

**Coventry City Council**  
**Minutes of the Meeting of Ethics Committee held at 10am on**  
**Thursday 20<sup>th</sup> February 2014**

Present:

Members

Councillor P Hetherton (Chair)  
Councillor A Andrews  
Councillor C Fletcher  
Councillor K Mulhall

Employees (by Directorate)

Resources:

C Forde, C Goodwin, G Paddan

Apologies:

Councillor D Gannon

### **Public Business**

#### **1. Declarations of Interest**

There were no declarations of interest.

#### **2. Minutes**

- a) The minutes of the meeting held on 30 August 2012 were signed as a true record.
- b) There were no matters arising.

#### **3. Annual Report on Standards in Public Life**

The Committee received a report of the Assistant Director (Legal and Democratic Services), which outlined the matters raised in the Annual Report for 2012-13 of the Committee on Standards in Public Life to inform the Ethics Committee of relevant matters of concern in their work area on a national level.

The report set out that Committee on Standards in Public Life ('the Committee') was set up in 1995 and its current terms of reference were 'to examine current concerns about standards of conduct of all holders of public office and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life..'

In January 2013, the Committee issued its fourteenth report entitled "Standards Matter: a review of best practice in encouraging good behaviour in public life" (copy attached as an Appendix to the report), a comprehensive report but containing commentary, recommendations and decisions relevant to the local government standards regime.

The Committee discussed the procedures and policies that were in place within the Council to support standards of conduct. It was noted that in some circumstances these standards were miscalculated in terms of personal integrity and responsibility. Consideration was given to ways of making improvement and increasing good ethical behaviour; with a focus on the importance of training on ethical standards. The role of social media within the public sector was discussed in terms of its effect on the public.

**RESOLVED that after due consideration of the report and the matters raised at the meeting, the Ethics Committee:**

- a) Note the content of the report;**
- b) Direct the Assistant Director (Legal and Democratic Services) to continue to monitor the national picture as regards standards and report back on any issue, which may be of significance to the Council on a local level;**
- c) Direct the Assistant Director (Legal and Democratic Services) to develop a training programme for the next Municipal Year on 'Ethical Standards in Public life' for approval by the Ethics Committee for Member training.**

#### **4. Code of Conduct – update**

The Committee considered a report of the Assistant Director (Legal and Democratic Services), which suggested a new complaint form be added to the Council's website in relation to complaints against elected and co-opted members. The report also set out a summary of three cases determined under the new complaints regime from other authorities.

It was noted that since the abolition of Standards for England there has been no national body overseeing local assessment of complaints and therefore no national statistics were available. The report made reference to three cases of unacceptable behaviour of members; two of which were determined by Cornwall Council and published on [www.cornwall.gov.uk/standards](http://www.cornwall.gov.uk/standards).

The complaint form was reviewed and it was agreed to include the additional wording on the first bullet point '...unless there are special circumstances'.

**RESOLVED that after consideration of the report and matters raised at the meeting the Ethics Committee:**

- a) Approves the new complaint form at Appendix 1 with the addition to the first bullet point 'unless there are special circumstances' (attached to the report) and any consequential changes to the Council's webpage.**

- b) Note the three cases determined under the new regime and delegate any actions arising from these to the Assistant Director (Legal and Democratic Services) in consultation with the Chair of the Ethics Committee.**

## **5. Draft Work Programme for Ethics Committee**

The Committee received a report of the Assistant Director (Legal and Democratic Services), which suggested areas of work for the Ethics Committee for the rest of the current Municipal year and for the Municipal Year 2014-15.

The report detailed the Committee's Terms of Reference, as set out in section 2.9.1.6 of the Council's Constitution and included the consideration of matters which were relevant to the ethical governance of the Council, its members or employees. Attached to the report was a proposed programme of work for the Committee to consider in order that it was able to meet its objectives set out in the Terms of Reference and ensure the Council complied with its obligations under section 27 of the Localism Act 2011.

The Committee gave consideration to the draft work programme having taken into account the need to promote standards and maintain high standards of conduct. The draft work programme, as circulated, was 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. The three proposals were:

- 1) A standing item for each meeting, by way of a Monitoring Officer/Code of Conduct update.
- 2) Ethics Committee having an overview of Gifts and Hospitality for both officers and members. This would enable the Codes of Conduct for Officers and Members to be reviewed to establish if they were being put into effect on a day to day basis and allow improved or different practices to be considered by the Committee.
- 3) Reviews of the position of the parish councils, a review of the Register of Disclosable Pecuniary Interests and during the next Municipal Year 2014-15, a review of an Annual Report from the Committee on Standards in Public Life.

Further consideration was given to items listed within the draft work programme for March 2014 in respect of 'Gift and Hospitality for Members, in terms of review of declarations during 2012/13 Municipal Year. It was suggested that the declaration of interests form be reviewed.

**RESOLVED that the Ethics Committee:**

- a) **Approve the draft work programme attached to the report;**
- b) **Delegate responsibility for reviewing and amending the work programme to the Assistant Director (Legal and Democratic Services) in consultation with the Chair of the Ethics Committee.**

**6. Appointment of Independent Person**

The Committee considered a report of the Assistant Director (Legal and Democratic Services), in respect of the 'Appointment of Independent Person'.

The Localism Act 2011 required the Council to appoint at least one independent person whose views would be sought when making decisions about allegations that councillors had breached the Council's Code of Conduct.

The Act requires councils to have in place arrangements to investigate and make decisions on allegations that a councillor had breached the Code of Conduct. The arrangements to make decisions on allegations must include provision for the appointment of one or more 'independent person' through a transparent process, by advertisement and application. A Member, Co-opted Member or Officer of the authority or a relative or close friend of such person cannot be appointed as an 'independent person'.

It was noted that the interviews were held on 21<sup>st</sup> January 2014 and the Interview Panel decided to recommend the appointment of Ken Sloan through this Committee and Council on 25<sup>th</sup> February 2014.

Under Section 2.9.1.6 of the Council's Constitution, requires that any appointment of the Independent Person to be recommended by the Ethics Committee to Full Council.

**RESOLVED, that after due consideration of the report, the Ethics Committee recommends that Council appoints Ken Sloan, as the Independent Person under section 28 of the Localism Act 2011 with immediate effect.**

**7. Any other items of public business which the Chair decides to take as matters of urgency because of special circumstances involved**

There were no other items of public business.

(Meeting closed at 11.30am)