

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.00 am on Thursday, 9
December 2021

Present:

Members: Councillor S Walsh (Chair)

Councillor P Hetherton
Councillor J Mutton
Councillor M Mutton (substitute for Councillor D Welsh)

Independent Persons A Barton, R Wills, P Wiseman

Employees (by
Directorate)

Law and Governance: J Newman (Director), S Bennett, S Harriott

Communications N Hart

Public Health: S Chun Lam, R Sherward

Apologies: Councillor D Welsh , S Atkinson

Public Business

11. Declarations of Interest

There were no declarations of interest.

12. Minutes

The Minutes of the meeting held on 30 September, 2021 were agreed and signed as a true record.

There were no matters arising.

13. Complaints to the Local Government and Social Care Ombudsman 2020/21

The Committee considered a report of the Chief Executive which indicated that the Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. It is a free service that investigate complaints in a fair and independent way; and provides a means of redress to individuals for injustice caused by unfair treatment or service failure.

Coventry City Council's complaints policy sets out how individual members of the public can complain to the Council, as well as how the Council handle compliments, comments and complaints. The Council informs individuals of their rights to contact the LGSCO if they are not happy with the Council's decision after they have exhausted the Council's own complaints process.

Every year, the LGSCO issues an annual letter to the Leader and Chief Executive of every Council, summarising the number and trends of complaints dealt with in each Council that year. The latest letter, issued 21 July 2021, covers complaints to Coventry City Council between April 2020 and March 2021 (2020/21). Mid-March 2020 saw an abrupt pause to the Ombudsman's casework in response to the exceptional operational challenges local authorities and care providers faced because of the Covid-19 pandemic. The Ombudsman resumed some casework at the end of May and started taking new complaints again at the end of June 2020, after a three month pause.

The report set out the number, trends and outcomes of complaints to the LGSCO relating to Coventry City Council in 2020/21. In particular, it focused on upheld complaints, service areas with a high number of complaints, compliance with Ombudsman's recommendations, learning from complaints, and how the Council compare to previous years and other local authorities.

The report had also been considered by the Cabinet Member for Policy and Leadership and would be considered by the Audit and Procurement Committee

RESOLVED that the Ethics Committee:-

- 1) Notes the Council's performance in relation to complaints to the LGSCO**
- 2) Notes the Council's complaints process and guidance**

14. Civility in Public Life and Digital Citizenship

The Committee considered a report of the Director of Law and Governance which indicated that the Local Government Association (LGA) has been coordinating a programme of work entitled 'Civility in Public Life', primarily aimed at:

- articulating good standards for anyone engaging in public and political discourse
- understanding the scale and impact of intimidation and abusive behaviour on membership organisations, and developing recommendations for achieving positive debate and public decision-making on a local level
- supporting LGA members and all democratically elected local representatives in addressing intimidation and abuse, so they deliver the best on behalf of their communities

The report detailed the following updates in respect of the Civility in Public Life work:-

- a) The LGA has re-confirmed its commitment to promoting civility in public life and supporting the well-being of elected members, stating that the recent tragic death of Sir David Amess MP has brought this issue into marked focus. Everyone in public life should be able to go about their daily business without fear of attack and the LGA has also stated that it is a challenge that they are determined to meet.

To support this programme the LGA has issued a “Call for evidence of abuse and intimidation of councillors” consultation. A copy of the questions asked were appended to the report. The call for evidence is intended to capture elected members' experiences and emerging trends around abuse and intimidation from the public. It is anticipated that the evidence collected will help the LGA to develop a body of evidence to support its calls for legislative and systemic change and develop support for elected members.

- b) In July 2021 the LGA published supporting guidance on its Model Councillor Code of Conduct, which aims to help understanding of and allow for consistency of approach towards the Model Code.

Improving Digital Citizenship has always been a key element of the LGA’s Civility in Public Life work and is becoming increasingly important as our daily interactions continue to take place online and new technologies of information are constantly used to facilitate communication with citizens, officers and councillors. Online abuse and intimidation of local councillors and supporting officers working with them is a major challenge to local democracy and to the diversity of our local representatives.

