

**MANCHESTER CITY COUNCIL
REPORT FOR RESOLUTION**

Committee: Standards Committee
Date: 28 June 2010
Subject: Members' Update on Ethical Governance and draft Annual Report of the Standards Committee
Report of: The City Solicitor

Purpose of the Report:

To seek the Standards Committee's comments on and approval of the draft Members' Update Summer 2010 and draft Standards Committee's Annual Report 2009/10.

Recommendations:

1. To approve the content of the draft Members' Update Summer 2010 set out in Appendix 1, for circulation to all members.
2. To approve the content of the draft Standards Committee's Annual Report 2009/10 set out in Appendix 2, to be presented to the City Council on 14 July 2010.

Financial Consequences for the Revenue Budget:

None

Financial Consequences for the Capital Budget:

None

Wards Affected:

All

Implications for:

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

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Background Documents

None

Members' Update

2. A draft of the Members' Update Summer 2010 is set out in Appendix 1 to this report. Members are asked to provide comments on the draft and to approve its content for circulation to all members by e-mail. A paper copy will be available on request.

Annual Report of the Standards Committee

3. A draft of the Standards Committee's Annual Report 2009/10 is set out in Appendix 2 to this report. Members are asked to provide comments on the draft and to approve for presentation to the City Council on 14 July 2010.

Members' Update

Helping to Promote High Standards of Conduct

Summer 2010

Welcome to the Summer 2010 issue of Manchester City Council's Ethical Governance Update

This newsletter contains details regarding the Government's proposal to abolish the Standard's Board regime; Standards for England's Guidance updates; and information on training and development for members.

To save paper this newsletter is distributed via e-mail, if you would like a hard copy or want further information about any of the issues raised please contact Democratic Services on 234 3539.

Standards for England – Decentralisation and Localism Bill

In the recent Queen's speech, The Government announced that the Decentralisation and Localism Bill will include proposals to 'abolish the Standards Board regime'. Standards for England (SBE) have advised that they do not yet have details of the scope or implications of this proposal. SFE have said that they will continue to work with local authorities to support them and that they remain committed to ensuring that there is a proper framework of local accountability in which the public can have confidence. SFE hope to work with central and local government to develop the proposals and are interested in hearing local authority views about how future arrangements should work.

As the details of the Government's proposals are not yet known, the 2010 Annual Assembly of Standards Committees scheduled to take place on 18-19 October 2010 has been cancelled.

Members should note that until such time as the relevant legislation is passed, the current statutory framework remains operative. We will update members as the details of the proposals are announced.

Standards for England – Guidance Updates

The Standards Committee has recently published new online guides on its website on 'Blogging' and 'Independent Members', a summary of which is set out below. A full list of SFE online guides can be found at <http://www.standardsforengland.gov.uk/Guidance/TheCodeofConduct/Guidance/Onlineguides>

Blogging

SFE note that blogging and social networking sites are effective methods for members to interact with their constituents and support local democracy. When used effectively, online media can be used to reach different sections of the community and encourage and increase participation in local issues.

SFE advise members who are using online media, to think about what they say and how they say it, in the same way that they would when making statements in person or in writing. The Code of Conduct for Members (the Code) applies to members when they conduct the business of Council or act, claim to act or give the impression that they are acting as a representative of the Council. Members are advised to consider what capacity they are acting in when they participate in blogging and social networking sites.

SFE and the IDeA recently ran an interactive session which looked at how councillors can use social networking effectively. Some of the key messages that they have reported on are that where members are using online media to carry out their member work, rather than in their private capacity, they can still be involved in robust political debate and state their opinions strongly, but care must be taken to ensure that their use of the online media does not amount to treating others with disrespect, bullying or bringing their office or authority into disrepute. It is important that when members are using online media personally that they do not give the impression that they are acting in their role as a councillor.

Further guidance including a list of 'do's' and 'don't' can be found at <http://www.standardsforengland.gov.uk/Guidance/TheCodeofConduct/CodeGuidance/Onlineguides/Quickcodeguides/BloggingQuickGuide>

Independent Members

Independent members of standards committees are individuals appointed to the standards committee by the City Council following a recruitment process. They have no link to the authority that they are a member of. The SFE note that independent members involvement in the ethical framework assists in increasing public confidence that standards committees act fairly and impartially. Further guidance on the attributes and skills required of independent members can be found at <http://www.standardsforengland.gov.uk/Guidance/TheCodeofConduct/Guidance/Quickguides/Independentmembers>

Use of Council Resources including Council events

Members are reminded following the recent purdah period, that it remains important that they comply with their obligations in relation to use of Council resources.

