



Standards Committee

Date: Thursday, 31 October 2019

Time: 10.30 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

Membership of the Standards Committee

Councillors - Andrews, Evans, Kilpatrick, Lanchbury and A Simcock

Councillor O'Donovan (Ringway Parish Council)

Independent Co-opted Members - Nicol  Jackson (Chair), Mr G Linnell

Independent Person - Ms S Beswick and Mr A Eastwood

Agenda

- 1. Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.
- 2. Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Minutes** 5 - 10
To approve as a correct record the minutes of the meeting held on 13 June 2019.
- 5. Standards Committee - Annual Report** 11 - 24
Report of City Solicitor is enclosed
- 6. Draft Code of Corporate Governance** 25 - 52
Report of Deputy Chief Executive and City Treasurer is enclosed
- 7. Members' Update on Ethical Governance** 53 - 60
Report of City Solicitor is enclosed
- 8. Work Programme for the Standards Committee** 61 - 66
Report of Governance and Scrutiny Support Unit is enclosed

Information about the Committee

The Standards Committee comprises five city councillors, one parish councillor and two independent members and is chaired by an independent member. The Committee deals with matters relating to the conduct of city and parish councillors and the promotion of ethical standards.

The Independent Persons are appointed by the Council to assist the Council in the consideration of any complaints made against councillors. They are not members of the Standards Committee but they are invited to attend the meeting if they wish to.

The Council aims to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Agenda, reports and minutes of all Council Committees can be found on the Council's website www.manchester.gov.uk.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
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Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Wednesday, 23 October 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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Standards Committee

Minutes of the meeting held on 13 June 2019

Present

Independent Co-opted Member: N Jackson – In the Chair
Councillors Andrews, Evans, Kilpatrick, Lanchbury and A. Simcock

Independent Co-opted Member: G Linnell

Apologies

Ringway Parish Council: Councillor O'Donovan
Independent Person: A Eastwood
Independent Person: S Beswick

ST/19/10 Minutes

The minutes of the meeting held 21 March 2019 were submitted for approval. Mr Linnell requested that his apologies be recorded.

In regard to item ST/19/06 Member Development Strategy, a Member commented that he had recently attended a Member development training session and he reported that Member Development was working well.

Decision

To approve the minutes of the meeting held on 21 March 2019 as a correct record subject to the above amendment.

ST/19/11 Review of the operation and efficacy of the Arrangements for dealing with complaints about Councillors and amendment to the Arrangements

The Committee considered the report of the City Solicitor that outlined the operation and efficacy of the Arrangements for dealing with complaints about Councillors ('the Arrangements') as well as seeking the Committee's approval of an amendment to the Arrangements.

The report described that there were three specific stages in the Arrangements and outlined how these had operated in relation to new complaints received during the period 1 April 2018 – 31 March 2019, which fully completed stage one as well as complaints which were on-going as of 1 April 2018 and completed either the stage two or three phase during the same period.

The Committee noted that they had considered a report at their March 2019 meeting regarding the Review into Local Government Ethical Standards by the Committee for Standards in Public Life ('CSPL') and that in order to comply with the CSPL recommendation it was proposed that paragraph 8.1 of the Arrangements be

amended to state that any view of the Council's Independent Person must be recorded on future decision notices issued following a formal investigation.

Decisions

1. To note the position with the operation and efficacy of the Arrangements.
2. To approve the proposed amendment to paragraph 8.1 of the Arrangements.

ST/19/12 Dispensations

The Committee considered the report of the City Solicitor that provided information on the operation and efficacy of the process for granting dispensations. The report described the limited grounds prescribed within The Localism Act 2011 for the granting of a dispensation in those circumstances where a Member or co-opted member had a Disclosable Pecuniary Interest.

The report further described the operation and efficacy of the granting of dispensations, noting that it was the Monitoring Officer's opinion that the requests for dispensations that had been made had been sought in appropriate circumstances and that the level of requests for dispensations did not give rise to concern.

In response to Members' questions the Head of Governance reported that dispensations could also be granted in relation to a Member's Prejudicial Interest and would apply to meetings of Scrutiny Committees. A Member commented that a briefing note should be circulated to all Members and co-opted members of the Authority to remind them of the requirement to submit a written request for a dispensation to the City Solicitor.

The Head of Governance informed the Committee that the Monitoring Officer for each Authority was responsible for the granting of any dispensation and advised that for those Members appointed to Committees of the Greater Manchester Combined Authority a written application would need to be submitted to the Monitoring Officer for the Combined Authority.

Decision

- 1.To note the report.
- 2.To request that the Monitoring Officer circulate a briefing note to all Members and co-opted members of the Authority to remind them of the requirement to submit a written request for a dispensation to the City Solicitor.

ST/19/13 Review of Member/Officer Relations Protocol

The Committee considered the report of the City Solicitor that provided an update following a review of the Member/Officer Relations Protocol. The report advised that

the review of the Protocol had identified no significant areas of required revision, accounting for both the Committee on Standards in Public Life (CSPL) recommendations and other feedback on the Protocol's relevance and operation.

