

Statement by Deborah Cadman, OBE – Chief Executive of West Midlands Combined Authority

On Friday 8 February the Mayor of the West Midlands, Andy Street, issued a public statement at the start of the West Midlands Combined Authority Board meeting announcing that he had referred himself to the WMCA's Monitoring Officer, Tim Martin. This was in relation to him apparently issuing a tweet encouraging persons to vote on the consultation into whether or not the Mayor should also take on the responsibilities of the Police and Crime Commissioner. We are today publishing the outcome of the investigation into these events conducted independently of the WMCA by Anthony Collins Solicitors.

The findings of the report (paras 19-21) are clear that there is no case in relation to the Disclosable Pecuniary Interests Regulations, or in relation to other interests of the Mayor nor has the Mayor committed any breach the WMCA Code of Conduct. On that basis, I therefore consider the matter closed.

A number of steps are, however, being taken to ensure that there is greater clarity between the role of the Mayor's office and the WMCA communications team. For example, we are establishing new social media accounts for the Mayor of the West Midlands. These will be immediately available to the current Mayor and all future holders of the office. They will be run by the WMCA communications team to ensure a formal separation between the official accounts and those used for the purposes of political campaigning.

INVESTIGATION REPORT

WEST MIDLANDS COMBINED AUTHORITY

STRICTLY PRIVATE & CONFIDENTIAL

February 2019

Anthony Collins
solicitors

I have been instructed to carry out an investigation into an issue in relation to the Mayor of the West Midlands Combined Authority, Andy Street, apparently issuing a tweet encouraging persons to vote on the consultation into whether or not the Mayor should also take on the responsibilities of the Police and Crime Commissioner. The Mayor referred himself to the Authority's Monitoring Officer, Tim Martin. I was instructed by Mr Martin on Friday 8 February 2019.

BACKGROUND

1. On Friday 8 February the Mayor, Andy Street, issued a public statement at the start of the WMCA Board meeting regarding the consultation which is currently being carried out by the WMCA into whether or not the role of the region's Police and Crime Commissioner is transferred to the Mayor. The statement resulted from the revelation on Thursday 7 February of a "tweet" which displayed a screenshot of a Twitter page referring to the consultation.
2. Andy Street, as the Mayor of the WMCA, is subject to the WMCA Code of Conduct, which I have considered together with the various documents referred to me which included the consultations which have taken place and are taking place in respect of the review of the governance and functions of the WMCA and the transfer of the PCC functions. At the time of writing this report the consultation is ongoing.
3. The Mayor emphasised to me throughout that he wished this matter to be dealt with in a transparent and public way as possible and said that he felt that it was important for an investigation to be conducted.

4. The background is as follows. On the 7 February, a Twitter message was sent out which said it contained material from “*Andy’s Street Patrol*” which was apparently the name of the closed Twitter Group referred to below. The material was apparently posted by Andy Street at 3.35 p.m. and it seems as if his photograph appears alongside the posting, although the quality of the image is blurred, so I am not certain. The text of the message was as follows:

“All. This is really, really important. Mission critical in fact. We need to demonstrate that the roles of Mayor and PCC should be combined. Labour are as you would expect, making a good fist of harvesting votes. We really need each of you to AT LEAST fill in the consultation – ideally anything you can do to get us three, four, five or more responses will be huge. Every single one counts, and we really need you to come through for us. Hugely appreciated”.

5. In reality, this was a tweet of a screenshot of a message sent out on 2 January to a closed or private Twitter group of what appeared to be about 15 or so persons in the Solihull area, who were Conservative Party supporters. It was not available to the public. The screenshot showed that below the posting there were two messages from Cllr Bob Grinsell of Solihull MBC which said that he had [filled in the consultation] “*3 times and from 3 different email addresses*”. I should be clear that I am not investigating Cllr Grinsell as this is outside the scope of my investigation.
6. The screen shot of the message was sent to the press, anonymously, on Thursday 7 February. It received coverage in most of the local newspapers such as the Birmingham Post and Express and Star.

