

Coventry City Council
Minutes of the Meeting of Ethics Committee held at 10.00 am on Thursday, 29
September 2022

Present:

Members: Councillor S Nazir (Chair)
Councillor P Hetheron
Councillor P Seaman (Substitute for Councillor D Welsh)

Independent Members: P Wiseman

Employees Present:

Law and Governance: J Newman (Director), S Harriott, U Patel, C Taylor

Apologies: Councillor M Mutton and S Atkinson, A Barton, R Wills
(Independent Members)

Public Business

15. Councillor S Walsh

The Committee held a Minute's silence as a mark of respect for Councillor S Walsh, former Chair of the Ethics Committee, who had sadly recently passed away.

16. Declarations of Interest

There were no declarations of interest.

17. Minutes

The Minutes of the meetings held on 30 June and 8 July, 2022 were agreed and signed as a true record.

There were no matters arising.

18. Civility in Public Life and Digital Citizenship Review

The Committee considered a report of the Director of Law and Governance monitoring the work of the Local Government Association (LGA) programme around Civility in Public Life and Digital Citizenship. This work was in response to the increasing concern about intimidation and toxicity of debate and the impact this had on democratic processes. An update had previously been brought to Committee on 9 December 2021.

In particular, the report detailed:

- The primary aims of the LGA's Civility in Public Life and Digital Citizenship work.
- The publication of 'Debate Not Hate' which detailed the impact of abuse on local democracy.
- LGA recommendations from evidence gathered over the first 6 months.
- Common themes amongst the evidence including; variability of support, targeted abuse, personal and democratic impacts, vulnerability of councillors and normalisation.
- The local picture including Council's campaign launched in September 2022 called 'Debate Not Hate'

The Committee endorsed the work of the LGA however, they expressed concerns with regard to sharing opinions on social media which could be taken out of context, and people feeling confident about the democratic process and being encouraged to have their say without being targeted.

The Committee discussed, asked questions and received responses on the following:

- Significant/serious threats were more easily dealt with by the Police than lesser, 'trickle' effect threats and how support was provided to victims of low level constant/harassment, which could potentially be more damaging
- Advice regarding keeping a log/record was provided from the LGA on the Members pages.
- Physical safety was just as important as online safety.

It was noted that Members who had not signed up for the Personal Safety Training with the LGA would be encouraged to do so.

RESOLVED that the Ethics Committee:

- 1. Notes the work that has been undertaken by the LGA in promoting Civility in Public Life and Digital Citizenship;**
- 2. Signs the 'Debate Not Hate' public statement to support the work of the LGA which seeks to act as a call to action for the relevant Government department to form a working group to address this issue;**
- 3. Notes the work that has been undertaken locally in respect of the Council's "Debate Not Hate" Campaign promoting Civility in Public Life and Digital Citizenship; and**
- 4. Requests that this item remains on the Work Programme of the Ethics Committee for continued review.**

19. Six Monthly Review of Members' Declarations of Gifts and Hospitality (Including declarations of gifts and hospitality Following the City of Culture 2021 Year)

The Committee considered a report of the Director of Law and Governance which provided a six-monthly review of Members' Declarations of Gifts and Hospitality

together with declarations of gifts and hospitality following the City of Culture 2021 Year.

RESOLVED that the Ethics Committee notes the gifts and hospitality register entries received from 1 January to 30 June 2022 together with the entirety of Member Declarations in relation to the City of Culture Year 2021.

20. **Six Monthly Review of Officers' Gifts and Hospitality (Including declarations of gifts and hospitality Following the City of Culture 2021 Year)**

The Committee considered a report of the Director of Law and Governance which provided a six-monthly review of Officers' Declarations of Gifts and Hospitality, together with declarations of gifts and hospitality following the City of Culture 2021 Year.

RESOLVED that the Ethics Committee notes the gifts and hospitality register entries received by officers for the first six months of 2022, together with all Gifts and Hospitality received by officers in relation to the Coventry City of Culture Year 2021.

21. **Code of Conduct Update**

The Committee considered a report of the Director of Law and Governance updating the Ethics Committee on any 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 Ethics Committee:

1. **Notes the position with regard to matters concerning local authorities nationally.**
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.**

22. **Local Government Association Briefing on Changes to Disqualification Criteria for Councillors**

The Committee considered a report of the Director of Law and Governance updating the Committee on the Local Government Association (LGA) Briefing on Changes to Disqualifications Criteria for Councillors.

The report advised the Committee that the Local Government (Disqualification) Act 2022 (the Act) came into force on 28 June. The Act updates the disqualification criteria for local authority members to explicitly disqualify individuals who are subject to relevant notification requirements or orders due to sexual offences such as Sexual Harm Prevention Orders and Sexual Risk Orders from standing for or remaining in office.

Previously, a Councillor would be disqualified from standing for election or holding public office if they had been convicted of any offence and had received a sentence of imprisonment (suspended or not) for a period of no less than three months or more in the five-year period before the relevant election.

Recently new offences and sentencing regimes were implemented, meaning that some sexual offences, registration on the Sex Offenders Register and other offences such as anti-social behaviour did not result in a custodial sentence, eg they might have required a notification or an Order may be made. Therefore, Councillors convicted of offences, which previously would have resulted in disqualification, were able to retain their role if elected or run for election even if recently convicted.

The Act updates the disqualification criteria so that sexual offences that had unintentionally fallen out of the scope of the disqualification criteria were brought back into scope.

The Act is not retrospective, meaning its disqualification would not apply to a person subject to any relevant notification requirements or a relevant order before 28 June 2022.

Candidates for election to local government must declare they are not disqualified from standing using prescribed 'Consent to Nomination' forms at nomination. The report indicated that it was a criminal offence to make a false statement on nomination papers.

In response to a question raised, the Director of Law and Governance undertook to circulate information on what qualified as a public order offence.

RESOLVED that the Ethics Committee notes the content of the briefing released by the Local Government Association and the changes to the law.

23. **Work Programme for the Ethics Committee 2022/23**

The Committee considered a report of the Director of Law and Governance updating the Ethics Committee on the Work Programme 2022/23.

RESOLVED that the Ethics Committee notes the Work Programme 2022/23 attached at Appendix 1.

24. **Any Other Items of Urgent Public Business - Membership of the Committee**

Peter Wiseman, Independent Member of the Committee, raised the matter of public perception of the Committee in light of the fact that there remains a Conservative Group vacancy on the Committee. Mr Wiseman outlined the importance of ensuring cross party working in relation to promoting ethics and standards in public life.

The Committee fully endorsed the comments made and agreed that the Committee would be better, safer, stronger and more effective if all parties on the City Council were represented.

RESOLVED that the Chair of the Ethics Committee, Councillor S Nazir, writes to the Leader of the Conservative Group, outlining the concerns now raised regarding ensuring cross party representation on the Committee and requesting the Conservative Group to reconsider appointing a member of their Group to the Committee.

(Meeting closed at 10.55 am)