

Attendance

Members of the Governance and Ethics Committee

Cllr John Reynolds (Chair)
Cllr Jonathan Crofts (Vice-Chair)
Cllr Dr Paul John Birch J.P.
Cllr Claire Darke
Cllr Celia Hibbert
Cllr Milkinderpal Jaspal
Cllr Rita Potter
Cllr Sandra Samuels OBE
Cllr Simon Bennett
Cllr Wendy Thompson

Employees

| | |
|----------------|-------------------------------|
| David Pattison | Chief Operating Officer |
| Jas Kaur | Democratic Services Manager |
| Donna Cope | Democratic Services Officer |
| Jacob Stokes | Democratic Services Assistant |

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
There were no apologies for absence received.
- 2 Declarations of interest**
There were no declarations of interest.
- 3 Minutes of the previous meeting**
That the minutes of the previous meeting held on 25 February 2022 be approved as a correct record.
- 4 Matters arising**
There were no matters arising from the minutes of the previous meeting.

5 **Municipal Calendar of Meetings 2022-2023**

David Pattison, Chief Operating Officer, presented the municipal calendar of meetings for 2022 - 2023. The report proposed a timetable for Council and committee meetings for the next Council Municipal Year (2022-2023).

He noted that no meetings would take place on the Thursday following Full Council meetings in future, and that an additional Scrutiny Board meeting had been scheduled for 7 February 2023 to allow the panel to go through the proposed budget in detail before the Full Council meeting on 1 March 2023.

He further noted that amendments could be made to the schedule by relevant councillors and officers.

Councillor John Reynolds moved the recommendations in the report. Councillor Jonathan Crofts seconded the recommendations.

The Committee discussed the proposed schedule of meetings.

Responding to questions, the Chief Operating Officer advised members that Governance and Ethics Committee meetings had been moved to Thursdays to avoid clashes with West Midlands Combined Authority (WMCA) meetings.

Responding to questions, the Chief Operating Officer advised that in future the budget Council meeting would only have the budget item on the agenda and if other items required urgent consideration an additional meeting of the Full Council would be arranged.

Responding to further questions, he noted that scrutiny panels were likely to meet more often than the minimum of four meetings a year.

He advised members that the previously proposed Cabinet Advisory Groups would not be proceeding, and that a pilot for a Select Committee was currently running instead. He advised members that the outcomes of the Wolverhampton Pound Select Committee would be evaluated and brought before both the Governance and Ethics Committee and Full Council.

Resolved:

1. That Council be recommended to approve the City of Wolverhampton Council Municipal Calendar of Meetings for 2022-2023 as detailed in Appendix 1.
2. That consultation with the political groups on the City of Wolverhampton Council Municipal Calendar of Meetings for 2022-2023 be approved.
3. That any amendments to the City of Wolverhampton Council Calendar of Meetings for 2022-2023 be delegated to the Chair of Governance Committee in consultation with the Director of Governance following consultation with political groups.

6 **Preparations for Local Elections and East Park By-Election**

David Pattison, Chief Operating Officer, presented a report on the preparations for the local elections and the East Park by-election and it was noted that detailed preparation and planning was underway.

He stated, that following expert advice, health and safety measures would be significantly less strict than last year, and that the count would be conducted with full staff levels in the usual venue of Aldersley Leisure Centre.

He advised members that the by-election would provide a test run for any new measures and this would allow time for any fine tweaks before the full count on 5 May 2022. He noted that the procedures and precautions put in place were similar to those implemented by other authorities with one or two exceptions.

It was noted that the East Park by-election results would be verified and counted in the Civic Centre, with the result expected by 1am. The final results from the local elections would be expected by 3am.

Councillor John Reynolds moved the recommendation in the report. Councillor Jonathan Crofts seconded the recommendation.

Resolved:

1. That the preparations underway for the forthcoming elections be noted.

7

Constitution Review

David Pattison, Chief Operating Officer, presented a report on Constitution Review. The report detailed proposed changes to the constitution to ensure continuing lawfulness and effectiveness. He provided an overview of the proposed changes and the rationale for these changes as detailed in section three of the report.

