

Standards Committee

Minutes of the meeting held on 15 March 2018

Present

Independent Co-opted Member: N Jackson – In the Chair
Councillors Andrews, Connolly, Cooley and Evans
Ringway Parish Council: Councillor C O'Donovan

Independent Co-opted Member: G Linnell

Apologies

Councillor Lanchbury
Independent Person: A Eastwood
Independent Person: S Beswick

ST/18/1 Minutes

Decision

To approve the minutes of the meeting held on 2 November 2017 as a correct record.

ST/18/2 Standards Committee - Annual Report

The Committee received the report of the City Solicitor which presented members with an Annual Report on the matters within the remit of the Committee. The report summarised work undertaken by the Council's Monitoring Officer and the Standards Committee since November 2016, which was when the last report had been published. The Committee were told that the reporting date had been moved so that it coincided with the publication of the Annual Governance Statement (AGS), so as to better inform the AGS by collating at the most appropriate time the assurances provided by the Committee based on its work during the municipal year.

The report showed that The Monitoring Officer received 21 complaints about Manchester City Council Councillors between November 2016 and March 2018. 1 complaint was received that did not relate to Member.

17 complaints have been concluded. 2 complaints were withdrawn, 4 were rejected due to receiving no response from the complainant, and 11 were rejected at stage 1 as set out in the report. 4 complaints are in the course of investigation.

The Committee asked who monitors the decisions made to reject at stage 1 r, and officers explained that responsibility in relation to these decisions rests with Monitoring Officer as part of the investigation process but that the Monitoring Officer is assisted by an Independent Person during the 3 stage investigation process, which helps to provide the necessary checks and balances when investigating a complaint.

The Committee also asked if the rejection rate for complaints was comparable with other Local Authorities, and the Chair confirmed that the rejection rate was similar to other comparable Local Authorities.

Following questioning by members, officers agreed that the format of future reports regarding complaints against members would be amended to include the source of complaint i.e., member of the public, officer or member; provide sufficient information in order to inform Members of the seriousness of the allegation and provide a more detailed description of the outcome, particularly where no further action was to be taken.

The Committee welcomed the fact that the report format would be amended as this would enhance the transparency of the complaint process.

Decision

1. To note the work done in the last year by this Committee and by the Council's Monitoring Officer to promote and maintain high standards of conduct by Councillors.
2. To request that the amended format for the report be brought back before the Committee at the next meeting before being forwarded to Council for assurance on standards issues.

ST/18/3 New Members Induction Programme 2018

The Committee received the report of the City Solicitor including first thoughts on page note which outlined suggestions for the Members Induction Programme and sought the Committee's views on the content of the Programme.

The Committee were told that member induction takes place every year. The content of the training was reviewed in substance in 2015 by the Member Development Working Group (MDWG) (which is a group comprising members and officers which provides suggestions regarding Member Training generally to the Council's Monitoring Officer who has responsibility for Member Services). Induction training includes sessions on the Council's Member Code of Conduct, requirements in relation to registration and declaration of interests, touches on Freedom of Information and Data Protection issues of relevance to Members, the Gifts and Hospitality Guidance, Governance and Decision making as well as wider induction on matters that may be useful for new members including use of IT.

Specialist training is also provided to new Members of the Planning and Highways and Licensing Committees. New members of the Licensing Committee receive such training before they sit on a Licensing Panel. The training focuses on all relevant aspects of licensing law i.e. taxis, premises, sexual entertainment venues and gambling as well as fair hearings and the consideration of evidence. The training provided to new Members of the Planning and Highways Committee focuses on key concepts of the planning system and members' interests and again takes place before they sit on the Committee.

