

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.00 am on Thursday, 21
January 2021

Present:

Members: Councillor S Walsh (Chair)
Councillor A Andrews
Councillor P Hetherton
Councillor J Mutton (Chair for the meeting)
Councillor D Welsh

Employees:- S Bennett, Law and Governance
C Bradford, Law and Governance
S Harriott, Law and Governance
J Newman, Director of Law and Governance and
Monitoring Officer
M Rose, Law and Governance

Independent Persons: S Atkinson, A Barton and P Wiseman

Apologies:- R Wills

Public Business

25. Chair

In the absence of the Chair, Councillor S Walsh, at the start of the meeting, the meeting was Chaired by Councillor J Mutton.

26. Declarations of Interest

There were no declarations of interest.

27. Minutes

The Minutes of the meeting held on 3 December, 2020 were agreed and signed as a true record, subject to the inclusion of P Wiseman, Independent Person, in the list of attendees.

There were no matters arising.

28. New Code of Conduct for Elected and Co-opted Members

The Committee considered a report of the Director of Law and Governance which indicated that the Local Government Association (LGA) has published a new Model Code of Conduct for Members which follows on from a consultation held in the summer of 2020. The LGA has produced the new Model Code of Conduct on the recommendation of the Committee on Standards in Public Life in its report on

local authority standards published in January 2019. The Ethics Committee made representations to the LGA on the wording of the proposed Code.

The report asked the Committee to consider the new Model Code of Conduct, a copy of which was appended to the report, with a view to the Council adopting the Code, either in whole or with modifications. As any new Code will need to be included in the Council's Constitution, any views of the Committee will be reported to the Constitutional Advisory Panel, the Cabinet Member for Policing and Equalities and full Council when those bodies consider the matter.

The main points of the Model Code of Conduct are:

- (a) The Code explicitly applies to Councillors who are claiming to act as a Councillor or who give the impression that they are doing so as well as where a Councillor refers publicly to their role or uses knowledge they could only obtain in their role as a Councillor. The current Code only applies where a Councillor is acting in their official capacity.
- (b) The Code gives examples of what amounts to treating others with respect but also how to deal with disrespectful behaviour from others. The term "respect" is favoured over "civility".
- (c) Definitions of bullying and harassment are included and there is an express requirement to promote equalities and to not discriminate unlawfully.
- (d) Councillors must not bring their role or local authority into disrepute
- (e) Councillors must agree to undertake any Code of Conduct training provided, co-operate with a Code of Conduct investigation, not intimidate any person involved in any investigation and comply with any sanctions imposed
- (f) There is an obligation to register any gifts or hospitality regardless of value which could give rise to real or substantive personal gain
- (g) Gifts or hospitality of £50 or more in value must be registered as must any that have been refused
- (h) In addition to the statutory Disclosable Pecuniary Interests, there is a requirement to register membership of any body exercising functions of a public nature, directed to charitable purposes or one of whose principle purposes includes the influence of public opinion. This only applies to bodies to which the Councillor has been appointed by the Council and mirrors those memberships that were required to be registered under the 2007 national Code of Conduct. Under the current Code of Conduct members are required to declare membership of any body whose rules of membership could be regarded as suggesting a degree of loyalty to that organisation. This is regardless of whether the appointment is made through the Council or a private matter.

The Model Code includes three Appendices:

- (a) Appendix A: The Seven Principles of Public Life (Nolan Principles)
- (b) Appendix B: The Registration and Declaration of Interests
- (c) Appendix C: The Committee on Standards in Public Life (including the 15 Best Practice recommendations)

The Committee made a number of comments in relation to the Model Code and its adoption by the City Council, in particular:-

- The Committee welcomed the favouring of the term “treating other with respect” rather than “with civility”, together with the definitions provided in the Model Code
- That the threshold for the registration of gifts and hospitality should be set at £50 in line with the national threshold
- That the Council should extend the obligation to declare membership of outside bodies to include those which currently must be declared
- That appropriate training to new and existing Members should be provided following the adoption of the new Code
- That the Member Complaints Protocol should be strengthened and updated to reflect any new changes to the Code
- That the Model Code should be amended to be more user friendly and easier to reference, to include using the second person, to remove unnecessary preamble, to be numbered, and to include the Nolan Principles at the forefront of the document, rather than as an Appendix

RESOLVED:-

- 1) That officers be requested to amend the Model Code of Conduct as outlined above and that the amended Model Code be recommended to the Constitutional Advisory Panel for consideration**
- 2) That the Model Code of Conduct be further considered by the Ethics Committee at its meeting on 4 March, 2021, prior to its adoption by Council on 16 March, 2021.**

29. Any Other Items of Urgent Public Business

There were no other items of urgent public business.

(Meeting closed at 10.55 am)