The Committee noted that only a small number of amendments had been identified as necessary to the Member/Officer Relations Protocol to bring the document up to date with the CSPL recommendations and other feedback. The report informed the Committee that the language had been refreshed and clarified in some areas and a small number of substantive changes were also suggested and summarised within the report.

Members supported the amendments to the protocol, commenting that it was important to foster professional and courteous relationships between officers and Members. A Member commented that officers needed to be confident that complaints against Member behaviour were dealt with appropriately.

The Chair recommended that this protocol should be included as part of all new employee induction briefings. The Head of Governance reported that this was being discussed with HROD as part of a wider refresh of officer induction sessions.

The Chair further commented that in her experience the adoption of a Member/Officer Relations Protocol was a very useful tool to embed a positive culture within an organisation and could also assist with addressing informal complaints.

A Member enquired if a Member/Member Protocol existed. The Head of Governance indicated that there were existing procedures within Groups and through the Monitoring Officer via the Member Code of Conduct to address such issues when they arose, Members requested officers undertake an exercise to see if any other authorities had a Member/ Member protocol.

In response to a Member's question the Head of Governance advised that 'recorded information' in relation to Freedom of Information requests referred to anything that was written down, including hand written notes and emails for example. She further commented that clarification would be provided as to which Committee a report on Freedom of Information requests would be submitted and members of the Standards Committee would be advised of this.

A Member requested that the revised Member/Officer Relations Protocol be circulated to all Members.

Decisions

1. To note and endorse the report and the suggested minor amendments recommended to the Member/Officer Relations Protocol.
2. To request Council to agree the amendments for inclusion within the Council's Constitution, when it next considers the full review of the Constitution.
3. To recommend that the amended Member/Officer Relations Protocol is circulated to all Members.

4. To recommend that the amended Member/Officer Relations Protocol is included in officer induction sessions
5. To recommend that the Head of Governance provide clarification as to which Committee would consider a report on Freedom of Information requests.

ST/19/14 Planning Protocol

The Committee considered the report of the City Solicitor that provided information on the operation and efficacy of the Planning Protocol. The report informed the Committee that mandatory training had taken place in May 2018, following the changes in the Planning and Highways Committee's membership after the local elections in May 2018, and a mid-year follow-up to that training was being planned, and a further training session, aimed principally at new Members appointed to the Planning and Highways Committee, but open to all Committee Members had taken place on the morning of the meeting held on 30 May 2019.

Members were also informed that since the last consideration of the Planning Protocol, a training session on Section 106 Planning Obligations and Viability had taken place at the end of November 2018 and that further relevant training sessions would be arranged.

The Committee were also informed that a note on the importance of the Protocol and its application to site visits was now part of every Planning and Highways Committee agenda.

The Committee was advised that it continued to be the view of officers that the Protocol was considered to be effective and there continued to be very few occasions when the Protocol had to be referred to, and there are had been no complaints that it had been breached.

The Committee noted that whilst officers considered that the Planning Protocol was effective, it was continually kept under review and officers were of the opinion that the provisions relating to discussions between Members and developers could be improved and clarified. The Committee noted the proposed amendment to the Planning Protocol section headed "Pre and post application discussions" was presented within the report.

Officers further provided a definition of what constituted a pre application meeting in terms of the planning process and commented that the wording of this paragraph would be reviewed and a definition of this type of meeting would be included for clarity within the Protocol following the comments raised by the Committee.

Members welcomed the proposed revision to the Planning Protocol and stated that this should be adopted as soon as practically possible. Officers confirmed a briefing note could be issued setting out the revisions pending a formal change to the Council's Constitution.

A Member enquired what would happen if a Member were to act as an agent on behalf of a planning matter. The Head of Planning advised the Committee that the Protocol was not designed to prevent a Member from discharging their role in representing their constituents or in their role as an opposition Member, but rather to address inappropriate use of their position to act as agents or influence planning applications. An indication was provided to the Committee of what an 'agent' and what a 'developer' was in terms of planning and the Head of Planning stated that if there were issues she would address these directly with the Member and where necessary involve the legal officers.

The Head of Planning further commented that the Protocol was very useful for officers to understand the role and remit of Councillors so that if necessary they could challenge any inappropriate attempts to influence a planning application.

A Member commented on the challenge experienced when attending consultation or drop in events and the perceptions of the capacity in which they were attending, i.e. as a local resident or Councillor, with another member commenting that they needed to be mindful of public perceptions at all times.

