

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.30 am on Thursday, 4
March 2021

Present:

Members: Councillor S Walsh (Chair)

Councillor P Hetherton
Councillor J Mutton
Councillor D Welsh

Employees:-

S Bennett, Law and Governance
C Bradford, Law and Governance
L Knight, Law and Governance
J Newman, Director of Law and Governance and
Monitoring Officer

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

Public Business

30. Declarations of Interest

There were no declarations of interest.

31. Minutes

The Minutes of the meeting held on 21 January, 2021 were agreed and signed as a true record

There were no matters arising.

32. Outcome of a Code of Conduct Investigation

The Committee considered a report of the Director of Law and Governance which detailed the outcome of a Code of Conduct Investigation in respect of allegations that Councillor Williams breached the Code of Conduct for Elected Members.

In August 2020 Councillor Williams made comments on his social media sites that related to the potential arrival of several asylum seekers who 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.

The City Council's Monitoring Officer, supported by one of the Committee's Independent Persons, Mr Steve Atkinson, considered that the complaints merited

a formal investigation and instructed Ms Olwen Brown as an appropriately experienced external investigator to undertake the investigation.

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. A copy of the final report was attached as an Appendix.

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.

Having considered the report of Ms Brown and following discussions with the Independent Person in this matter, the Monitoring Officer concluded that the matter should be resolved summarily, without a hearing before the Ethics Committee. 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 resolved to send a formal letter of censure to Councillor Williams. 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.

As Councillor Williams had therefore been recently censured for his inappropriate use of social media and the Ethic Committee was recommended to note the outcome of this investigation.

Members of the Committee again expressed their concern regarding the current sanctions available to them in relation to breaches of the Code of Conduct, noting that any change to the current regime would require legislative changes. (Minute 35 below also refers)

RESOLVED that the Ethics Committee note the outcome of the investigation attached as an appendix to the report.

33. **Revised Code of Conduct for Elected and Co-opted Members**

Further to Minute 28/20, the Committee considered a report of the Director of Law and Governance which indicated that at its meeting on 21 January 2021, the Ethics Committee considered the Model Code of Conduct produced by the Local Government Association in December 2020. The Committee authorised officers to produce a revised Code of Conduct for onwards consideration by the Constitutional Advisory Panel, Cabinet Member and Council, but asked that the revised version be brought back to the Committee for their consideration.

Following consideration of the Code by the Constitutional Advisory Panel, a revised Code of Conduct was appended to the report for the Committee's consideration. The revised Code will be considered by the Cabinet Member for Policing and Equalities and Council on 8 and 16 March, 2021 respectively.

The Committee made a number of comments in relation to the revised Code and the Director of Law and Governance indicated that these comments would be addressed as part of the training for all Members on the Code in May, 2021. It was noted that the Code would be updated with any minor typographical amendments.

The Committee's involvement and engagement in the launch of the new Code for all Members was sought and this was supported and welcomed.

RESOLVED that the revised Code be noted and that the Ethics Committee's involvement and engagement in the launch of the new Code, be approved.

34. **Review of Members' and Officers' Declarations of Gifts and Hospitality 1 July to 31 December, 2020**

The Committee noted a report of the Director of Law and Governance which indicated that indicated that, as a result of the Covid pandemic, no declarations of gifts and hospitality have been made by Members or officers during the period 1 July, to 31 December, 2021.

35. **Code of Conduct Update**

The Committee considered 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 the Code of Conduct.

In considering a case involving Merthyr Tydfil Borough Council, the Committee noted that as the case was determined by the Adjudication Panel for Wales under the Welsh Standards regime, which is similar to the regime which existed in England up to 2012, a sanction to suspend had been applied. The Committee reiterated their concerns regarding the current sanctions available to them for breaches of the Code of Conduct and again noted that this required a legislative change, which many Local Authorities were calling for.

RESOLVED that the Director of Law and Governance be requested to write to the Government outlining the Committee's concerns regarding the current sanctions regime in relation to breaches of the Code of Conduct and pressing for legislative changes.

36. **Ethics Committee Work Programme 2021/22**

The Committee received a report of the Director of Law and Governance which detailed a proposed Work Programme for the Committee for 2021/22.

RESOLVED that the Work Programme for the Ethics Committee 2021/22 be approved.

37. **Any Other Items of Urgent Public Business**

There were no other items of urgent public business.

(Meeting closed at 11.10am)