
Ethics Committee
Council

27 June 2024
09 July 2024

Name of Cabinet Member:

N/A - Ethics Committee

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

None

Title: Annual Report of Ethics Committee 2023-24

Is this a key decision?

No

Executive Summary

This report forms the eighth annual report of the Ethics Committee, setting out the work of the Committee over the last municipal year. In particular, it reports on:

- Update on the Online Safety Bill (now enacted Online Safety Act 2023)
- The Committee's review of the Local Code of Corporate Governance
- Civility in Public Life, Intimidation in Public and Digital Citizenship
- Local Government and Social Care Ombudsman Annual Report

The report also details other, regular work of the Committee over the last year and sets out a brief overview of work to be undertaken in the 2024/25 municipal year. The Committee is asked to approve the report and recommend to Council that it notes the report and considers whether there is any work that it would wish the Committee to undertake.

Recommendations:

The Ethics Committee is recommended to:

- (1) Approve the Annual Report of the Committee; and
- (2) Recommend that Council notes the Annual Report and considers whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake.

Council is recommended to:

- (1) Note the Annual Report of the Ethics Committee; and
- (2) Consider whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake.

List of Appendices included:

None.

Other useful background papers can be found at the following web addresses:

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?

Yes – 09 July 2024.

Report title: Annual Report of Ethics Committee 2023/24

1. Context (or background)

1.1 The Council's Ethics Committee was established in 2012 following the introduction of new duties and responsibilities regarding ethical conduct in the Localism Act 2011. The Council as a whole has a legal duty to promote and maintain high standards of conduct by Members and co-opted Members of the authority. The Ethics Committee, through its work, assists in discharging this statutory duty.

1.2 The terms of reference of Ethics Committee also include:

- (a) Making recommendations to the Council on the appointment of "independent persons" under the Localism Act 2011;
- (b) Approving and revising the Complaints Protocol which will set out the detailed procedures for considering complaints made against Elected and Co-opted Members under the Code of Conduct for Elected and Co-opted Members;
- (c) Considering complaints made against Elected and Co-opted Members under the Code of Conduct for Elected and Co-opted Members in accordance with the Complaints Protocol;
- (d) Monitoring the operation of the Code of Conduct for Elected and Co-opted Members and making appropriate recommendations to the relevant body;
- (e) At the request of the Member or co-opted Member concerned, reviewing any decision of the Monitoring Officer not to grant a dispensation in relation to disclosable pecuniary interests in accordance with Section 33 of the Localism Act 2011;
- (f) Monitoring the operation of the Code of Conduct for Employees and making appropriate recommendations to the relevant body;
- (g) Considering complaints made against Elected Members of Finham Parish Council, Keresley Parish Council and Allesley Parish Council under the relevant Parish Council's Code of Conduct for Elected Members in accordance with the City Council's Complaints Protocol; and
- (h) Considering any other matters which are relevant to the ethical governance of the Council, its Members or Employees.

1.3 The Committee approves a work programme for each year which includes regular reports as well as one off pieces of work. At its meeting in March 2017, the Committee agreed that in future it would submit an annual report to Council setting out the work that it has accomplished in the past year. This report comprises the eighth Annual Report of the Ethics Committee.

2. The Annual Report and Recommended Proposal

2.1 About the Committee

In the municipal year 2023/24 Ethics Committee comprised five Councillors. The membership of the Committee was Cllr Nazir (Chair), Cllr Bigham, Cllr Hetherton, Cllr Reeves and Cllr Welsh. It is regrettable that Members of the Conservative Group decided not to take up their allocated place and be a part of the Committee. There were three named substitutes, Cllrs Gray, Mutton and Seaman. Although not Members of the Committee, the four Independent Persons appointed by the Council are encouraged to attend the meetings where possible. The Committee held four scheduled meetings in 2023/24 (in June 2023, September 2023, December 2023 and March 2024). All meeting were held in person.

2.2 Code of Conduct Complaints

The Council received a total of 10 new formal complaints against Councillors in the municipal year 2023/24. 5 complaints were recommended for no further action (at Stage One).

