

## Ethical Standards and Member Development Committee

28 June 2019

<b>Subject:</b>	National Cases
<b>Director:</b>	Director of Law and Governance and Monitoring Officer - Surjit Tour
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	Trisha Newton Principal Democratic Services Officer Trisha_newton@sandwell.gov.uk

### DECISION RECOMMENDATIONS

**That the Ethical Standards and Member Development Committee:**

1. note the contents of the report and the case at Appendix 1 and consider any issues for the Council.

#### 1 **PURPOSE OF THE REPORT**

- 1.1 Within its terms of reference, the Ethical Standards and Member Development Committee has a duty to promote high ethical standards amongst Members. As well as complying with legislation and guidance, the Committee will need to demonstrate learning from issues arising from local investigations and case law. Furthermore it is advisable for the Committee to be kept informed of any particularly notable cases which are publicised as they may also add to learning at the local level.

#### 2 **IMPLICATIONS FOR SANDWELL'S VISION**

- 2.1 High standards of conduct are an essential part of good corporate governance and this in turn has a direct relationship with the delivery of high quality services.

### **3 STRATEGIC RESOURCE IMPLICATIONS**

3.1 There are no resource implications arising from this report.

### **4 LEGAL AND GOVERNANCE CONSIDERATIONS**

4.1 By considering national cases of significance the Ethical Standards and Member Development Committee will be better informed and placed to discharge its duty to promote high ethical standards.

**Surjit Tour**

**Director of Law and Governance and Monitoring Officer**

## Coventry City Councillor breached Code by failing to declare property interests

Coventry City Council's Ethics Committee has found that Cllr Rois Ali breached its Code of Conduct for members by failing to disclose numerous property interests in Coventry within 28 days of his election and, subsequently, by long delays in making a full disclosure of all of his Disclosable Pecuniary Interests.

Cllr Ali is a well-known businessman in Coventry and owns a large number of properties in the city. He was elected in May 2016 but had not made any entries on his register of interests within the 28 day time limit set by s.30(1) of the Localism Act 2011. When he made his first entry on his register of interests, it contained a number of omissions.

Despite several warnings from officers, Cllr Ali failed to promptly and comprehensively disclose his DPis until February 2018.

An independent investigator was appointed following a complaint by Cllr Tim Mayer, also a member of the City Council. He found that there had been four breaches of the Code.

Three related to Cllr Ali's failings in disclosing his DPis.

The fourth breach related to comments made during an interview with Cllr Ali, in which the councillor threatened to "stamp on" Cllr Mayer. Cllr Ali also said that he would take Cllr Mayer "to the cleaners".

The independent investigator concluded that Cllr Ali had not acted dishonestly and found no evidence that Cllr Ali had participated in any Council business in which he had a DPI.

At a meeting of the City Council's Standards Committee on 6 November 2018, Cllr Ali accepted that he had not disclosed his DPis within the deadline and that he regretted his choice of words directed at Cllr Mayer.

The Standards Committee found that Cllr Ali had breached two sections of the Code in relation to declaring DPis in line with members' legal obligations.

The Standards Committee did not find that Cllr Ali's comments towards Cllr Mayer had breached the Code. Although "ill-considered", they had been not been made in a public forum and had not formed part of the original complaint.

The Committee decided to:

- (i) publish its findings in respect of Cllr Ali's conduct;
- (ii) send a formal letter of censure to Cllr Ali;

- (iii) report its findings to full Council for information; and
- (iv) recommend that the Monitoring Officer organises additional training for Cllr Ali on the registration and declaration of interests.

*Taken from Cornerstonebarristers.com and Coventry City Council Decision Notice dated 4 December 2018*