

Ethics Committee

Ethics Committee

4 March 2021

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

Not applicable

Title:

Outcome of Code of Conduct Investigation

Is this a key decision?

No

Executive Summary:

This report provides the outcome of a Code of Conduct Investigation in respect of allegations that Councillor Williams breached the Code of Conduct for Elected Members.

The Ethics Committee's complaints protocol sets out how a complaint that an Elected Councillor has failed to comply with the Council's Code of Conduct is dealt with. The protocol requires that where an investigating officer concludes that there is evidence of a failure to comply with the Code of Conduct but the Monitoring Officer considers that the matter can reasonably be dealt with without the need for a hearing then, following discussion with the Independent Person and liaison with the complainants and the Councillor who is subject of the complaint, the Monitoring Officer will report the matter to the Ethics Committee for information.

Recommendations:

The Ethics Committee is recommended to note the outcome of the investigation attached as Appendix 1.

List of Appendices included:

Investigation Report – NB the Appendix referred to in the Investigation Report contains confidential information and has therefore not been disclosed.

Other useful background papers:

None

**Has it been or will it be considered by
Scrutiny?** No

**Has it been or will it be considered by any other Council Committee, Advisory
Panel or other body?** No

Will this report go to Council?

No

1. Context (or background)

- 1.1 In August 2020 Councillor Williams made comments on his social media sites that related to the potential arrival of several asylum seekers which were to be placed by the Home Office in one of the hotels within Coventry. His comments resulted in four separate complaints being submitted alleging that Councillor Williams had breached the Code of Conduct for Elected and Co-opted Members.
- 1.2 The City Council's Monitoring Officer, supported by one of the Committee's Independent Persons, considered that the complaints merited a formal investigation and instructed Ms Olwen Brown as an appropriately experienced external investigator to undertake the investigation.
- 1.3 Ms Brown produced a draft report that was shared with the Complainants and Councillor before forwarding her final report to the Council's Monitoring Officer.
- 1.4 Ms Brown found that there was sufficient evidence in this matter to justify a finding that Councillor Williams had breached the Council's Code of Conduct for Elected Members.

2. Options considered and recommendations

- 2.1 Having considered the report of Ms Brown and following discussions with Independent Person in this matter (Mr Steve Atkinson) the Monitoring Officer concluded that the matter should be resolved summarily, without a hearing, before the Ethics Committee.
- 2.2 This decision was made on the basis that on the 8th October 2020 the Ethics Committee held a hearing in respect of previous posts Councillor Williams had made on social media, in which they found that he had breached the Code of Conduct. This matter was then considered by a full Council meeting on the 8th December 2020, at which the Council voted to send a formal letter of censure to Councillor Williams.
- 2.3 Councillor Williams was admonished for failing to demonstrate leadership by example and to treat others with respect and that his behaviour had again fallen well below the standard that the Council expects of its elected members.
- 2.4 Councillor Williams has therefore been recently censured for his inappropriate use of social media and the Ethic Committee is recommended to note the outcome of this investigation.

3. Results of consultation undertaken

None

4. Timetable for implementing this decision

- 4.1 Not applicable

5. Comments from Director of Finance and Director of Law and Governance

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report, however reporting on the outcome of this investigation and provide the investigation report in full supports the duty to promote high standards of ethical conduct.

6. Other implications

None

6.1 How will this contribute to the Council Plan?

Not applicable.

6.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report.

6.3 What is the impact on the organisation?

The investigation supports the promotion of high standards amongst elected members in accordance with the Localism Act.

6.4 Equality Impact Assessment / EIA

The public sector equality duties require that the City Council in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Protected characteristics includes a person's sexual orientation.

6.5 Implications for (or impact on) Climate change and the environment?

None

6.6 Implications for partner organisations?

None at this stage

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