The Code provides that members must:

- when using or authorising the use by others of the resources of the Council, act in accordance with the Council's reasonable requirements and ensure that such resources are not used improperly for political purposes (including party political purposes); and
- have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

Members are reminded that the term 'resources' includes Members' Secretariat, use of rooms, stationary, postage, telephones, photocopying and computer facilities. It also includes participation in meetings organised, resourced or supported by Council. Members are reminded that such Council events should not be used as a forum for making inappropriate party political comments.



Training and Development

Manchester City Council is committed to developing its members and recognises that an individual member's learning requirements will vary depending on the demands of their role. The Council's aim is to ensure:

- councillors are regularly informed of learning and development opportunities;
- there is a structured induction for all new councillors; and
- that processes are in place to support the development of all councillors.

In order to take forward the Council's commitment to the development of members, a Members Learning and Development group, made up of senior members from both parties and relevant officers, was established in 2009 and meets regularly. The group has overseen the following developments: an update of the members' intranet site, a key communication and signposting tool; the production of a Members Development Strategy; the performance of a Members Development Needs Analysis across all Heads of Service which has informed the topics for monthly briefings commencing June 2010; and the production of a Survival Guide for new Council members. The Council will be seeking recognition for the development of these arrangements through the award of the North West Charter for Member Development in 2011.

The Councillors' intranet signposts councillors to both internal and external development opportunities (for example, NVQ's, which receive funding through the Council's commitment to the Skills Pledge). The aim of the intranet is to give members greater control over their personal development and easy access to information on issues,

projects and initiatives that may impact on their role. It also includes a short cut to key information such as the Corporate Plan, Manchester Community Strategy, Manchester's Local Area Agreements, Manchester's State of the City Reports in addition to a selection of Frequently Asked Questions for New Councillors. The link for this valuable site is <http://www.mcc/councillors>

Improved Induction for new Councillors and new Executive Members was introduced in 2010. Feedback will be sought to inform future training plans, and evaluations of briefings and conferences attended by Councillors will be used to inform future sessions.

Chairing Skills

We are organising a refresher briefing on Chairing Skills. The briefing is aimed at both new and existing members and will provide a useful reminder of some of the key skills, approaches and tactics to chairing meetings effectively, both Council and community meetings. The briefing will take place later in the year and we will circulate further details when they are available. Members are encouraged to attend this briefing whether it be to advise those new to chairing meetings or to refresh and develop members' chairing skills.



Standards Committee Annual Report 2009 – 2010

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Foreword from the Chair

I have great pleasure in presenting the annual report of Manchester City Council's Standards Committee for the municipal year 2009/10. This is the third annual report of the Standards Committee and I am pleased to report that the Committee has accomplished a great deal during the year.

Our work this year has focused on:

- embedding and progressing the local government standards framework;
- raising the profile of the Committee;
- providing guidance for members on issues of ethical governance; and
- developing the Standards Committee pages on the internet.

The key challenge for the year ahead will be dealing with the uncertainty around the future of Standards for England (SBE) following the Government's announcement in the recent Queens Speech of the proposal to 'abolish the Standards Board regime'. SBE have advised that they do not yet have details of the scope or implications of this proposal. SFE have said that they will continue to work with local authorities to support them and that they remain committed to ensuring that there is a proper framework of local accountability in which the public can have confidence. Until such time as the relevant legislation is passed, the current statutory framework remains operative. The Standards Committee will update members on the details of the proposals when they are announced.

The Standards Committee will continue to ensure that standards and conduct remain high in Manchester City Council and looks forward to meeting the challenges set out in the section of this report entitled "Issues for 2010/11".

I would like to thank members of the Committee for the open and constructive discussions that have taken place at meetings of the Standards Committee during the year. On behalf of the Standards Committee, I would like to thank the officers of the Council who have supported the work of the Committee.