7. I interviewed the Mayor on Thursday 14 February. He told me that he had no knowledge of the message being sent out and had been unaware of the existence of the group to which it was sent. He explained that this was sent out by his Press Officer (who I understand is currently away from the office) without his knowledge or any authorisation from him as the Mayor.
8. Andy Street explained that as Mayor he has a Twitter account which is the one set up when he was standing for election as the Mayor and continues to use. This Twitter account is "Andy4WM" and is the one which he currently uses to communicate on his own behalf to his Twitter followers. He does not have an official Twitter Account for the WMCA Mayor role but there is a Twitter account in the name of the WMCA. The consultation process has been designed and managed by the WMCA Communications and Human Insights team with advice and guidance from external consultation consultants. He has not been involved in the design or management of the consultation process about the PCC role, which is being undertaken by the WMCA as described.
9. The Mayor explained to me that the Press Officer who sent out the tweet was employed by his office but that he (the Mayor) had no knowledge of the closed Twitter account to which the message was sent, had no knowledge of the tweet or reference itself, and had given no instructions for it to be made. He said that he was appalled when he saw it.
10. The Twitter feed had been run by his Press Officer employed by him in his private office, and who was authorised by the Mayor to tweet in the Mayor's name on his public Twitter account, Andy4WM when that related to Mayoral activities or in relation

to the WMCA. The Mayor explained that whilst they did not discuss all the information which was put out there sometimes they would do so, and he knew that sometimes the Press Officer would put out tweets in the name of the Mayor. The Mayor said he stood by all that had been put out previously even though he would not have cleared everything himself.

11. He had however, never given his Press Officer the authority to act on his own behalf by issuing tweets or other matters to groups of supporters where he had not even known of the existence of the Group.
12. The tweet came to the notice of the Mayor via the press. He said that he was shocked and appalled by its contents which did not reflect his views. He first alerted the Leader of Solihull MBC in respect of the comments of Councillor Bob Grinsell. He then prepared, with the assistance of the Director of Communications of the WMCA, the statement which he issued before the Board meeting on Friday 8 January. He spoke to his Press Officer (who was abroad on leave) by telephone that morning and instructed Tim Martin and Deborah Cadman that he wished for an investigation to be carried out into whether or not the Mayor had committed an offence under the WMCA Code of Conduct.
13. The Mayor said that once he knew that this matter had taken place and the Press Officer returned from leave he was interviewed by the Mayor in the presence of the Mayor's Chief of Staff.
14. I have seen the notes from that interview and I believe that these corroborate the story of the Mayor about his own lack of knowledge about this incident and the fact

that his Press Officer had been conducting correspondence through this group without the Mayor's knowledge or authority. The Mayor told him that he had been shocked when he had been shown the communications and would not have approved it. He also told me that he was amazed that his Press Officer felt he had the authority to act in the Mayors name to make such a comment.

15. Since the tweet came to light, the Mayor's account has been removed from the Twitter Group and no further tweets or messages to that Group would be carried out in his name. He explained that he was familiar with the WMCA Code of Conduct and tried to observe it always. He said that he did not feel that his actions had breached the Code.
16. As part of my investigation I interviewed Simon Wren, who is the Director of Communications for the WMCA. I understand that the WMCA has its own Twitter/Facebook page which is managed by the WMCA communications team through Simon. However, there is no official account for the Mayor of the West Midlands, which is still being dealt with under the Twitter account "Andy4WM" which is the Twitter account which was being used by Mr Street when he was running for the election for WMCA. This account is controlled by the Mayor and his Press Officer and is nothing to do with the Communications Director for WMCA. There is currently no separate account for the WMCA Mayor.
17. Simon explained that the Press Officer for the WMCA Mayor is not a member of his staff but is employed through the Mayor's office, albeit that he is an employee of the WMCA.

18. The Director of Communications for the WMCA has no role in the Mayor's political communications. Whilst the consultation exercise in relation to the possible transfer of the powers of the Police and Crime Commissioner is being carried out as part of the WMCA this is an entirely objective process done through Simon Wren's office and not through the office of the Mayor. He explained that the consultation and the events that had been run in support of the process had provided factual and straight forward information and any information put out by the WMCA was not intended to sway the views of the public one way or the other.

FINDINGS

19. I have considered the facts of this matter against all headings in the WMCA Code of Conduct, including the principles set out in the Code. There is no case here in my view in relation to the Disclosable Pecuniary Interests Regulations, or in relation to other interests of the Mayor. In terms of the principles in the Code, in my view the way in which the Mayor has acted since this came to light is in fact supportive of those principles, particularly the principles of accountability, honesty and openness.
20. It is entirely reasonable that this investigation was asked for by the Mayor and I appreciate the importance he has placed upon it. However, given his own role and the way in which he has described how the tweet and message came to light, I am confident that this was not at his instruction or indeed could have been reasonably said to be following up on any suggestion of any intention of his.

21. I do not believe that he has been guilty of any offence under the WMCA Code of Conduct and accordingly I make a finding that there has been no breach by him of the Code.

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