

SUBJECT:	CODE OF CONDUCT: CASES REVIEW
DIRECTORATE:	CHIEF EXECUTIVE & TOWN CLERK
LEAD OFFICER:	CAROLYN WHEATER, CITY SOLICITOR

1. Purpose of Report

- 1.1 To provide information on recent cases relating to other local authorities' codes of conduct and consider their potential relevance to the Council.

2. National Cases Relating to Councillor Conduct

- 2.1 Since the removal of the Standards for England Board as part of the changes brought through the Localism Act 2011, the Council no longer receives a summary of cases reported from across the country. As a result, the cases chosen for consideration are drawn primarily from local government networks and media reports, and are summarised below.

- 2.2 Any reports highlighted are gathered solely from information made available by the relevant local authorities. As cases are often considered to contain exempt information, there are potentially elements of the case which may not be publicly available. As such, members should be aware that any cases below are provided for the purpose of discussion and may not give the full picture in every regard:

2.3 Lambeth Council

A Councillor will be investigated by the Labour Party over a post he shared on Facebook which claimed that Jews were warned about the 9/11 attacks. It was claimed that the Councillor had reposted a video without recognising that it contained anti-semitic content in 2015.

2.4 West Berkshire Council

A West Berkshire Councillor was found to have breached the Council's Code of Conduct after sharing a tweet which characterised transgender people as mentally ill. The Council subsequently resigned as member responsible for health at the authority and issued an apology.

2.5 Sandwell Council

The former Deputy Leader of Sandwell Council was found to have breached the Code of Conduct following an allegation that he had abused his position and cost tax-payers in excess of £500,000 due to necessary legal work associated with the case. The Councillor had quashed parking tickets for family members and was involved in the sale of council-owned toilet blocks which he made personal gain from and which he had failed to declare. The Council's Ethical Standards Committee found that he had breached the Council's Code of Conduct on both counts and recommended that the Councillor attended further training. The Councillor announced that he would not be standing for re-election.

3. Potential Learning Points

- 3.1 Having regard to these complaints which have been investigated by other local authorities, members should consider whether any appropriate actions can be identified to ensure that the likelihood of any future breaches of the Member Code of Conduct by members representing the City of Lincoln Council is limited.
- 3.2 The Ethics and Engagement Committee may wish to consider the following actions if any learning points are identified:
- Issuing guidance to members and any other relevant parties on a general topic which presents a cause for concern with a view to potential future breaches of the Member Code of Conduct.
 - Requesting specific training for all members or members whose individual status would be relevant to the particular training.
 - Proposing amendments to the Member Code of Conduct and the procedure for considering complaints, if improvements can be identified.
 - Any other actions falling within the remit of the Committee which might aid the improvement of councillors' conduct.
- 3.3 If members are aware of further cases of broad interest from other local authorities in relation to ethical behaviour by councillors, details can be submitted via Democratic Services or raised at the meeting of the Committee for potential inclusion in a future report.

4. Strategic Priorities

- 4.1 The development of a fit-for-purpose council relies upon the proper conduct of officers and members. By considering the lessons learned from other local authorities the Council is better positioned to take preventative action to resolve any potential issues before they arise.

5. Organisational Impacts

5.1 Legal Implications

The Ethics and Engagement Committee's role includes the promotion and maintenance of high standards of conduct by councillors and co-opted members; this report forms a part of the work of the Committee in proactively addressing any matter that could detract from the reputation and behaviour of the Council or its councillors.

6. Recommendation

- 6.1 That the report be noted.