John Andrew Snadden
Chair of the Standards Committee

Introduction

The Government requires every local authority to adopt a code of conduct for members and to appoint a standards committee. There is also a national body called the Standards Board for England whose role includes providing supervision, support and guidance for local authorities in performing their ethical governance functions. Ethical governance encompasses the processes, procedures, cultures and values which ensure high standards of behaviour. The future of Standards for England is, however, pending review following the Government's announcement in the recent Queens Speech.

The Council's Standards Committee has a key role in promoting and maintaining ethical governance and supporting members in following the highest standards of conduct. The Standards Committee's responsibilities are set out in the Council's Constitution which is published on the Council's website www.manchester.gov.uk.

The remit of the Standards Committee is:

- (a) to promote and maintain high standards of conduct by councillors, co-opted members and church and parent governor representatives;
- (b) to assist the councillors, co-opted members and church and parent governor representatives to observe the Code of Conduct for Members;
- (c) to advise the Council on the adoption or revision of the Code of Conduct for Members;
- (d) to monitor the operation of the Code of Conduct for Members;
- (e) to advise, train, or arrange to train councillors, co-opted members and church and parent governor representatives on matters relating to the Code of Conduct for Members;
- (f) to grant dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Code of Conduct for Members;
- (g) to assess written allegations of breaches of the Code of Conduct for Members;
- (h) to review on the request of the complainant a decision that no action should be taken in respect of an allegation;
- (i) to deal with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter which is referred to it for determination by the monitoring officer, an ethical standards officer or the Standards Board for England;
- (j) to deal with reports of the Monitoring Officer regarding breaches of the protocols/guidance to members accompanying the Code of Conduct for Members which do not in themselves constitute a breach of that Code;
- (k) the exercise of (a) to (h) above in relation to the parish councils wholly or mainly in its area and the members of those parish councils;
- (l) to report annually to Council on ethical governance within the City Council.
- (m) to overview the Council's whistle blowing policy;
- (n) to consider and determine applications for exemptions from political restriction;
- (o) to give directions to the Council requiring it to include a post on its list of politically restricted posts;
- (p) to consider the Code of Corporate Governance and the Annual Governance Statement.

Meetings of the Committee are usually held in public. However it is sometimes necessary to exclude the press and public from parts of meetings if reports which are exempt for the purpose of the Local Government Act 1972 need to be discussed. The Committee is committed to openness and transparency and only excludes the press and public if it is absolutely necessary to do so.

Members of the Committee

The Standards Committee has ten members, seven are elected councillors and three are independent co-opted members. The Committee is chaired by an independent member.

Mr John Andrew Snadden (independent member and Chair of the Standards Committee)



Andrew has been a member of the Standards Committee since 17 May 2006. He was appointed as Chair of the Standards Committee on 1 April 2008. He has been employed as a prosecuting solicitor for the majority of his working life by the Crown Prosecution Service and has been a Divisional Crown Prosecutor since 2002. He is a Senior Manager with 17 years management experience. In addition, he has been a Chair of School Governors and has strong personal and professional links with the City of Manchester.

Mrs Elizabeth Carmichael (independent member)



Elizabeth has been a member of the Standards Committee since 12 July 2006. She has been employed by HM Revenue and Customs since March 1987. She is experienced in discipline and grievance cases and appeals. Her role involves reviewing investigation reports and sitting on the discipline and grievance panels. She is a Fitness to Practice Panel Chair for the Health Professions Council, a statutory independent regulator of 13 health professions and also a Hospital Manager, a voluntary post that involves sitting on a panel dealing with the involuntary detention of individuals under the Mental Health Act 1983.

Mrs Amanda Isles (independent member)



Amanda has been a member of the Standards Committee since 9 July 2008. She has been a lecturer in the School of Law at Manchester Metropolitan University since 1999 (during which time she has held senior and principal lecturer posts). She has regularly chaired meetings for the Legal Practice Course. From January to September 2006 and since October 2009 she has acted as a Complaints Officer for Halliwells

Solicitors LLP and has experience of investigating complaints made by the practice's clients. She has also worked as a local authority solicitor in the litigation department, working with members of the public, Council officers and elected Members during which time she gained experience in advising committees. Since September 2009 she has been an external examiner for the Solicitors Regulation Authority dealing with quality issues in Legal Practice Course providers.

Councillor Sameem Ali (elected member)



Councillor Ali was elected a member of the City Council in May 2007, representing Moss Side ward. She has been a member of the Standards Committee since May 2008. She is Deputy Executive Member for Employment and Skills. She is a best selling author, her novel "Belonging" was published in 2008. She regularly speaks at conferences to raise awareness of forced marriage and to support victims of forced marriage and is a champion for fairness and equality.