The LGA’s work in respect of Digital Citizenship is ongoing but the following have been published to date:

- a) Rules of Engagement Info Graphic – the info graphic produced by LGA can be pinned to a member’s social media profile to outline the ways in which they intend to engage with people online. These rules are designed to give all users a clear ‘code’ by which they should operate, with a clear statement that users can be blocked, or posts deleted, if they fail to participate in a civil manner. Based on this infographic, Coventry specific ones have been created for Facebook, Twitter and Instagram for the consideration of the Ethics Committee and were appended to the report.
- b) Signpost to further resources – in particular “Glitch” which is a UK charity that is working to end online abuse – particularly against women and marginalised people. It was founded in 2017 by then local politician, Seyi Akiwowo, after she received a flood of abuse when a video of her speech at the European Parliament went viral. Through training, research, workshops, and programs, Glitch aims to build an online world that is safer for all.

Glitch’s ‘Fix the Glitch Toolkit 2.0’ is designed to end online gender-based violence for Black women. It covers online gender-based violence, self-care, supporting women online when they experience

online abuse, and how we can work to end online violence against Black women. An extract of a section on being an active by-stander was appended to the report.

Locally, before the Covid pandemic, a piece of work was being undertaken, sponsored by the Cabinet Member for Policing and Equalities, that looked at challenges for City Council elected members and how to support participation in public service. More recently this work was picked up in the review of the offer to elected members around member support as a result of a different emerging landscape for elected members to operate in post Covid.

A consultation “Leader of our Communities – can we improve our service” was sent to all members. Overall, there were 31 responses received to the survey out of a possible total of 54. Responses from the consultation included experiences of intimidation and what support would help in managing or preventing such situations. These consultation responses have been evaluated and are informing a targeted approach to supporting members in this area. One part of the proposed response being to raise awareness of the LGA guidance on intimidation and harassment alongside additional local protocol and guidance.

Civility in public life is supported through adherence to the requirements of the Code of Conduct for Elected and Co-opted Members in treating others with “respect”. This is enhanced in the new Model Code of Conduct produced by the Local Government Association, which the Council adopted a revised version of with effect from the 2021/22 municipal year.

Digital Citizenship is supported through advice and guidance available from the Council’s Communications Team. Earlier this year, the Social Media Protocol for Elected Members was updated to recommend ways in which Councillors protect themselves online, how to respond to abusive messages, and encourages Councillors to seek support where needed. A copy of the guide was appended to the report.

The Committee discussed, asked questions and raised concerns in relation to a number of issues including:-

- The need for complaints regarding harassment and intimidation of those in public life to be taken seriously and investigated thoroughly by the Police. It was noted that this issue could be raised locally with the Police via the Resilience Board with a view to informing the work on a local protocol. A request was made that the West Midlands Police and Crime Commissioner be involved in any such discussions
- The need to ensure that the right language is used and a request to re-word the “Rules of Engagement” to use less confrontational language. The document was commended and officers were requested to consider rolling the document out across the Council
- The importance of raising concerns regarding intimidation in public life with the Government, local MPs and the Local Government Association

- The launch of the “No Excuse, No Abuse” campaign in January 2022 in response to a rise in verbal and physical abuse directed at Council employees was welcomed and supported and it was agreed to add an elected Member element to that campaign
- It was noted that Social Media training was provided to all Members and the importance of this training for both members and officers was recognised.

RESOLVED that the Ethics Committee:-

- 1) **Notes and welcomes the work that has been undertaken by the LGA and the City Council in promoting Civility in Public Life and Digital Citizenship**
- 2) **Supports the work that is taking place locally to adopt Civility in Public Life and Digital Citizenship and approve the Rules of Engagement Info Graphics appended to the report ; requests that officers take on board comments now made in relation to the language used in the document ; and supports officers in promoting this approach amongst Members and rolling it out across the Council**
- 1) **Supports officers in promoting the LGA’s consultation, amongst elected members**
- 2) **Requests that officers write to the Home Secretary on behalf of the Committee outlining the Committee’s concerns regarding the rise in harassment and intimidation in public life and requesting that the Government reinforces legislation in relation to ensuring that complaints in relation to this matter are investigated and dealt with appropriately; and that the support of local MPs and the LGA is sought in relation to this matter**
- 3) **Notes that work will be undertaken locally with the Police via the Resilience Board in relation to ensuring that complaints regarding harassment and intimidation of those in public life are taken seriously and investigated thoroughly, with a view to including in a local protocol**
- 4) **Notes and welcomes the social media training that is provided for Members and requests that awareness of this training be raised with Members**
- 5) **Requests that an elected Members element be added to the “No Abuse No Excuse” campaign to be launched in January, 2022**
- 6) **Requests that this item remains on the Work Programme of the Ethics Committee for continued review.**