He advised members of two key proposed changes to the Full Council Procedure Rules:

- An amendment to Rule 19.1 to include a reference to respect.
- A scheme whereby the public could ask questions at Full Council. He noted that this would not apply to the budget-setting meeting.

Councillor John Reynolds moved the recommendations in the report. Councillor Jonathan Crofts seconded the recommendations.

Members of the Committee provided feedback on the proposed changes.

Responding to questions, the Chief Operating Officer advised that the amendment to Rule 19.1 would be to ensure that the debate remained focused on the issues at hand and was not intended to water down the debate.

It was confirmed that any public questions would need to be submitted in writing and in advance of a Full Council meeting.

Responding to further questions, the Chief Operating Officer confirmed that the viewing figures for public meetings would be circulated to members, and that a practical explanation of the term 'working days' would be added to the Constitution.

Resolved:

1. That Council be recommended to:
 - a. Approve the amendments to the Constitution as detailed in the report.
 - b. Authorise the Monitoring Officer to implement the changes.

2. That the viewing figures for public committee meetings be circulated.
3. That a definition of the term 'working days' be added to the Constitution.

8 **Annual Report on Code of Conduct Matters**

David Pattison, Chief Operating Officer, presented the Annual Report on Code of Conduct Matters. The report provided an annual update on the activity on matters involving the Code of Conduct for Councillors.

He noted that, as a result of the Localism Act 2011, all Local Authorities were required to have a code of conduct and that Wolverhampton Council had adopted the Local Government Authority's (LGA) model code of conduct in May 2021 following consideration by the Governance and Ethics Committee.

He explained that the Council had adopted the LGA approach of handling complaints which meant that complaints would be dealt with confidentially until they became public through a report to the Committee.

It was noted that some complaints would be dealt with by police and that no internal investigation would take place whilst an official police investigation was ongoing.

He advised members that the Council currently had one independent person appointed and proposed that more were appointed as a matter of good practice and that these appointees should reflect the diverse community of Wolverhampton.

It was noted that the current legislation prevented the Council from imposing effective sanctions.

He advised members that there had been delays in dealing with complaints due to the pandemic and that a Deputy Monitoring Officer had been appointed to assist with dealing with these complaints.

He noted that most complaints related to the use of social media, so the Committee was recommended to adopt the Social Media Protocol in Appendix 1 of the report.

The Committee discussed the Annual Code of Conduct report, the Social Media Protocol and the proposed additional training on declarations of interest.

Responding to questions, the Chief Operating Officer noted that additional training would be provided by internal officers as well as external bodies. He advised members that criminal complaints would go through the police first before being investigated by the authority so as to not prejudice the police investigation.

The Chief Operating Officer endorsed the Committee's comments that members should feel safe from harassment in the Civic Centre and noted that legislation stated that an official complaint needed to be made before an investigation could begin.

He stated that the Local Authority was limited legally when it came to investigating complaints and that other authorities had tried to go further but had been limited following judicial review. He noted that additional training, using external lawyers, and appointing an additional resource were the actions that the Council was currently taking.

He advised members that a more detailed report would be brought to a future meeting.

Resolved:

1. That the report on Code of Conduct Matters be noted.
2. That the Social Media Protocol at Appendix 1 be noted.
3. That the recruitment of additional independent persons be agreed.
4. That a more detailed report on Code of Conduct matters be brought to a future meeting.

9 **Update from Monitoring Officer**

David Pattison, Chief Operating Officer, provided an update on the work programme and other matters within the scope of the Governance and Ethics Committee's remit.

He noted that a report on the Local Government Boundary Commission for England's (LGBCE) review would be brought to a future meeting of the Committee, and that this would include a detailed polling station review. He advised that a key aspect of this review would be to reduce or eliminate the use of schools as polling stations.

He noted that progress was continuing on improving the Councillor Enquiries Unit, and that Councillor feedback was being taken into account.

He advised that the updated Councillor Allowances Scheme would be in place for four years following the local elections on 5 May 2022.

Councillor John Reynolds moved the recommendations in the report. Councillor Jonathan Crofts seconded the recommendations.

Resolved:

1. That the update from the Monitoring Officer be noted.

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