Councillor Tony Burns (elected member)



Councillor Burns has been a member of the City Council since 1976, representing Baguley ward. He has been a member of the Standards Committee since 1999 and has been heavily involved in the development and work of the Committee since its inception. In addition to Standards Committee he serves on the Constitutional and Nomination; Licensing; Licensing and Appeals; Standards and Wythenshawe Area Committees and is Chair of the Planning and Highways Committee. He was Lord

Mayor of Manchester for the 1999/2000 municipal year. He is appointed to the Mersey Valley Joint Committee and is Vice Chairman of Regulation National Parking Road Traffic Outside London. He is a Non-Executive Director of Manchester Mental Health and Social Care Trust and of Parkway Green Housing Trust. He is a Member of Community Foundation (a charitable trust) and a Deputy Lieutenant of the County.

Councillor Glynn Evans (elected member)



Councillor Glynn Evans is currently the Executive Member for Adult Services, taking up the role in May 2009. He was elected to Manchester City Council in 1994, representing Brooklands Ward. Glynn was Lord Mayor of Manchester for the 2007/2008 municipal year, and Executive Member for Arts and Leisure in 1999/2003. He has been a member of the Standards Committee since 16 May 2007, and also serves on the Art Galleries, Personnel, and Wythenshawe Area Committees. Glynn is a director of the Wythenshawe Forum Trust Company Limited and is a former director of the Zion Arts Centre. He is also a supporter of the On-Ya-Bike Theatre Company.

Councillor Alison Firth (elected member and former Lord Mayor)



Councillor Firth is currently Manchester's Lord Mayor. She was elected to Manchester City Council in 1984, representing Withington ward. She has been a member of the Standards Committee since 14 May 2008 and has served on the Highways, Education, Licensing and Children and Young People Scrutiny Committees. She has also carried out the role of Shadow Executive Member for Education and was elected to the office of Deputy Lord Mayor in 2008. During her year of office as Lord Mayor, she will have a particular focus on young people, particularly the benefits of music and singing on their development. She is a governor at two schools, is a member of the Friends of Ladybarn Park, has served on the Executive of Withington Civic Society and is also a member of Amnesty International, Oxfam and the National Trust. She is a Library Development Officer at the John Rylands University Library.

Councillor Tom O'Callaghan (elected member)



Councillor O'Callaghan was elected to Manchester City Council in 1994, representing Ardwick ward. He was first appointed as a member of the Standards Committee in May 2004, during his year of office as Lord Mayor of Manchester. He was reappointed to the Standards Committee on 14 May 2008. He also serves on Health and Well-being; Licensing; and Licensing and Appeals Committees. He serves on the board of governors of Medlock County Primary School and St John CE Primary School and is a trust member of Elizabeth Gaskell House. He was a member of the Community Health Council before it was abolished and was appointed to the watchdog "Commission for Public and Patient Involvement Forum" for central Manchester Hospitals. He was also a champion of the restoration of Victoria Baths.

Councillor David Sandiford (elected member)



Councillor Sandiford was elected to Manchester City Council in 1979 representing Withington ward. He has been a Didsbury councillor since 1999, and now represents Didsbury East ward. He was first appointed as a member of the Standards Committee in October 2006, during his year of office as Lord Mayor of Manchester. He was reappointed to the Standards Committee on 14 May 2008. He first came to Manchester in 1961 as an academic member of the physics department of the then Victoria University of Manchester. He served for three years as Manchester president of the Association of University Teachers (AUT) and he was also elected to the national executive of the AUT. He is a founding editor of the Manchester Physics Series of university textbooks. He has been a member of numerous committees including Physical Environment and Children and Young People scrutiny committees both of which he chaired. He has a particular interest in his council duties in education and in finance and has been a governor of a number of schools including Didsbury CE Primary and Trinity CE High School where he chaired the finance committee.

