

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 11.00 am on Thursday, 28
September 2023

Present:

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

Independent Members: S Atkinson, R Wills, P Wiseman

Employees (by Service area):

Law and Governance J Newman (Chief Legal Officer), S Bennett, S Harriott, B
 Udegbe

Apologies: Councillor D Welsh and A Barton

Public Business

9. Declarations of Interest

There were no disclosable pecuniary interests.

10. Minutes

The Minutes of the meeting held on 29 June, 2023 were agreed and signed as a true record.

There were no matters arising.

11. 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.

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 delegates any actions arising from these to the Chief Legal officer, in consultation with the Chair of the Ethics Committee.**

12. **Six Monthly Review of Officers' Gifts and Hospitality**

The Ethics Committee considered a report of the Chief Legal Officer that reviewed declarations of gifts and hospitality made by Officers, in line with the Committee's Work Programme to review declarations on a regular basis. The Committee last reviewed the gifts and hospitality register entries received from 1 July to 31 December 2022, at its meeting on 30 March, 2023 (Minute 39/2022 refers). Appendices to the report detailed the most recent declarations for the period 1 January to 30 June 2023.

RESOLVED that the Ethics Committee notes the declarations of gifts and hospitality made by Officers for the period 1 January to 30 June 2023.

13. **Six Monthly Review of Members' Declarations of Gifts and Hospitality**

The Ethics Committee considered a report of the Chief Legal Officer that reviewed declarations of gifts and hospitality made by Members, in line with the Committee's Work Programme to review declarations on a regular basis. The Committee last reviewed the gifts and hospitality register entries received from 1 July to 31 December 2022, at its meeting on 30 March, 2023 (Minute 38/2022 refers). Appendices to the report detailed the most recent declarations for the period 1 January to 30 June 2023.

RESOLVED that the Ethics Committee notes the declarations of gifts and hospitality made by Members for the period 1 January to 30 June 2023.

14. **Civility in Public Life and Digital Citizenship Update**

The Committee considered a report of the Chief Legal Officer which indicated that the Committee has been monitoring the work of the Local Government Association (LGA) programme around Civility in Public Life and Digital Citizenship. This work is in response to the increasing concern about intimidation and toxicity of debate and the impact that this has been having on democratic processes. The report provided an update on the national and local response to this work.

The report indicated that in July 2023 the LGA issued a new publication outlining how Councils can better support Councillors to prevent and handle abuse. External consultants have worked with Councils and relevant partners to inform the report, which includes principles for Councils to consider, top tips and good practice case studies.

As detailed in previous reports the LGA had found that seven out of 10 Councillors had experienced abuse from the public in the previous year, and that this was seriously impacting civic life and local democracy. The LGA has been working on a series of projects to address the issue of abuse and intimidation of elected Members. This project focuses on what local agencies can do to prevent and address abuse perpetrated against Councillors.

The project is based on the premise that individuals and organisations have different levels of autonomy and agency within specific structures, and that there is

an inherent tension between agency and structure. Councillors have both more agency and fewer legal protections than other elected Members.

The report detailed the background and methodology to the project, which identified the following challenges:-

Challenge 1: Councillors feel vulnerable to abuse and ill-equipped or supported to handle abuse, harassment, and intimidation

- Councillors are susceptible to verbal, psychological and physical abuse and intimidation from various sources, including members of the public. Without specific training and support, they may not possess the necessary skills to confidently identify risky situations and diffuse potentially volatile situations.
- Councillors may also struggle to manage the aftermath of individual or ongoing incidents, including the need to engage with various agencies, such as the council, their political party and the police, to handle serious abuse.

Challenge 2: Lack of clear process around reporting abuse, harassment and intimidation to the Council results in Councillors not knowing who to turn to when an incident occurs

- Council officers support Councillors with a range of needs associated with their elected role, including assisting Councillors to deal with abuse, harassment, and intimidation they might experience. However, the thresholds and levels of support are not set out in statute.

Challenge 3: There is inconsistent engagement and response from the police to abuse and harassment of Councillors

- The diversity among police forces results in variable responses and levels of support provided to Councillors based on geographical location. This makes it difficult to develop effective interventions to prevent abuse, harassment, and intimidation of Councillors.