The Council received 6 complaints since the date of the last meeting (21 March 2024) as at the date this report was written. 4 are ongoing. In 2 no further action has been taken.

2.3 Online Safety Bill Update – now enacted Online Safety Act 2023

The Committee continued to review the progress of the Online Safety Bill at its June 2023 meeting. The Local Government Association (LGA) issued a press release in April 2023. While the LGA confirmed that they support the overall aims of the Bill, they called for the Government to include stronger provisions to protect Councillors from online abuse amid the increase in online intimidation. In October 2023, the Online Safety Act 2023 was passed bringing into force the legislation online safety.

2.4 Local Code of Corporate Governance

At its June 2023 meeting, the Committee considered the updated Local Code of Corporate Governance. The Council adopted a Code in 2017 which provides the arrangement for how the Authority will satisfy the principle of good governance. This updated version reflects the Council's current arrangements within governance.

2.5 Civility in Public Life, Intimidation in Public Life and Digital Citizenship

The Local Government Association (LGA) has been coordinating a programme of work entitled “Civility in Public Life”. This work is in response to the increasing concern about intimidation and toxicity of debate and the impact this has been having on democratic processes.

To support this work the LGA has now started to develop a range of guidance and tools to support Councillors and candidates in their online communications (also known as their “Digital Citizenship”) as it is now recognised that online communication is intrinsic to democratic engagement.

The Ethics Committee has been closely monitoring the work of the LGA and considering how that work can be adopted as a local response to promote Civility in Public Life and Digital Citizenship.

The Committee has also maintained a watching brief on work being undertaken by the Committee on Standards in Public Life and locally on supporting Members in dealing with challenges associated with public service, particularly in relation to intimidation and abuse. The Committee were advised of work undertaken to support Councillors, including training, the availability of counselling services, protocols in place and work undertaken with the Police.

2.6 Local Government and Social Care Ombudsman Annual Report

The Committee noted the Local Government and Social Care Ombudsman Annual Report. If a case of maladministration had been found by the Ombudsman, this would be formally reported to the Committee.

The Committee recognised the importance of ensuring that the Council complies with its Public Sector Equality Duty and requested that their comments that appropriate training is provided to all staff be fed back to the Council’s Leadership Team.

2.7 Other Work

The Committee received an update on Members training during 2023/24 and supported the continuing delivery of the Members Training and Development Strategy, including actions for 2024-25.

The Committee has continued to receive regular reports on ethical standards cases across the country, where these have been available.

2.8 Work Programme for 2024/25

Apart from regular reports on, among other things, Code of Conduct complaints, updates from the Monitoring Officer and officer and Member gifts and hospitality, this year the Committee is looking at work in the following areas:

- Consideration of the self-assessment Toolkit to aid Councillors in dealing with abuse, harassment and intimidation as part of the Debate not Hate: Ending Abuse in Public Life Campaign.

The Committee will also maintain a watching brief on any legislative changes arising from the Committee on Standards in Public Life's report and recommendations of January 2019.

2.9 Recommendations

The Committee is recommended to:-

- (1) Approve the Annual Report of the Committee; and
- (2) Recommend that Council notes the Annual Report and to consider whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake.

Council is recommended to:

- (1) Note the Annual Report of the Ethics Committee; and
- (2) Consider whether there is any work within the Committee's terms of reference that Council would wish the Committee to undertake.

3. Results of consultation undertaken

- 3.1** There has been no consultation as there is no proposal to implement at this stage which would require a consultation.

4. Timetable for implementing this decision

Not applicable.

5. Comments from the Director of Finance and Resources and the 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. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011.

6 Other implications

None.

6.1 How will this contribute to the One Coventry 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?

No direct impact at this stage.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

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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Enquiries should be directed to the above person.

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Legal: Julie Newman	Director of Law and Governance	Law and Governance	03/06/24	03/04/24
Councillor S Nazir	Chair of Ethics Committee		10/06/24	12/06/24

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