15. **Committee on Standards in Public Life - Annual Report 2020-21**

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

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

Its terms of reference make it clear that it encompasses all involved in the delivery of public services, not solely those appointed or elected to public office. Whilst it is a national body, having an overarching concern about public standards, its views and recommendations can be taken in account by local government and other organisations delivering public services when designing, implementing and monitoring their own ethical standards regime.

The report provided a brief overview of the following main areas of work of the CSPL over the last 12 months:-

- Regulation of Election Finance
- Standards Landscape (Standards Matter 2)
- Local Government Ethical Standards – follow up
- Artificial Intelligence and Public Standards – follow up
- Intimidation in Public Life – follow up
- Parliament: bullying and harassment – watching brief
- Impact of Covid 19 on Standards in Public life
- Future work

RESOLVED that the Ethics Committee:-

- 1) Notes the content of the report**
- 2) Requests the Monitoring Officer to continue to monitor the national picture as regards standards and report back on any issue which may be of relevance to the Council on a local level.**

16. Review of Operation of Code of Conduct for Elected and Co-opted Members

The Committee considered a report of the Director of Law and Governance which indicated that since being issued by the Local Government Association (LGA) in December 2020, the Model Code of Conduct (Model Code) has been amended by the LGA twice on 27 January 2021 and 17 May 2021. Changes made in January 2021 have been incorporated into Coventry City Council's revised version of the Model Code (Revised Code) in March, 2021, but changes from May 2021 remain outstanding.

A further version of the amendments made in May 2021 with tracked changes was published by the LGA in September 2021. Most of the amendments are technical in nature and can be amended by the Monitoring Officer using her delegated authority and in respect of minor amendments, the Monitoring Officer can make these changes following consultation with the Cabinet Member for Policing and Equalities. Appendices to the report detailed the LGA's amendments, together with the proposed corresponding changes to the Council's Code of Conduct.

In addition, in July 2021, the LGA published Guidance for the Model Code.

RESOLVED that the Ethics Committee:-

- 1) **Notes the amendments to the Code of Conduct detailed in the appendix to the report which will be dealt with under delegated authority**
- 2) **Requests that the Monitoring Officer includes the amendments on the Members' webpages and informs all elected Members of the amendments via the Members' weekly newsletter**
- 3) **Notes the Guidance for the Model Code published by the LGA in July 2021**
- 4) **Requests that this item remains on the Work Programme of the Ethics Committee for continued review**

17. Review of Guidance on Declaration of Interests

Further to Minute 30/18, the Committee considered a report of the Director of Law and Governance which outlined work undertaken on revisions to the online FAQs on the Registration of Interests and on a step by Step-by-Step Guide to the Declaration of Members' Interests as requested by the Committee.

The work has now been undertaken in light of the new guidance issued by LGA in July 2021, details of which were outlined in the report.

The proposed guidance for Members was appended to the report and the Committee noted that it was intended that the new guidance would be available for the start of the 2022/23 municipal year and would be incorporated into training provided for newly elected Members and existing Councillors in the new Municipal year.

RESOLVED that the Ethics Committee:-

- 1) **Approves the "Declaration of Interests – A Quick Guide for Elected Members" as appended to the report**
- 2) **Requests that the Monitoring Officer includes the guidance on the Members' webpages and draws Members' attention to the document via the Members weekly newsletter**

18. 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.

RESOLVED that the Ethics Committee:-

- a) Notes the position with regard to matters concerning local authorities nationally; and**
- b) Notes the local position relating to the operation of the Council's Code of Conduct and delegates any actions arising from these to the City Solicitor and Monitoring Officer, following consultation with the Chair of the Ethics Committee**

19. Ethics Committee Work Programme 2021/22

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

20. Any Other Items of Urgent Public Business

There were no other items of urgent public business.

(Meeting closed at 11.15 am)