Decisions

1. To note the position regarding the operation and efficacy of the Planning Protocol.
2. To endorse the proposed amendments to the Planning Protocol.
3. To recommend that a briefing note is prepared and circulated to all Members to advise of the amended Planning Protocol, pending any formal adoption into the Council's Constitution.
4. To recommend that officers review the wording of the proposed paragraph in the Protocol relating to pre application meetings and a definition of such meetings to be included.
5. To recommend that guidance be issued to all Members who attend planning related drop in events / consultations in their capacity as a resident compared to attending an event as a Councillor.
6. To recommend that guidance is issued to all Members on their responsibilities when making representations on planning applications that are not within the ward to which they are elected.

ST/18/15 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 Chair advised the Committee that the report listed for the October meeting entitled 'Whistleblowing Policy' may be removed from the Work Programme following

clarification, through amendment of the Constitution, as which Committee had overall responsibility for the document as there was currently ambiguity would be considered by the Audit Committee and not the Standards Committee.

The Chair recommended that a report be included for consideration at the October 2019 meeting that outlined how the requirements of the Council's Member Code of Conduct is incorporated into the overall governance arrangements of organisations that the City Council has entered into Partnership Arrangements with, to demonstrate adequate assurance is in place.

The Chair recommended that the Annual Governance Statement be submitted for consideration at the March 2020 meeting and that a report on the recommendations from the Committee on Standards in Public Life be included as an item to be scheduled.

Decision

To agree the Work Programme subject to the above amendments.

**Manchester City Council
Report for Information**

Report to: Standards Committee – 31 October 2019

Subject: Standards Committee – Annual Report

Report of: City Solicitor

Summary

The purpose of this report is to update members of the Standards Committee on the matters within the remit of the Committee since November 2018.

Recommendations:

1. To note the work done since the last annual report in November 2018 by this Committee and by the Council's Monitoring Officer this year to promote and maintain high standards of conduct by Councillors.
2. To seek the views of the Committee regarding whether this report should be forwarded to full Council for assurance on standards issues

Wards Affected All

Manchester Strategy outcomes	Summary of the contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Not directly applicable
A highly skilled city: world class and home grown talent sustaining the city's economic success	Not directly applicable
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	This annual report provides an overview of the work undertaken by the Standards Committee from November 2018 to September 2019. This contributes towards promoting and maintaining high standards of conduct among members. The report sets out the procedure for complaints against members and lists the complaints received over the above time period. This contributes to promoting fairness by members in their conduct towards members of the public and other Members. This also contributes to fairness, transparency and accountability when allegations are made that a member's behaviour has fallen below the expected standard.

A liveable and low carbon city: a destination of choice to live, visit, work	Not directly applicable
A connected city: world class infrastructure and connectivity to drive growth	Not directly applicable

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None directly.

Financial Consequences – Capital

None directly.

Contact Officers:

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Background documents (available for public inspection):

None.

1. Introduction

- 1.1 The purpose of this report is to summarise the work undertaken by the Council's Monitoring Officer and the Standards Committee since the last annual report in November 2018.

2. The Roles of the Standards Committee and the Council's Monitoring Officer

- 2.1 The role and functions of the Standards Committee and the Council's Monitoring Officer ('MO') are set out in the Council's Constitution and reproduced for ease of reference in Appendix 1 to this Report. This Appendix reflects a change made (following discussions at this Committee) by the Council which as part of its annual review of the Council's Constitution agreed that the Council's whistleblowing policy should rest with the Audit Committee as it is considered this policy aligns more closely with the remit of that Committee. The Standards Committee meets 3 times a year, in March, June and October /November.

3. Matters considered by the Standards Committee since its last Annual Report

- 3.1 The role of the Standards Committee under the Annual Governance Statement ('AGS') is to promote high standards of ethical conduct, advising on the revision of the codes of corporate governance and conduct for members.
- 3.2 The matters dealt with by the Standards Committee since last November are set out below. The Committee has:
- considered the draft Code of Corporate Governance
 - considered and approved the Ethical Guidance Update for members
 - reviewed the operation and efficacy of the Planning Protocol as well as amendments to the Protocol itself
 - considered the Whistleblowing Policy
 - made Recommendations to Council regarding DBS checks for members
 - considered a report by the Committee on Standards in Public Life (CSPL) on the Review of Local Government Ethical Standards, noting areas of current good practice in the Council where recommended actions are already in place
 - recommended the extension of terms of appointment of this Committee's Independent Members and the Independent Persons (who support in relation to member complaints) by a further 2 years
 - considered the operation and effectiveness of the Social Media Guidance for members and the feedback regarding the Social Media Training provided for Members; recommending the guidance be circulated to candidates standing for election as Councillors
 - noted a report on the outcome of a consultation updating the disqualification criteria for Councillors

- reviewed the operation and effectiveness of the process for updating the Register of Members' Interests.
- considered the new Member Development Strategy
- considered the operation and effectiveness and updates to the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member/ Officer Relations Protocol.
- considered the draft Annual Governance Statement
- reviewed the operation and effectiveness of the Arrangements for dealing with complaints about Members
- considered the operation and effectiveness of the process for granting dispensations

4. Update on matters discussed by the Committee.

- 4.1 As indicated above following recommendations of this Committee the Council agreed to extend the term of office of the Independent Members of the Committee and Independent Persons by a further 2 years. The Council's Social Media Guidance was circulated to candidates prior to the May local elections. The Government's response to the CSPL report is awaited as is primary legislation to implement the outcome of a consultation updating the disqualification criteria for Councillors.
- 4.2 As at the date of preparation of this report 40 Councillors had responded to the Council's DBS team in HR. Some of the Members yet to respond may have a DBS certificate from another role but have yet to supply a copy to the team. A further reminder was sent out to all members at the beginning of October and a drop in clinic for members on DBS is planned for October.

