine serious governance and risk management issues at the London Borough of Croydon. This was precipitated by concerns about governance, financial strategy and oversight and commercial investments at the Council. These concerns were reinforced by the Council's publicly declared intention to seek exceptional financial support from the MHCLG and the publication of a highly critical Public Interest Report on 23 October.

The subsequent report published in November 2020 found that the council “has had significant failings in leadership and management (particularly in sphere of financial management) and its governance and assurance mechanisms have failed in identifying, escalating and addressing risks”.

Amongst other things, the review draws attention to the Council’s poor track record in managing budgets, poorly managed commercial ventures, low levels of reserves, and reliance on development. The report says that the Council is “unfamiliar with taking and implementing difficult financial decisions and as a consequence it has engendered a culture of poor budget management and poor financial control”. The report asserts a “unanimity of view that these failings are attributable to the poor leadership and poor management of the Council over a number of years” and that fundamental “checks and balances appear not to have worked.”

One aspect of this was the way that control was perceived to be concentrated in the hands of the former leader and an inner circle of a small number of Cabinet members. There was a clear desire to pursue an ambitious growth agenda for Croydon and when elements of this growth could not be realised, rather than increased caution, it seems there was a continued desire to accentuate the positive. Officers were alleged to have been asked to re-word Cabinet reports to present the most favourable picture. The review found that the tone of many financial reports to Cabinet did not accurately reflect the seriousness of the Council’s financial position.

The report concludes that signs of a financial crisis had been present for some time but the assurance process failed and governance had been poor.

As a result of that report, the Minister announced in February 2021 that the Government would be appointing a new Improvement and Assurance Board at the Council. These would include members with specialist expertise in finance and commercial asset management. The Council has produced an Improvement Plan and will be expected to report on progress, which will be subject to scrutiny and monitoring.

1.2.3 Attleborough Town Council

Attleborough Town Council has agreed to pay more than £70,000 in costs and damages in relation to the way it treated two of its councillors. The council has admitted that in February 2020 the council passed an unlawful motion to remove both councillors from their positions and prevent them being appointed as either vice-chair or mayor for two years. The councillors had been the subject of allegations of bullying, harassment and intimidation against other councillors and employees but the Council failed to follow due process in dealing with these allegations. Any complaint that the Code of Conduct had been breached should have been dealt with by the Monitoring Officer and the Town Council had no power to investigate those complaints or impose its own sanctions.

The two councillors brought judicial review proceedings and in May 2021 a consent order was made which required the Council to set aside its decision of February 2020. It has also published a 100+ page document giving full details of the matter and has apologised unreservedly to the two councillors.

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 seven new complaints since the date of the last meeting (4 March 2021). In three cases the Chief Executive and Monitoring officer have decided to take no further action. Two cases are proceeding to Stage 2 and in the remaining two complaints, which were against more than one councillor, both are proceeding to Stage 2, but in respect of one councillor only. No further action is to be taken against the other named councillors.

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

1.3.4 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 position with regard to matters concerning local authorities nationally;
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:

Name and job title: Carol Bradford, 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		21.09.21
Names of approvers for submission: (officers and members)				
Finance: Graham Clark	Lead Accountant	Finance	03.09.21	07.09.21
Legal: Julie Newman	City Solicitor and Monitoring Officer	Law and Governance	27.08.21	03.09.21
Councillor Walsh	Chair of Ethics Committee		17.09.21	17.09.21

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30 September 2021

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Finance and Corporate Services

Ward(s) affected:

Not applicable

Title:

Work programme for the Ethics Committee 2021/22

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 2021/22. The Committee is asked to consider the work programme and make any suggestions for additional or alternative reports.

Recommendations:

The Ethics Committee is recommended to review the work programme attached as Appendix 1 and make any changes or amendments the Committee considers appropriate.

List of Appendices included:

Approved Work programme

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 2021/22

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.
- 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 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 was approved by the Committee at its meeting on 4 March 2021. 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 With the agreement of the Chair, the report on the Review of Guidance on Declaration of Interests has been moved to the December meeting. This is to give more time to assess the issues that members may have with the modified rules and to tie in with the general review of the operation of the new Code, which is also scheduled to be considered in December. The report on Employee Values which was due to be considered at the December has been brought forward to this meeting. These changes have been incorporated into the ongoing work programme.
- 2.3 Officers will also monitor and report on any legislative changes arising from the CSPL's report and recommendations of January 2019.

2.4 Recommendation

The Ethics Committee is recommended to review the work programme attached as Appendix 1 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 to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

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

6.3 What is the impact on the organisation?

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

6.4 Equalities / EIA

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

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Corporate Governance Lawyer, Regulatory Team, Legal 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		21.09.21
Names of approvers for submission: (officers and members)				
Finance: Graham Clark	Lead Accountant	Finance	03.09.21	07.09.21
Legal: Julie Newman	City Solicitor and Monitoring Officer	Law and Governance	27.08.21	03.09.21
Cllr Walsh	Chair: Ethics Committee		17.09.21	21.09.21

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Appendix 1

Work Programme for the Municipal Year 2021/22

Meeting no. and date	Topics
2021/22	
1. 1 July 2021	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Annual Report of the Committee *
	Review of Complaints Protocol*
	Work Programme 2021/22
	<i>NB Items marked with a * have been moved to the 30 September meeting</i>
2. 30 September 2021	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Officers Gifts and Hospitality -Inspection of Registers for first 6 months of 2021.
	Members Gifts and Hospitality -Declarations for first 6 months of 2021.
	Update on Employee Values
	Work Programme 2021/22
3. 9 December 2021	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Review of Operation of Code of Conduct for Elected and Co-opted Members
	Review of Guidance on Declaration of Interests
	Local Government Ombudsman Annual Report
	Committee on Standards in Public Life Annual Report
	Civility in Public Life and Intimidation in Public Life
	Work Programme 2021/22
4. 10 March 2022	
	Monitoring Officer/Code of Conduct/ Members Complaints Update.
	Officers Gifts and Hospitality -Inspection of Registers for last 6 months of 2021.
	Members Gifts and Hospitality -Declarations for last 6 months of 2021.

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