The Standards Committee were advised that meetings have taken place in January and February 2017 with the MDWG, which as indicated includes both member and officer representation and is chaired by the Deputy Leader of the Council, to review the content of the training and separately with the Deputy Chief Executive Growth and Neighbourhoods/Director of HROD about how to adopt an 'Our Manchester' approach to member training. The Committee were told that the all-out Elections in 2018 were a good time to look at the Member training programme overall. Proposals for the 2018 induction are at an early stage but discussions are taking place regarding a refresh of the MDWG both in terms of membership and working methods into perhaps a small task and finish group to look at member induction including the practicalities of spreading induction training over a longer period to avoid possible information overload and more interactivity as well as topics / areas / skills that might usefully be covered.

The Committee commented that a more structured mentoring scheme would be of use to new Members, which at the moment is organised through the political groups that the Members belong to. The Committee were of the opinion that this could be much more structured and would like this to be included as part of the formal training process. Officers confirmed that consideration would be given to this, and that this request would be fed through to the new Monitoring Officer when they were appointed.

The Committee also said that it was essential that Safeguarding of both Adults and Children were included in this process, given the nature of the work of a Councillor, they are regularly in contact with people in very vulnerable situations. The Committee also discussed whether all Councillors should undergo a DBS check, and agreed that such a background check should be incorporated into the process, as it is in some other Local Authorities. The Committee agreed that they would recommend that Audit Committee make a decision as to whether all Members should undergo a DBS check.

Decision

1. To note the report.
2. To endorse the proposals for the New Members Induction Programme regarding training on the Member Code of Conduct and related guidance and protocols set out in the Appendix to this report and request the MDWG, in addition to the current standards matters that are included in the Induction Programme, to consider a structured mentoring scheme for Members."
3. To recommend to Audit Committee that they consider whether all Members should be required to undertake a DBS check following the forthcoming election.

ST/18/4 Members Update on Ethical Governance

The Committee received the report of the City Solicitor which explained the Council's Annual Governance Statement includes reference to the Members' Update on Ethical Governance ('the Members' Update') within its governance framework section. The

Members' Update is used as an example of how the Council develops the capability of people with governance responsibilities and the organisations understanding of governance.

The last Members' Update was disseminated in June 2017. At its meeting on 3 November 2016 the Standards Committee agreed that going forward updates would be produced on a six monthly basis providing there is sufficient newsworthy items upon which Members' need to be briefed. The Members Update now forms part of the Standards Committee Work Programme.

Decision

To approve the content of the draft Members' Update set out in the Appendix for circulation to all members.

ST/18/5 Social Media Guidance for Members update

The Committee received the report of the City Solicitor which updated the Committee on the operation/efficacy of the Social Media Guidance for Members ('the Guidance') as well as the provision of training for members on the Guidance.

Officers advised that there would be a further minor update to the guidance to take into consideration changes in Data Protection legislation. Officers also said that the use of Social Media by Members had improved, and that the use of Social Media would be included in the Members Training programme.

The Committee commented that this guidance should be circulated again given the forthcoming Election.

Decision

1. To note the report.
2. To note the position with regards to the delivery of training on the Guidance for current members.
3. To agree the revision to paragraph 5.3 of the Guidance as outlined in paragraph 1.3 of the report.
4. To request that the guidance is circulated again to all members as soon as practical.

ST/18/6 Intimidation in Public Life

The Committee received the report of the City Solicitor which updated Members regarding the Committee on Standards in Public Life's ("the CSPL") recent review of intimidation in public life.

In Chapter 4 of the report the CSPL made the following recommendation in relation to the need for home addresses on ballot papers:

- The Government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count.

The CSPL referred to evidence it had received that some local councillors were told to declare their home addresses as part of a declaration of pecuniary interests, but were not informed about the sensitive interests provisions in the Localism Act 2011, where there is a risk of violence or intimidation to them or a person connected to them. The Committee therefore made the following recommendation:

- Local authority Monitoring Officers should ensure that Members required to declare pecuniary interests are aware of the sensitive interests provisions in the Localism Act 2011.