5. Operation of Codes and Guidance

- 5.1 As stated above the Committee reviewed the operation and efficacy of the Codes and Guidance for Members during the course of the year. It noted that whilst officers considered that the Planning Protocol (which together with the Code of Conduct for Members, Use of Resources Guidance for Members, Gift and Hospitality Guidance for Members and the Member/Officer Relations Protocol forms part of the Council's Constitution) was effective and continually kept under review, the provisions relating to discussions between Members and developers could be clarified. This was addressed as part of the annual review of the Constitution.
- 5.2 The Committee's review of the Member Officer /Protocol had identified no significant areas of required revision, accounting for both the Committee on Standards in Public Life (CSPL) recommendations and other feedback on the Protocol's relevance and operation. The Monitoring Officer's view is that any issues within the code are addressed within the framework of the Code. The Code of Conduct for Members, Use of Resources Guidance for Members, Gift and Hospitality Guidance for Members and the Member/Officer Relations Protocol were reviewed by this Committee as part of the annual review of the Council's constitution. The Monitoring Officer is of the view that these protocols and guidance and the Social Media Guidance for Members are well

understood by Members and is not aware of any queries or issues that have not been addressed through existing procedures. Additional changes to the Use of Resources Guidance mainly to clarify the procedures that apply when a member leaves the Council were approved by the Council on annual update of the Constitution. Further information on this is contained in the Ethical Guidance Update elsewhere on the Agenda.

6. Register of Interests and Gifts and Hospitality.

- 6.1 A report on Register of Members' Interests and Gifts & Hospitality was considered by this Committee at its March 2019 meeting. Members will be aware that whilst officers do provide advice to Members, if asked, on Members' interests it is the responsibility of individual members to comply with the requirements of the Code of Conduct. Reminders to Members regarding updating their Register of Interests are contained in the Ethical Governance Update sent to all Members and in email reminders sent to Members during the course of the year. A drop in session for Members was held in October 2019 to support and advise on any matters relating to interests. Since the last update to this Committee in March 2019 there have been 23 Member's registers updated and 6 registrations of gifts or hospitality (including the Lord Mayor). Members of the Committee will recall that the current threshold for reporting Gifts and Hospitality is £100. As indicated in the specific report on this topic in March it is the view of the Monitoring Officer that the Register of Interests requirements are understood by Members. As a matter of good practice specific guidance would continue to be provided to Members regarding declaration of interests at meetings where necessary.

7. Dispositions

- 7.1 A report on the operation and efficacy of dispensations was considered by this Committee at its June Meeting. No further dispensations have been sought since the date of that report. As indicated in that report It is the Monitoring Officer's view that the requests for dispensations that have been made have been sought in appropriate circumstances and that the level of requests for dispensations does not give rise to concern. As requested at its last meeting a note has been sent by the Monitoring Officer to all Members and co-opted members of the Authority to remind them (if they consider a dispensation is needed) of the requirement to submit a written request for a dispensation to the City Solicitor.

8. Councillor Training and Awareness

- 8.1 In line with one of the aims of the Member Development Strategy to ensure that training opportunities are well advertised and promoted all member development communications are sent out from a dedicated Member Development email address. Members are also able to access a training calendar which flags up training events within their own personal calendars. Work has also been undertaken to ensure that the relevance of each training activity is made clear to Members when bulletins are sent out.

- 8.2 A shared 'Our Members' team drive has been created which allows members to access a variety of useful information including a Handbook for Members and training materials, from any device.
- 8.3 A Training Programme has been circulated to all members outlining the training opportunities for the municipal year. In addition to detailing the course objectives there are also testimonials, where available, from members who have previously attended the training. The programme has a dedicated section promoting training provided by the Local Government Association, in line with the recommendation of Standards Committee in March 2019 when the Committee considered the Member Development Strategy that such training opportunities be increased.
- 8.4 The Member Development Working Group (MDWG) (comprising Members and Officers and chaired by the Deputy Leader) continues to review attendance at training and a summary report is provided to Group Officers of members within their group who have not attended training they had booked on. In addition, the group has also considered feedback from training and the training budget as standard items at its quarterly meetings.
- 8.5 Members Induction was held over 2 sessions following the Local Elections covering:
- the Code of Conduct for members including an interactive session where members worked through a case study
 - the Gifts and Hospitality Guidance for Members,
 - data protection,
 - the Member / Officer relations Protocol,
 - access to information/need to know,
 - the Use of Council Resources Guidance,
 - the Social Media Guidance
 - 'Our Manchester'
 - The Budget
 - key strategies,
 - Equality,
 - Health and Safety,
 - Member Development
 - Casework
 - practical arrangements
- 8.6 This year the Induction programme was opened up to all Members as requested by Standards Committee in March 2019. Feedback received from attendees gave the Induction Programme an overall satisfaction rating of four out of five. The more detailed feedback and comments are being considered by the MDWG and will inform the induction programme for next year.
- 8.7 It is the view of the Monitoring Officer that progress is being made in relation to Member Development and embedding the Strategy.

