

ETHICS COMMITTEE

30th August, 2012

Members Present: - Councillor A. Andrews
Councillor P. Hetheron (Chair)
Councillor D. Kershaw
Councillor K. Mulhall

Employees Present: - C. Forde (Finance and Legal Services Directorate)
G. Paddan (Customer and Workforce Services Directorate)

1. Apologies

There were no apologies submitted.

2. Declarations of Interest

There were no declarations of interest.

3. Approval of Complaints Protocol

The Committee considered a report of the Monitoring Officer, attached to which was the new Complaints Protocol that detailed the resolution procedure of a member complaint. The report sought approval of the Complaints Protocol.

It was noted that the former ethical standards regime under the Local Government Act 2000 had been abolished on 1st July, 2012 and a new regime for both the conduct of elected members and the way in which complaints against such Members would be dealt with was introduced.

The Committee was advised that all councils had a duty to adopt a Code of Conduct for its Elected and Co-opted members and that they must have in place arrangements under which allegations could be investigated and decisions on allegations could be made. Coventry City Council adopted its Code of Conduct at the Council meeting on 3rd July 2012.

The new arrangements detailed in the Appendix would, as far as possible, avoid some of the administrative weight associated with the previous arrangements for assessing complaints. Following consideration of the report, the Committee proposed amendments to sections under 'Pre Hearings Procedure' and 'Procedure at the meeting of the Ethics Committee'.

A discussion ensued in respect of submitting a response and it was agreed that the sections be amended to take into account the proposals raised at the meeting. It was further agreed that the Monitoring Officer would liaise with the Chair to agree any amendments to the Complaints Protocol.

RESOLVED that, after due consideration of the options and proposals contained in the report and matters referred to at the meeting the Complaints Protocol be approved, subject to the amendment being agreed with the Chair in consultation with the Monitoring Officer.

Post minute note: The following amendments were agreed with the Chair in consultation with the Monitoring Officer:

Under section 2 (Consequences of an Informal Resolution) the following was deleted:

If the Complainant refuses to engage with the process, then the complaint will be regarded as closed with immediate effect.

Under section 3.3 (Pre Hearing Procedure) the following was inserted:

Only in exceptional circumstances will any late documentation be considered as determined appropriate by the Chair of the Committee or the Ethics Committee as appropriate in consultation with the MO and/or IP as appropriate.

Section 5.11 was inserted under 'Procedure at the meeting of the Ethics Committee':

In exceptional circumstances the Ethics Committee may adjourn the hearing to later the same day or a future date.

4. Any Other Public Business

There were no other items of public business.

(Meeting concluded at 3pm)