The following findings were detailed in the report:-

- Normalisation of abuse and intimidation in public and political discourse is a well-established growing issue. Councils may need to set expectations for interactions between the public and Councillors, as many already do with staff.
- Many Councillors consider their residents' right to engage with their elected representative as sacrosanct, and are reluctant to disengage, take officer advice or report incidents to the police. However, setting expectations may help them identify unacceptable behaviour.

- Clarity of process and responsibility was highlighted as a key challenge by Councillors and officers alike. In some areas, there is a clear and formalised process for raising concerns, either through a single point of contact (SPoC) individual or department, but in other areas there is not.
- Councils are recommended to set out who is responsible for supporting Councillors with abuse and intimidation, and ensure they are appropriately skilled and resourced. Ensure Councillors feel well-supported in their role by setting out clear processes and procedures.
- Relationships with local police are important to improve coordination and advance mutual understanding of abuse affecting Councillors, and the police role in addressing it. However, Councillors have expressed the belief that police did not take appropriate actions to record and investigate potential crimes against them because they were Councillors.
- Contributors to this research were clear that a strong relationship with the local police force was critical to effective communication.
- It is recommended that officers should tailor their support to the needs of individual Councillors and proactively identify risks through dynamic and periodic risk assessments. They should also be aware that some Councillors do not agree that abuse and intimidation is an issue for them personally or in their area.
- Some Councils had been prompted to put in place better support and protections for Councillors by a particular incident or local tensions, but without sustained focus and attention to issues of Councillor safety, good practice sometimes diminished with the threat.
- Councillor wellbeing is a much bigger consideration now than ever before, with many high-profile local and national politicians being exposed to hurtful public commentaries. This can deter people from standing for election or re-election and seeking leadership positions.

The project had concluded that :-

- Councillors' experiences of abuse and intimidation vary, and there is no 'one-size-fits-all' approach to responding to abuse. However, the general principles set out in the report may help Councils to consider the level of support their Members require.

- Councillors, political parties, Councils and local police all have a role to play in preventing and dealing with abuse targeted against Councillors. However, there is a limit to their power, resources and responsibility to handle these issues and some things they will not be able to influence.
- In this research, Councillors and the police discussed how to improve relationships and the consistency of police response to abuse against Councillors and others in public life. The research showed that the police can be relied on to deal with serious threats to life and violent crime.
- Councillors are a central part of our democratic system and should display appropriate behaviours for leaders and representatives of their Council. Political parties and their Members should set the example of proper conduct.

The Committee discussed, with concern, Members' experiences of abuse and intimidation locally. The Committee were advised of work undertaken to support Councillors, including training, the availability of counselling services, protocols in place and work undertaken with the Police.

It was noted that there was a need to continue to be proactive in this regard and that new arrangements that were coming into place with the Police in relation to abuse and intimidation experienced by employees would be investigated to see if they could be extended to Members. It was also noted that discussions will be held with appropriate officers in relation to the creation of a central log identifying potential threats for both employees and Councillors.

The Committee noted that training for Members on Chamber skills, rules of debate and rules of procedure had been held in June, 2023 and had been well received.

RESOLVED that the Ethics Committee:-

- 1) Notes the work undertaken by the local Government Association on their "Debate Not Hate" campaign**
- 2) Notes the work that is being undertaken locally; and**
- 3) Requests that this item remains on the Work Programme of the Ethics Committee for continued review**

15. 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.

Further to Minute 14 above and the Committee's concerns in relation to the level of abuse received by Councillors, the Chief Legal Officer was requested to investigate submitting a report to a future meeting detailing incidents of abuse received by Councillors in order to establish if there are any patterns.

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

16. Any Other Items of Urgent Public Business

There were no other items of urgent public business.

17. Sarah Harriott

The Chair, Councillor S Nazir, indicated that Sarah Harriott, Corporate Governance Lawyer, was attending her last meeting before leaving the Council to take up a new role at West Northamptonshire Council.

On behalf of the Committee, Councillor Nazir thanked Sarah for all her support and advice to the Ethics Committee and Members wished Sarah all the very best for the future.

(Meeting closed at 11.35am)