9. Complaints against Councillors

- 9.1 There are 3 potential stages through which a complaint may proceed:

Stage 1 - Initial Assessment stage where the Monitoring Officer, in consultation with the Council's Independent Person, will decide whether to reject the complaint, seek informal resolution of the matter or refer the complaint for formal Investigation.

Stage 2 - Where a complaint is referred for Investigation, the Monitoring Officer will appoint an Investigating Officer to investigate the matter.

Stage 3 - If the Investigating Officer's final report concludes that there is sufficient evidence of a failure by the Member to comply with the Code, the Monitoring Officer will consult with the Independent Person before either seeking a local resolution to the matter or sending the allegation before the Hearing Panel for determination.

- 9.2 The Monitoring Officer has received 28 complaints about Manchester City Councillors between 1 October 2018 and 30 September 2019. Of those complaints, 15 (including 3 which did not proceed either due to lack of response from the complainant or because they were withdrawn) related to one incident. 7 of these complaints are in the course of investigation. The complaints relating to this event which have been dealt with by the Monitoring Officer are highlighted by shading on the table below. Complaints made by the same complainant are marked with an asterisk.

- 9.3 Of the 28 complaints received:

- 2 were withdrawn by the complainant;
- 8 did not proceed as there was no response by the complainant to a request for further information;
- 10 have been concluded. All of these were rejected at Stage 1 as set out in the table below;
- 7 are in the course of investigation;
- 4 were made by the same complainant
- 1 complaint is outstanding

- 9.4 As indicated above the Committee reviewed operation and effectiveness of the Procedure for dealing with Member Complaints ('The Arrangements') at its meeting in June 2019. The timeframes in the Arrangements are as follows:

- (a) The Monitoring Officer will acknowledge receipt of the complaint within 10 working days of all required information being provided and at the same time, the Monitoring Officer will write to the Subject Member with a copy of the complaint
- (b) The Subject Member may, within 10 working days of being provided with a copy of the complaint, make written representations to the Monitoring Officer

- (c) A decision regarding whether the complaint merits formal investigation or another course of action will normally be taken within 20 working days of either receipt of representations from the Subject Member or where no representations are submitted 20 working days of the expiry of the period mentioned in paragraph (b) above.

9.5 As indicated in the report to this Committee referenced in the paragraph above for a variety of reasons there are some cases which have taken longer than this timescale. The process for handling complaints under the stage 1 phase is being reviewed by the MO to address this including for example ensuring that additional diarising and monitoring is undertaken. Issues such as grouping of complaints and consideration of anonymity on a number of complaints contributed in some cases to delays.

Complaints Summary: Decisions on Complaints made between 1st October 2018 and 30th September 2019

Complaint No.	Provision of the code alleged to have been breached	Outcome
2018 Complaints		
CCM2018.13	Alleged breach of all the obligations of the Code	Rejected at stage 1 following consultation with the Council's Independent Person (IP) - It would not be in the public interest to expend further resources on carrying out an investigation into this matter. The complaint was wide ranging raising miscellaneous issues dating back over a number of years
2019 Complaints		
CCM2019.03	Bringing office into disrepute; Cause the council to breach the Equality Act 2010	<p>Complaint rejected at Stage 1 following consultation with IP - Wholly disproportionate and not in the public interest to expend further resources on carrying out an investigation.</p> <p>The complainant alleged two members:</p> <ul style="list-style-type: none"> Failed to respond to correspondence due to complainant's disability Blocked contact <p>Upon receipt of the complaint the subject members had provided the information requested by the complainant and apologised for the delay.</p>

