

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 1.00 pm on Thursday, 8
October 2020

Present:

Members: Councillor S Walsh (Chair)

Councillor A Andrews
Councillor P Hetherington
Councillor J Mutton
Councillor D Welsh

Employees:-

S Bennett, Law and Governance
C Bradford, Law and Governance
J Newman, Director of Law and Governance and
Monitoring Officer
U Patel, Law and Governance
C Sinclair, Law and Governance
A West, Law and Governance

Independent Persons: S Atkinson, A Barton, R Wills and P Wiseman

Public Business

6. **Declarations of Interest**

There were no declarations of interest.

7. **Minutes**

The Minutes of the meeting held on 23 July, 2020 were agreed and signed as a true record.

There were no matters arising.

8. **Appointment of Independent Chair**

RESOLVED that Ruth Wills, Independent Person, be appointed as the Chair for consideration of the matter referred to in Minute 9 below relating to “Hearing into Complaint Under Code of Conduct”.

9. **Hearing into Complaints Under Code of Conduct**

The Committee considered a report of the Director of Law and Governance which detailed a complaint made on 17 June, 2020 by eight separate individuals (“the Complainants”). The content of each of the complaints is the same. The complaint was against Councillor G Williams (the “Subject Member”) and relates to comments made by the Subject Member on Twitter.

The Complainants alleged that the Subject Member breached the Council’s Code of Conduct for Elected and Co-opted Members in a number of respects, most notably in connection with comments that he had made on social media. These were detailed in the Stage 2 report attached.

An initial review concluded that there should be an investigation into the complaints. Julie Newman, the Council’s Monitoring Officer carried out the investigation and concluded that most of the examples of behaviour relied upon by the Complainants either fell outside of the timescale for considering complaints or had already been investigated and findings made. However, the matters raised in paragraph 2.3.8 of the report were new matters and so should be considered as part of the investigation. These matters related to tweets about using water cannon on anti-racist protestors and about “swarms” of illegal immigrants arriving in the UK.

The Stage 2 Investigation Report concluded that the Subject Member’s postings were antagonistic and aimed to dehumanise and were incendiary and offensive. They crossed the boundary of acceptable respectful debate and amounted to a prima facie breach of Paragraph 3 (j) of the Code (treating people with respect).

In accordance with Paragraph 7.4 of the Council’s Complaints Protocol, the Deputy Monitoring Officer had referred the complaint to a hearing of the Ethics Committee.

The Subject Member had written to the Chair of the Ethics Committee, Councillor Walsh, to give reasons for his non-engagement with the complaint process, together with his non-attendance at the meeting. The letter was read in full to the Committee. The Investigating Officer responded to the comments made in the letter.

The Committee decided to proceed with the Hearing in the Subject Member’s absence.

The Committee considered the following:-

- a) Presentation of the Investigation report
- b) Summing up from the Investigating Officer
- c) Views and submissions of the Independent Person (Steve Atkinson)

The Committee then determined the complaint and concluded that there had been a breach of paragraphs 2 (d) 3 (f) and 3 (j).

Before determining what sanctions, if any, should be applied, the Independent Person was invited to make representations as to whether or not any sanctions should be applied and, if so, what form they should take. The Committee noted that the application of any sanction should be reasonable and proportionate to the Subject Member's behaviour.

RESOLVED that the conclusion of the Committee be as set out in the Decision Notice attached as Appendix 1 to these Minutes.

NOTE: On behalf of the Committee, Councillor Walsh thanked Ruth Wills for chairing this item of business.

10. **Annual Report of the Ethics Committee 2019-20**

The Committee considered a report of the Director of Law and Governance setting out the work of the Committee over the last Municipal Year.

In particular, the report detailed:-

- Code of Conduct Complaints
- Work that the Committee has carried out on the Committee on Standards in Public Life's best practice recommendations
- Training for Parish Councils
- Amendments to the Complaints Protocol

The Ethics Committee approved the Annual Report.

RESOLVED that the City Council be recommended to:

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

11. **Committee on Standards in Public Life: Annual Report for 2019-20**

The Committee considered a report of the Director of Law and Governance which outlined matters raised in the Annual Report for 2019-2020 of the Committee in Standards in Public Life (CSPL) and which informed the Committee of relevant matters of concern in their work area on a national level.

The CSPL has undertaken and been involved in the following 4 key pieces of work in their financial year 2019-20:-

- AI and Public Standards
- Local Government Ethical Standards- follow up
- Intimidation in Public Life – follow up; and
- Parliament: Bullying and Harassment

In addition, the Committee organised some events and activities to mark its 25th anniversary in October, 2019. The report provided a very brief overview of the main areas of work over the last 12 months

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

12. Review of Officers' Gifts and Hospitality - 1 July 2019 to 30 June, 2020

The Committee received and noted the entries of gifts and hospitality received by officers for the 12 months ending 30 June, 2020.

13. Review of Members' Gifts and Hospitality - 1 July, 2019 - 30 June, 2020

The Committee received and noted the entries of gifts and hospitality received by Members from 1 July, 2019 to 30 June, 2020.

14. Code of Conduct Update

The Committee received 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 Code of Conduct issues.

RESOLVED that the Committee:-

(1) Notes the cases determined under the standards regime nationally and:

(2) 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, in consultation with the Chair of the Ethics Committee

15. Work Programme

The Committee received a report of the Director of Law and Governance which set out the previously approved Work programme for the Committee for the remainder of the Municipal Year 2020/21.

The Work programme also included a separate table showing the actions to be taken in conjunction with the Committee on Standards in Public Life's Best Practice Recommendations for Local Authorities contained in its report of January, 2019.

RESOLVED that the Committee notes the Work Programme and welcomes the progress made in relation to the Table of Best Practice Recommendations.

16. Any Other Items of Urgent Public Business

There were no other items of urgent public business.

(Meeting closed at 2.40pm)