Councillor Keith Whitmore (elected member)



Councillor Whitmore has been an elected member of Manchester City Council for over 29 years having first been elected in May 1979, representing Levenshulme ward. He has been a member of the Standards Committee since 13 May 2003. He is Chair of the Greater Manchester Integrated Transport Authority and is a Director of Greater Manchester Accessible Transport and the Manchester Museum of Transport, as well as chairing the Board for the Heaton Park Tramway. He is Leader of the UK delegation of the Congress of Local and Regional Authorities of the Council of Europe and is President of the Institutional Affairs Committee of the Congress responsible for election monitoring and democracy reports. He is a member of the Policy Committee of the CEMR (the European LGA) and is Deputy Chair of the Resources Panel of the Local Government Association. He is also a Director of the Royal Exchange Theatre in Manchester, and a Director of the People's History Museum, CLES and Marketing Manchester and Manchester Partnership Board.

Monitoring Officer

The Council's Monitoring Officer, Susan Orrell, together with other officers from the Democratic Services section support the Standards Committee in its work. The Monitoring Officer is a statutory role responsible for ensuring that the Council, its members and officers carry out their functions in a lawful manner.

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The Work of the Standards Committee in 2009/10

In July 2009, the Standards Committee's annual report was presented to full Council, detailing the work of the Standards Committee over the past year.

In 2009/10, out of 96 Council members and 13 co-opted members, none was found to have breached the Code. In the same period, seven complaints were considered by the Standards (Assessment) Sub Committee and one of these complaints was considered by the Standards (Review) Sub Committee. Of the seven complaints, three were referred to the Monitoring Officer for investigation, all of which are ongoing; three, whilst not breaches of the Code, were referred to the Monitoring Officer for alternative measures and one was not a breach of the Code and no further action has been taken. The Council has reported to the Standards Board on a quarterly basis all activity regarding the local filter and has filed an annual return.

A member briefing entitled "Ethical Governance of Local Authorities" was delivered in March and June 2009 discussing ethical governance and exploring the role of members in corporate governance. Members were briefed on the development of the ethical governance framework bringing in the requirement for a local filter of allegations of member misconduct.

In June 2009 members of the Standards Committee and officers from the Standards Board participated in a training exercise involving initial assessment of case scenarios provided by the Standards Board in an environment as similar as possible to an assessment sub committee meeting, with a chair present and monitoring officer advice on hand.

In October 2009 four delegates from the Standards Committee together with a representative of the Council's Monitoring Officer attended the two day Annual Assembly of Standards Committees "Bringing standards into focus" which took place in Birmingham.

The summer edition of the Members Update was circulated to all members. It included details on the proposed Decentralisation and Localism Bill and training and development for Members. The Members Update also included details of SBE's recent guidance updates, on 'Blogging' and 'Independent Members'.

[A review of the Standards Committee pages on the internet has been undertaken and to improve linkages with the SBE website. A new page has been created detailing the role of the SBE and providing links to their Code, the Local Standards Framework and Guidance for members.]

Full details of the Council's Code of Conduct for Members can be located on the Standards Committee's internet pages at:

http://www.manchester.gov.uk/info/997/councillors-committee_membership/2846/standards_committee

Issues for 2010/11

The primary issue for the coming year is the uncertainty around the future of Standards for England following the Government's announcement in the recent Queens Speech. Standards for England (SBE) have advised that they do not yet have details of the scope or implications of this proposal. SFE have said that they will continue to work with local authorities to support them and that they remain committed to ensuring that there is a proper framework of local accountability in which the public can have confidence. As no timeframe currently exists for the proposals contained within the proposed Decentralisation and Localism bill to 'abolish the Standards Board regime' Members should note that until such time as the relevant legislation is passed, the current statutory framework remains operative. We will update members as the details of the proposals are announced.

The Standards Committee will continue to work hard to:

- ensure that standards and conduct remain high in Manchester City Council
- implement any changes to the code of conduct for members and/or local government standards framework following receipt of the Government's proposals
- continue to raise the profile of the Committee
- further develop the Standards Committee internet pages
- brief members on the changes brought by the proposed Decentralisation and Localism bill

Useful Links

If you would like to find out more about ethical governance and the work of the Standards Committee you may find the following websites useful:

The Standards Board for England www.standardsboard.co.uk

The Adjudication Panel for England www.adjudicationpanel.co.uk

Department for Communities and Local Government www.dclg.gov.uk

National Association of Local Councils www.nalc.co.uk

Association of Independent Members of Standards Committees in England
www.aimsec.org.uk

The Audit Commission www.audit-commission.gov.uk

Manchester City Council www.manchester.gov.uk