

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 11.00 am on Thursday, 29
June 2023

Present:

Members: Councillor S Nazir (Chair)
Councillor L Bigham
Councillor P Hetherton
Councillor E Reeves
Councillor D Welsh

Independent Members: S Atkinson
A Barton
P Wiseman

Employees (by Service Area):

Law and Governance: J Newman (Chief Legal Officer), S Bennett, S Harriott, A West

Apologies: R Wills

Public Business

1. Declarations of Interest

There were no disclosable pecuniary interests.

2. Minutes

The Minutes of the meeting held on 30 March, 2023 were agreed and signed as a true record.

There were no matters arising.

3. Annual Report of the Ethics Committee 2022-23

The Committee considered a report of the Chief Legal Officer which set out the work of the Committee over the last Municipal Year. In particular, the report detailed:-

- The Committee's review of the Complaints Protocol
- Online Safety Bill Update
- The Government's March 2022 Response to the Committee on Standards in Public Life Report of 2019
- Officer Member Protocol Review
- Civility in public life, intimidation in public life and digital citizenship
- Committee on Standards in Public Life Report entitled 'Leading in Practice'

The report also detailed other regular work of the Committee over the last year including receiving regular reports on ethical standards cases across the country;

maintaining a watching brief on work being undertaken by the Committee on Standards in Public Life; and locally on supporting Members in dealing with challenges associated with public service, particularly in relation to intimidation and abuse.

Details of the Work Programme for 2023/24 were also highlighted in the report and include:-

- Monitoring and responding to the Local Government Association's work on civility in public life and Digital Citizenship
- Producing a Guide for Councillors on Chamber Skills and Etiquette following training that took place in June, 2023.

The Ethics Committee approved the Annual Report for 2022/23.

RESOLVED that the City Council be recommended to:

- a) Note the Annual Report of the Ethics Committee for 2022/23**
- b) Consider whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake**

4. Online Safety Bill Update 2023- Local Government Association (LGA) Press Release

The Ethics Committee considered a report of the Chief Legal Officer which indicated that the Committee has been keeping a watching brief on the programme of work coordinated by the LGA entitled "Civility in Public Life". This work is in response to the increasing concern about intimidation and toxicity of debate and the impact this has been having on democratic processes.

Related to these topics, in February 2022, the Department for Digital, Culture, Media & Sport (DCMS) issued a press release, entitled: "New plans to protect people from anonymous trolls online". In summary, the Government have made additions to the Online Safety Bill to give Social Media users more control over what they see online and who can interact with them in an effort to fight against anonymous "trolls".

The report indicated that on 19 April 2023, the Local Government Association (LGA) issued a press release (a copy of which was appended to the report) calling on the Government to amend the Online Safety Bill to include stronger provisions to protect councillors from online abuse.

The Bill is currently passing through the House of Lords and the LGA has said that stronger provisions are needed amid an increase in online intimidation that has the potential to dissuade members of the public from becoming Councillors. The LGA has recommended that the Bill include provisions to manage internet abuse levelled at Councillors that fall below the criminal threshold and assurances from the Government that the democratic and journalistic protections set out in the bill "will not inadvertently protect perpetrators of abuse".

The LGA commented that: "Councillors are experiencing increasing levels of online intimidation, abuse and threats made against them, which can prevent Elected Members from representing the communities they serve and undermine public trust in democratic processes. We hope this bill will go some way in addressing the concerns we have heard from our membership ... However, we regret the removal of the harm-based communications offence by the Government at Committee stage in the Commons, which could have been an important tool in tackling this intimidation, harassment and abuse."

The LGA have confirmed that they support the overall aims of the Bill and "broadly welcome" the new threatening and false communication offences set out in the Bill, as well as the user empowerment and verification duty that will enable users to control what content and users they interact with.

The Committee expressed their extreme concern regarding the significant increase in abuse and intimidation faced by Councillors over the last few years. The local position was noted, particularly in relation to the help, support and guidance provided to Councillors, both from the City Council and West Midlands Police, which was welcomed.

RESOLVED that the Ethics Committee:-

- 1. Notes and supports the position of the Local Government Association on the Online Safety Bill; and**
- 2. Requests that, in light of the Committee's concerns in relation to this issue, that this item continues to be reviewed alongside the ongoing work around Civility in Public Life and Digital Citizenship.**

5. Local Code of Corporate Governance

The Committee considered a report of the Chief Legal Officer which indicated that the Local Code of Corporate Governance sets out Coventry City Council's arrangements for meeting the seven principles of good governance as defined in the CIPFA/Solace Framework 'Delivering Good Governance in Local Government'. The Framework recommends that Local Authorities develop and maintain a Local Code of governance as it provides a structure to help individual authorities with their approach to governance.

The Council adopted a Local Code of Corporate Governance in 2017. The Code has recently been reviewed in the light of best practice and updated to reflect the current governance arrangements in place within the Council. An up to date and robust Local Code provides clarity over an authority's governance and supports the legal requirement to undertake an annual review of effectiveness of the Council's governance arrangements and produce an Annual Governance Statement.

The updated Local Code of Corporate Governance was appended to the report and is a refresh of the previous Code with extensive work undertaken with internal stakeholders to ensure it reflects the current position of the organisation and the

Council's One Coventry approach. The Local Code sets out the Council's specific arrangements for putting the principles of good governance into practice. It draws on examples provided in the Framework but also reflects systems and processes which are specific to the Council

The Committee welcomed the updated Local Code and commended its more "user friendly" and readable format.

RESOLVED that the Ethics Committee notes and welcomes the Local Code of Corporate Governance 2023/24.

6. Code of Conduct Update

The Ethics Committee received a report of the Chief Legal Officer that provided an update on national issues in relation to the ethical behaviour of Elected Members and the local position in Coventry regarding Code of Conduct issues.

In relation to the local position regarding Code of Conduct issues, the Committee noted with concern that, in a recent decision notice issued by the Monitoring Officer regarding a complaint received regarding the behaviour of a Councillor at a Council meeting, whilst determining that the matter could be dealt with by way of summary resolution, she had raised her disappointment in respect of the Councillor's prevarication and failure to respond to the Monitoring Officer and the apparent lack of respect for the process of maintaining standards in public life.

RESOLVED that the Ethics Committee:-

- 1) Notes the position with regard to matters concerning local authorities nationally; and**
- 2) Notes the local position in relation to the operation of the Council's Code of Conduct and delegate any actions arising from these to the Chief Legal officer, in consultation with the Chair of the Ethics Committee.**

7. Work Programme for the Ethics Committee 2023/24

The Committee considered a report of the Chief Legal Officer, appended to which was the Committee's Work Programme for the 2023/24 Municipal Year.

The Committee noted that feedback received from Members following the training on Council Chambers Skills and Etiquette would be reported to a future meeting.

RESOLVED that the Committee's Work Programme for 2023/24 be noted.

8. Any Other Items of Urgent Public Business

There were no other items of urgent public business.

(Meeting closed at 12pm)

