

**Manchester City Council
Report for Information**

Report to: Standards Committee – 15 March 2018

Subject: Annual review of Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol

Report of: City Solicitor

Summary

This report outlines the proposed changes to the sections of the Council's Constitution relating to the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol and advises the Committee of amendments proposed in respect of these parts of the Constitution..

Recommendations

That the Standards Committee:

1. Notes the Monitoring Officer's proposed amendments to the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol in the Council's Constitution.
2. If appropriate, suggest any further amendments to the above sections of the Constitution.

Wards Affected: all

Alignment to the Our Manchester Strategy Outcomes (if applicable)

Manchester Strategy outcomes	Summary of how this report aligns to the OMS
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Non directly
A highly skilled city: world class and home grown talent sustaining the city's economic success	Non directly

A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Non directly
A liveable and low carbon city: a destination of choice to live, visit, work	Non directly
A connected city: world class infrastructure and connectivity to drive growth	Non directly

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Background documents (available for public inspection):

None

1.0 Introduction

- 1.1 As the Committee will be aware, the Council's Constitution is reviewed on an annual basis in May each year.
- 1.2 This report outlines the proposed changes to the sections of the Constitution relating to the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member /Officer Relations Protocol and advises the Committee of amendments proposed at this stage, in respect of these parts of the Constitution. As the constitution is reviewed annually including these sections amendments tend to focus on points of clarification and revisions to reflect any legislative changes. The efficacy of the guidance and protocol over the last year is addressed in the Annual Report to Standards Committee which forms a separate item on the Committee's Agenda. This year, any amendments to the constitution will be considered by full Council on 16 May 2018.

2.0 Background

- 2.1 The Appendix to this report attach the following guidance documents highlighting proposed changes in bold:
- Use of Council Resources Guidance for Members
 - Gifts and Hospitality Guidance for Members
 - Member/Officer Relations Protocol
- 2.2. The main changes to Use of Council Resources Guidance for Members are to reflect the fact the Waste Disposal Authority is now subsumed within the Greater Manchester Combined Authority and the forthcoming replacement of the Data Protection Act 1998 by the General Data Protection Regulation and the Data Protection Act 2018 in May this year. An additional paragraph has been inserted at 6.2.3 to clarify the position regarding use of Council email addresses or the Council system for party political business.
- 2.3 The main change to the Gifts and Hospitality Guidance for Members is to provide greater clarity on the provisions of paragraph 11.2 (c) of the code of conduct for members and to remove an out of date references a requirement to register gifts and hospitality within 2 years of 11 July 2012. Paragraphs have been added at 1.1 to clarify that gifts and hospitality should only be accepted if they are in furtherance of the Council's Objectives and generally personal gifts should not be accepted Whilst the Lord Mayor is of course, subject to the terms of the code of conduct for members, specific provision is made in guidelines for the Lord Mayor and Deputy Lord Mayor which confirms that official gifts received by the Lord Mayor whilst in office belong to the City. However small personal gifts such as a scarf or diary may be retained by the Lord Mayor. The guidance also advises that care must be taken by the Lord Mayor whilst undertaking engagements to guard against being seen to solicit gifts.

2.4. The main amendment to the Member /Officer Relations Protocol is the insertion of a provision to make it clear that a breach of this protocol may constitute a breach of the code of conduct for members.

Recommendations

That the Standards Committee:

- 1 Notes the Monitoring Officer's proposed amendments to the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol in the Council's Constitution.
- 2 If appropriate, suggest any further amendments.to the above sections of the Constitution.