CCM2019.05	Compromise the impartiality of those who work for the Council Bringing office into disrepute Failed to give reason for decision	Complaint rejected at Stage 1 following consultation with IP. Not appropriate to undertake an investigation in to the complaint. The evidence available did not support the allegation.
CCM2019.07	Bullying / Being Abusive Intimidating a complainant/ witness Bringing Office into disrepute. .	Complaint rejected at Stage 1 following consultation with IP. Wholly disproportionate and not in the public interest to expend further resources The conduct of the subject member was considered reasonable in the circumstances.
*CCM2019/15	Intimidate a complainant/ witness Bringing office into disrepute.	Complaint rejected at Stage 1 following consultation with IP. Wholly disproportionate and not in the public interest to expend further resources on carrying out an investigation. The evidence did not support the allegation.
*CCM2019/16	Intimidate a complainant/witness Bringing office into disrepute. .	Complaint rejected at Stage 1 following consultation with IP. Wholly disproportionate and not in the public interest to expend further resources on carrying out an investigation. This complaint alleged that the subject member allowed another Councillor to act in a way the complainant considered in appropriate. The Subject Member had no official responsibility to deal with the conduct of Members
*CCM2019/17	Bringing office into disrepute.	Complaint rejected at Stage 1 following consultation with IP. Not in the public interest to expend further resources on carrying out an investigation The Subject Member had no official responsibility to deal with the conduct of Members The Subject Member's actions were reasonable.
CCM2019/19	Bringing office into disrepute	Complaint rejected at Stage 1 following consultation with IP - Wholly disproportionate and not in the public interest to expend further resources on carrying out an investigation

		<p>The complainant alleged the Subject Member was dismissive of issues raised with them and failed to return the complainant's call</p> <p>The Monitoring Officer noted the correspondence sent by the Complainant to the Subject Member and is satisfied with the response provided by the Subject Member</p>
CCM2019/21	<p>Bullying/abusive behaviour</p> <p>Disclose information given in confidence</p> <p>Bringing office into disrepute</p> <p>Use position improperly to confer a disadvantage on a person</p> <p>Fail to give reasons for decisions</p>	<p>Complaint rejected at Stage 1 following consultation with IP on the basis the complaint is not serious enough to merit any action. There are no grounds for finding a breach of the Members code of conduct in the circumstances there is no overriding public benefit in carrying out an investigation.</p> <p>The complainant alleged the subject member:</p> <ul style="list-style-type: none"> failed to allow the complainant a fair hearing at an appeal approached the complainant and discussing the application in the street thereby disclosing information given to him in confidence. <p>The MO following consultation with the IP noted:</p> <ul style="list-style-type: none"> The complainant was provided with a decision letter following the hearing giving reasons for the decision The subject member highlighted that CCTV footage showed that the subject Member clearly tried to assist and empathise.
CCM2019/22	Bringing office into disrepute	<p>Complaint rejected at Stage 1 following consultation with IP – Wholly disproportionate and not in the public interest to expend further resources on carrying out an investigation.</p> <p>The complainant alleged the Subject Member:</p> <ul style="list-style-type: none"> did not respond to emails nor

		<p>return the complainant's numerous telephone calls and messages</p> <ul style="list-style-type: none"> • chose not to act nor respond to concerns raised about the financial management of a community organisation that received funding from the Council <p>Having considered the specific details of the complaint the MO following consultation with the IP decided the volume and frequency of the contact from the complainant was such that the subject member's position was reasonable. It was considered on balance that the matter should not be investigated as a potential breach of the Code</p>
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9.6 There are no particular themes from the above as the majority of complaints related to one incident. It is noted that whilst 3 related to alleged delay these do not in the view of the Monitoring Officer raise issues that need to be addressed more widely.

9.7 As the Committee will be aware complaints about failure to register a DPI are subject to criminal sanction. The Monitoring Officer is not aware of any action having been taken by the Police in relation to DPI requirements regarding Manchester Councillors.

10. Recommendations:

1. To note the work done since the last annual report in November 2018 by this Committee and by the Council's Monitoring Officer this year to promote and maintain high standards of conduct by Councillors.
2. To seek the views of the Committee regarding whether this report should be forwarded to full Council for assurance on standards issues

Appendix 1

The role of the Standards Committee

Promoting and maintaining high standards of conduct by Councillors, Co-opted Members and church and parent governor representatives;

Assisting Councillors, Co-opted Members and church and parent governor representatives to observe the Council's Code of Conduct for Members;

Advising the Council on the adoption, revision or replacement of the Council's Code of Conduct for Members and the Council's Arrangements for dealing with Complaints that Council Members and Co-opted voting members of the Health and Wellbeing Board have failed to comply with the Council's Code of Conduct for Members ("the Council's Arrangements");

Monitoring the operation of the Council's Code of Conduct for Members and the Council's Arrangements;

Advising, training or arranging to train Councillors and Co-opted Members and church and parent governor representatives on matters relating to the Council's Code of Conduct for Members and other issues relating to Standards and Conduct;

To take decisions in respect of a Council Member who is found on a hearing held in accordance with the Council's Arrangements to have failed to comply with the Council's Code of Conduct for Members ("the Subject Member") following referral by the Monitoring Officer for a Hearing conducted by a subcommittee of the Standards Committee.

To grant dispensations from section 31(4) of the Localism Act 2011 (after consultation with one of the Council's Independent Persons) if having had regard to all relevant circumstances, the Standards Committee:-

- considers that granting the dispensation is in the interests of persons living in the Council's area; or
- considers that it is otherwise appropriate to grant a dispensation.

