**COVENTRY CITY COUNCIL**

**DECISION NOTICE OF ETHICS COMMITTEE**

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| **A** | **Complaint by:** Councillor John Mutton |
|  | (“the Complainant”) |
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| **B** | **Subject Member:** Councillor Glenn Williams |
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| **C** | **Introduction** |
| 1. | On 6November 2018, the Ethics Committee of Coventry City Council considered a report of an investigation into the alleged conduct of Cllr Glenn Williams, a member of Coventry City Council. A general summary of the complaint is set out below. |
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| **D** | **Complaint summary** |
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| 2.1 | The Complainant alleged that Cllr Williams had tweeted a comment on social media that was a deliberate misrepresentation of what Cllr Mutton had said during a radio interview and used this to assert that Cllr Mutton was ignorant of the facts. Cllr Mutton had raised the matter informally with the Monitoring Officer who had asked Cllr Williams to delete the tweet and apologise. Cllr Williams was unwilling to do this and so, on 5 March 2018, Cllr Mutton submitted a formal complaint. |
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| 2.2 | The Monitoring Officer conducted an initial review of the complaint and concluded that, while Cllr Williams’ comments were misleading, his misinterpretation was not deliberate. She recommended no further action but recommended that Cllr Williams should be more careful when tweeting and be clear on his facts before so doing. |
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| 2.3 | The matter was not able to be resolved by informal resolution and following comments by the Independent Person, a further review of the complaint was carried out by an Independent Investigator, Andrew Kinsey of Solihull Metropolitan Borough Council. Mr Kinsey concluded that the matter had not reached the threshold required to be considered as a potential breach of the Code of Conduct and that it was therefore not in the public interest to pursue the matter further. He did, however, suggest that, in the light of the comments of the Independent Person and the failure to agree an informal resolution, the Monitoring Officer could consider referring the matter for a hearing. |
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| 2.4 | The hearing was therefore concerned with whether Cllr Williams’ comments in his tweet breached the Code of Conduct in the following respects:   1. *Paragraph 3(i):* *Value my colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government; and* 2. *Paragraph 3(j): Always treat people with respect, including the organisations and public I engage with and those I work alongside.* |
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| **E** | **Hearing** |
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| 3.1 | The Ethics Committee consisted of: |
|  | * Cllr Allan Andrews * Cllr Linda Bigham * Cllr Damian Gannon   The hearing was chaired by Ruth Wills, one of the Council’s Independent Persons. Ms Wills took no part in the Committee’s discussions or the decisions that it has reached with regard to whether there had been a breach or breaches of the Code. |
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| 3.2 | Cllr Williams attended the hearing. |
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| 3.3 | Ms Julie Newman, the Monitoring Officer attended the hearing, along with Mr Kinsey. Ms Newman outlined her investigation and her conclusions. She answered questions from both the Committee and from Cllr Williams. Cllr Mutton was present and made a statement explaining his concerns about the tweet. |
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| 3.4 | Cllr Williams presented his case. He said that he accepted the transcript of the radio interview with Cllr Mutton but felt it was a pity that a recording was not available since he felt that it was the tone of way that Cllr Mutton talked about Band D property owners that was important. He had listened to the recording several times and this only strengthened his view about what Cllr Mutton had said. He did not feel the need to apologise or to delete the tweet. Cllr Williams said that he respected that Cllr Mutton had deeply held principles and beliefs which were very different from his. He was always prepared to engage in political debate with others but he was entitled to his opinion and should not be silenced. He had been asked to delete tweets before and had done so but not on this occasion because he felt that Cllr Mutton had, in his interview, not been prepared to acknowledge that some people in Band D properties could be struggling financially. |
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| **F** | **Consultation with Independent Person** |
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| 4.1 | The Independent Person, Ms Ann Barton was asked for her opinion on the complaint. She referred the Committee to her written opinion at page 71 of the Committee papers. This can be summarised as follows: |
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| 4.2 | Ms Barton had not heard the radio interview because it was no longer available. The transcript of the radio interview did not indicate that Cllr Mutton had suggested that Band D property owners were wealthy, neither did he refer to any members of the community in terms of their “class”. In her view he had tried to give the facts and did not appear to her to have given any indication that he was “ignorant” of the facts. Ms Barton felt that an investigation would establish whether Cllr Williams had misrepresented what Cllr Mutton had said and what evidence he had to support his statement. She felt it would give an opportunity to establish whether Cllr Williams had established the facts about Cllr Mutton’s beliefs and values before deciding to tweet. Ms Barton also thought that an investigation would help to show whether Cllr Williams’ tweet was malicious in intent or was in fact justified. |
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| 4.3 | In addition Ms Barton stressed that she felt that it was the content of Cllr Williams’ tweet that should be considered in connection with the hearing and not the transcript of Cllr Mutton’s interview. |
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| **F** | **Findings** |
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| 5.1 | After considering the submissions of the parties to the hearing and the views of the Independent Person, the Committee reached the following decision(s): |
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| 5.2 | ***On the question of whether Cllr Williams had breached Paragraphs 3(i) and 3(j) of the Code of Conduct:*** |
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|  | The Committee found that Cllr Williams had not breached the requirements in Paragraphs 3(i) and 3(j) to value colleagues and staff and engage with them in an appropriate manner and to always treat people with respect. |
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| **G** | **Reasons** |
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| 6.1 | **The Committee’s reasons for reaching its decision are as follows:** |
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| 6.2 | The Committee considered that Cllr Williams’ remarks in his tweet were ill-considered and inappropriate. However, given that this was a “political” observation from one elected member about another, it considered that the remarks did not meet the threshold for this to be considered a breach of the Code of Conduct, such threshold being higher for political speech than it is for others. |
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| 6.3 | **Nevertheless, the Committee recommends** that as this is not the first time that Cllr Williams has been asked to delete his tweets:   1. he should undertake social media training at the earliest opportunity; and 2. The Monitoring Officer be asked to report back to the Committee on completion of the training. |
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| **H** | **Appeal** |
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| 7. | There is no right of appeal against the Committee’s decision. |
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| **I** | **Notification of decision** |
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| 8. | This decision notice is sent to:   * Councillor John Mutton * Councillor Glenn Williams * Ms Julie Newman and Mr Andrew Kinsey and * Ms Ann Barton |
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|  | The decision will also be published on the Council’s website. |
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| **J** | **Additional help** |
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| 9. | If you need additional support in relation to this decision notice or future contact with the City Council, please let us know as soon as possible. If you have difficulty reading this notice, we can make reasonable adjustments to assist you, in line with the requirements of the Equality Act 2010. We can also help if English is not your first language. |
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|  | **Ethics Committee** |
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|  | **Coventry City Council** |
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|  | **14 November 2018** |
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