Following the May 2018 local elections, Legal Services will remind all elected and co-opted Members that where the nature of an interest of theirs (such as their home address) is such that they, consider that disclosure of the details of the interest could lead to them, or a person connected with them, being subjected to violence or intimidation, then if the Monitoring Officer agrees (at the request of the Member concerned):

- if the interest is entered in the authority's register, copies of the register that are made available for inspection, and any published version of the register, will not include details of the interest, and
- where they have such an interest in any matter being considered at a meeting at which they are present, then they need only disclose that they have an interest in the matter concerned without disclosing the details of the interest

This will also be included in the newly elected Member induction following the May 2018 local elections.

The Committee agreed that sensitivity should be shown to both candidates and Councillors with regard to the potential implications of publishing their home address.

Decision

To note the report.

ST/18/7 Revisions to Gifts and Hospitality Guidance, Member/Officer relations protocol and Use of Resources Guidance

The Committee received the report of the City Solicitor which outlined 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.

The Committee requested that the typographical error on page 20 of the report

should be amended, and officers agreed that this would be dealt with as a priority.

Decision

To note 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.

ST/18/8 Review of Local Government Ethical Standards – Committee on Standards in Public Life, Stakeholder Consultation

The Committee received the report of the City Solicitor which advised that the Committee on Standards in Public Life, which advises the Prime Minister on ethical standards across the whole of public life in England and monitors and reports on issues relating to the standards of conduct of all public office holders, is undertaking a review of local government ethical standards. As part of this review, the Committee on Standards in Public Life is holding a public stakeholder consultation.

The Committee agreed that there should be involvement in the consultation, and decided that this process would be delegated to the Chair of the Standards Committee in conjunction with the City Solicitor.

The Committee also agreed that the draft responses in the report, which were based on current arrangements were satisfactory.

Decision

1. To agree that the Council should take part in the consultation exercise.
2. To delegate to the City Solicitor in consultation with the Chair of the Standards Committee the drafting of a response that takes into account any comments made by the Committee.
3. To agree that the draft responses provided to the consultation questions are appropriate.

ST/18/9 Annual Governance Statement

The Committee received the report of the Deputy Chief Executive which contained the draft 2017/18 Annual Governance Statement (AGS) which has been produced following completion of the annual review of the Council's governance arrangements and systems of internal control. The processes followed to produce the AGS are outlined in the report. Related activity to promote better understanding and transparency in relation to governance arrangements, both within the Council and for the public is also described.

The Committee commented that whilst page 17 included a reference to the Manchester Youth Council as an example of promoting good governance, it should also include a reference to the Manchester Age Friendly Board for the same reason,

that of ensuring that all residents have a strong voice in enabling them to influence decision makers in the City and to shape future services.

In addition, the Committee recommend that references to the Standards Committee should include both the timetable of reviews of guidance, and reference to the Standards Committee Annual Report.

Decision

1. To note the contents of the draft version of the Council's 2017/18 Annual Governance Statement (AGS).
2. To request that reference is made to the Manchester Age Friendly Board in addition to the Manchester Youth council where appropriate.
3. To include information about the timetable of the Standards Committee Annual report and the timetable of guidance reviews.

ST/18/10 Work Programme

The Committee received the report of the Governance and Scrutiny Support Unit which allowed the Committee the opportunity to consider and revise its work programme for future meetings.

The Committee requested that an item of business be added to the work programme for the meeting in June 2018 regarding the decision of the Audit Committee as to whether a DBS check should be compulsory for members.

The Committee also agreed that due to legislative changes resulting in changes to the schedule for the AGS the City Solicitor in consultation with the Chair of the Committee should review the work programme.

Decision

1. To note the report
2. To request that an item of business regarding the decision of the Audit Committee as to whether a DBS check should be compulsory for Members be added to the agenda for the June meeting
3. To delegate to City Solicitor in consultation with the Chair of the Standards Committee the drafting of a revised work programme.