

Standards Committee

Minutes of the meeting held on 16 March 2017

Present

Independent Co-opted Member: N Jackson – In the Chair
Independent Co-opted Members: G Linnell
Independent Person: A Eastwood
Councillors Andrews, Connolly and Evans
Ringway Parish Council: Councillor C O'Donovan

Apologies

Councillors Cooley and Lanchbury
Independent Person: S Beswick

ST/17/01 Minutes

Decision

To approve the minutes of the meeting held on 15 December 2016 as a correct record.

ST/17/02 Review of the Gifts and Hospitality Guidance for Members, the Use of Resources Guidance for Members and the Member Officer Relations Protocol

The Committee received the report of the City Solicitor which invited the Committee to review the operation of and consider proposed updates or changes to the Gifts and Hospitality Guidance for Members, the Use of Resources Guidance for Members and the Member / Officer Relations Protocol. The Group Manager Democratic Services (Legal) Group introduced the report.

The Committee considered the Use of Resources Guidance for Members. The Group Manager Democratic Services (Legal) Group informed the Committee that the references to the Fire and Rescue Authority will be removed from paragraph two and the reference to the Transport for Greater Manchester will be amended to read as Transport for Greater Manchester Committee.

A member commented that the references to ICT equipment issued to members should be reworded more broadly and that references to 'Windows' should be updated.

In response to a question from the Chair the Group Manager Democratic Services (Legal) Group informed the Committee that data protection training is included in member's induction training.

The Committee then considered the Gifts and Hospitality Guidance for Members. The Group Manager Democratic Services (Legal) Group informed the Committee that in the previous 12 months there had been a total of four gifts declared. She further informed the Committee that the Ethical Guidance report scheduled to be considered by the Committee at their June meeting will include information on Gifts and Hospitality.

A member of the Committee commented that the number of gifts declared was low and enquired if this included gifts made to the Lord Mayor. The Group Manager Democratic Services (Legal) Group said that she would make enquires with the Lord Mayors office. In response to a suggestion she further advised that a quarterly reminder could be issued to members to prompt them to declare any gifts received.

A member commented that in his years of experience Councillors are not offered gifts and that when he served as Lord Mayor there existed strict protocols for dealing with gifts on behalf of the City.

In response to a question from the Chair the Group Manager Democratic Services (Legal) Group informed the Committee that Gifts and Hospitality training is included in member's induction training.

The Chair commented that the final paragraph of 1.1 should be reworded to clarify that this related to whether it was appropriate for the Member in question to retain the gift in question and that paragraph 2 of the guidance which referenced paragraphs of the Code of Conduct should be revised for clarity.

The Committee then considered the Member Officer Relations Protocol. A member commented that whilst noting that the protocol related to the relations between employees of the Council and Members paragraph 2.2 should be reworded to make reference to similar expectations in relation to Officers working for external organisations and that a reference be included to the Member Code of Conduct for further information regarding this issue .

The Committee suggested a paragraph should be added to the protocol making it clear that breaches may result in a breach of the Member Code of Conduct.

Decision

To note the report and approve the guidance documents subject to the above amendments.

ST/17/03 Revision of Social Media Guidance for Members

The Committee received the report of the City Solicitor that invited the members to approve the proposed revisions to the Social Media Guidance for Members and for their views on the method of providing social media training for councillors

The Committee welcomed the revised guidance and commented that it provided a measured and proportionate approach to this subject.

The Chair commented that paragraph 5 should include in addition to planning matters, Licensing and quasi-judicial matters.

The Committee suggested a paragraph should be added to the Guidance making it clear that breaches may result in a breach of the Member Code of Conduct.

Members then discussed the issue of training. A member commented on the cost implications of employing an external training provider and suggested that training on the guidance be provided by the City Solicitor's Department in conjunction with the Communications Team.

Decision

1. The Committee approved the revised Social Media Guidance for Members subject to the above amendment to paragraph 5.
2. That the guidance contain a paragraph making it clear that breaches of the Guidance may result in a breach of the Member Code of Conduct.
3. The Committee agreed that training on the Social Media Guidance is provided to members by the City Solicitor's Department in conjunction with the Council's Communications Team.

ST/17/04 Revision of Member Code of Conduct Arrangements

The Committee received the report of the City Solicitor that invited members to approve the proposed revisions to the Arrangements for dealing with Member Complaints and to note that the Code of Conduct for Members is to be reviewed at AGMA level by Chief Legal Officers.

The Group Manager Democratic Services (Legal) Group informed the Committee that in the previous 12 months 38 changes in member's interests had been reported. She advised that future reports will include these figures.

The Chair commented that the reference to Discontinuance at paragraphs 2.10 and 2.11 reflect that this related to discontinuance of the complaint.

It was suggested that paragraph 12 should be replaced by a provision enabling the Monitoring officer in consultation with the Chair of the Standards Committee to revise the arrangements in individual cases as they consider appropriate to enable the process to be dealt with efficiently

The Chair raised the issue of routine review of the Arrangements and it was suggested that the Arrangements contain a provision stating that reviews will be undertaken every three years unless subject to any external factors or changes in legislation which may require a review to take place earlier. She said that the document should clearly state when the review date.

The Chair commented that all codes, protocols and guidance considered by the Standards Committee should include this paragraph.

Decision

To approve the Revision on the Member Code of Conduct Arrangements subject to the above amendment and the insertion of a provision in this document and the other guidance and protocols being considered by the Committee at this meeting relating to review of the documents as indicated above..

ST/17/05 Review of the Procedure for the Hearing of Allegations of Breaches of the Council's Code of Conduct for Members

The Committee received the report of the City Solicitor that invited members to consider the proposed revised Procedure for the Hearing of Allegations of Breaches of the Council's Code of Conduct for Members. The Group Manager Democratic Services (Legal) Group indicated that in response to consultation a small number of typographical and minor amendments for clarity had been suggested by one of the Council's Independent Persons which were yet to be incorporated into the document. She requested the Committee's approval to incorporate these suggestions where appropriate.

The Chair acknowledged the changes to the guidance following recent experience and welcomed the clarification in regard to all parties.

Decision

To approve the revised Procedure for the Hearing of Allegations of Breaches of the Council's Code of Conduct for Members subject to the making of minor changes as indicated above.

ST/17/03 Work Programme for the Committee

Members were invited to review the Committee's future work programme.

The Chair recommended that the future work programme should include a list of those items that fall within the remit of the Committee and that includes the date by when they are due to be reviewed so that items can be scheduled into the Work Programme accordingly.

The Chair noted that the Annual Report of the Standards Committee was scheduled for the November meeting. As the Annual Report informs the Annual Governance Statement (AGS) by collating the assurances provided by the Committee based on its work during the year, she commented that the report needs to be at the latest possible meeting in the municipal year subject to falling within the timetable for the production of the AGS. The Group Manager Democratic Services (Legal) Group informed the Committee that she would seek clarification from the authors of the AGS to

determine the most appropriate meeting for the Committee to receive its Annual Report.

The Committee agreed to include the reports on Dispensations and Register of Members Interests at their June meeting and to include the Whistle-blowing Policy and Planning Protocol at the November meeting.

Decision

To approve the Work Programme subject to the above amendments.