To determine appeals against the Monitoring Officer's decision on the grant of dispensations;

To deal with any reports from the Monitoring Officer on any matter which is referred to it for determination;

To deal with reports of the Monitoring Officer regarding breaches of the protocols/guidance to Members accompanying the Council's Code of Conduct for Members which do not in themselves constitute a breach of that Code;

To report from time to time to Council on ethical governance within the City Council.

To consider the Code of Corporate Governance and the Annual Governance Statement.

The Responsibilities of the Council's Monitoring Officer

The Monitoring Officer role is to support the Standards Committee, to handle complaints about Members and promote and maintain high standards of conduct. She has delegated authority under the Council's constitution:

- To act as the Council's Proper Officer to receive complaints that Council members have failed to comply with the Council's Code of Conduct for Members.
- To determine, after consultation with the Independent Person and in accordance with the Council's Arrangements for dealing with complaints that Council Members have failed to comply with the Council's Code of Conduct for Members ("the Council's Arrangements") whether to reject or informally resolve or investigate a complaint.
- To seek informal resolution of complaints that Council Members have failed to comply with the Council's Code of Conduct for Members wherever practicable.
- To refer decisions dealing with a complaint against a Council Member to the Standards Committee in exceptional circumstances.
- To arrange for the appointment of an Investigating Officer to investigate a complaint where the Monitoring Officer (in consultation with the Independent Person) determine that a complaint merits formal investigation.
- To issue guidance to be followed by an Investigating Officer on the investigation of complaints.
- To determine, after consultation with the Independent Person and in accordance with the Council's Arrangements, to confirm an Investigating Officer's finding of no failure to comply with the Council's Code of Conduct for Members.
- Where an Investigating Officer's report finds that the Subject Member has failed to comply with Council's Code of Conduct for Members, to determine, after consultation with the Independent Person and in accordance with the Council's Arrangements, either to seek a local resolution or to send a matter for local hearing.
- To make arrangements to advertise a vacancy for the appointment of
 - i Independent Persons and
 - ii Co-Opted Independent Members;
 - to make arrangements, in consultation with the Chair of the Council's Standards Committee for short-listing and interviewing candidates for

appointment as Independent Persons and to make recommendations to Council for appointment.

- To prepare and maintain a Council Register of Member's Interests to comply with the requirements of the Localism Act 2011 and the Council's Code of Conduct for Members, and ensure that it is available for inspection and published on the Council's website as required by the Act.
- To prepare and maintain a register of Member's interests for Ringway Parish Council to comply with the Localism Act 2011 and the Code of Conduct adopted by Ringway Parish Council and ensure that it is available for inspection as required by the Act.
- To grant dispensations from Section 31(4) of the Localism Act 2011 if, having had regard to all relevant circumstances, the Monitoring Officer:-
 - (i) considers that without the dispensation the number of persons prohibited by section 31(4) of the Localism Act from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business; or
 - (ii) considers that without the dispensation each member of the Council's Executive would be prohibited by section 31(4) of the Localism Act from participating in any particular business to be transacted by the Council's Executive.
 - (iii) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business.

Manchester City Council Report for Information

Report to: Standards Committee – 31 October 2019

Subject: Draft Code of Corporate Governance

Report of: Deputy Chief Executive and City Treasurer

Summary

This report proposes a revised draft Code of Corporate Governance which is in accordance with published guidance. Compliance with this Code will be monitored on an annual basis through the Council's Annual Governance Statement.

Recommendations

The committee is invited to comment on the Council's draft governance standards set out in the draft Code of Corporate Governance.

Wards Affected: All

Contact Officers:

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1. Introduction and Context

- 1.1 The Accounts and Audit Regulations 2015 require local authorities to conduct at least annually a review of the effectiveness of their governance framework including their systems of internal control. This review must be documented in an Annual Governance Statement (AGS) and published as part of the Council's Annual Accounts. The Statement must be prepared in accordance with proper practices, including those set out in CIPFA and IFAC's¹ *"Delivering Good Governance in Local Government: Framework (2016)"*.
- 1.2 The Framework has applied to Annual Governance Statements prepared for the financial year 2016/17 onwards. The AGS involves an assessment of the extent to which the Council has adhered to the governance standards set out in its Code of Corporate Governance (the Code).
- 1.3 In 2016 the Council's Code was fully updated in accordance with the revised Framework. Alongside the CIPFA principles, the vision and values of the organisation – the Our Manchester principles - are at the heart of the Council's approach to governance. Our Manchester was therefore also integral to the way the standards in the Code were defined when it was reviewed.
- 1.4 It is necessary to keep the Code under review to ensure the contents remain accurate, up to date, and that they reflect all applicable relevant legislation. While substantial changes have not been necessary for this subsequent update of the document, some minor amendments are required. Changes include;
 - The role title has the been updated for the Deputy Chief Executive and City Treasurer, to reflect recent changes to the Council's senior management structure
 - Wording has been amended to reflect changes to the remits of both the Audit and the Standards Committees regarding the Council's Whistleblowing procedures
 - Hyperlinks have been updated in the electronic copy of the Code document, so that out of date web page links have been replaced where necessary
 - Wording has been added to reference the Council's 'Our Corporate Plan' which was launched in November 2018, and which sets out the Council's priorities for the next three years.
- 1.5 The Code sets out the governance standards for the Council but deliberately does not include details of how these standards will be achieved. This will be described in the next Annual Governance Statement which will set out evidence of compliance for each different aspect of the Code. Standards Committee is invited to review the draft Code and comment on the extent to which it feels the governance standards described are the right ones for the Council.

¹ CIPFA is the Chartered Institute of Public Finance and Accountancy. IFAC is the International Federation of Accountants.

- 1.6 The Council's Constitution notes the role of Standards Committee in considering revisions to the Code. The Code itself details the responsibility of the Committee for promoting and maintaining high standards of conduct amongst Members, for advising the Council on the adoption and revision of the Code of Conduct for Members, and for monitoring the operation of the Code.

2. Next Steps

- 2.1 The Code will be submitted to Audit Committee on 10 December 2019. The Code forms part of the Council's Constitution and will therefore then be submitted to full Council, prior to adoption and inclusion within a revised Constitution in 2020.

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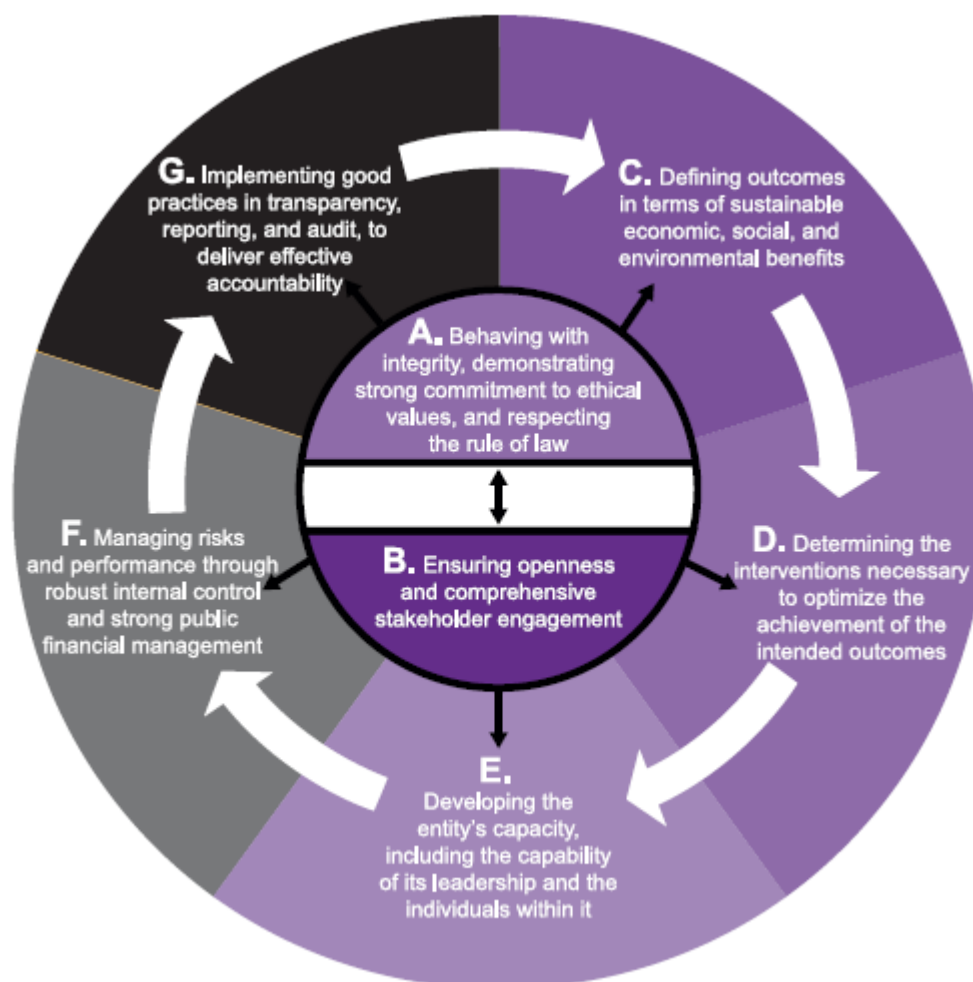
SECTION G

MANCHESTER CITY COUNCIL

CODE OF CORPORATE GOVERNANCE

Introduction

The Code of Corporate Governance sets out the Council's governance standards. These standards ensure the Council is doing the right things, in the right way in a timely, inclusive, open, effective, honest and accountable manner. The Code is based upon the following principles



These principles are taken from the 'International Framework: Good Governance in the Public Sector' produced by CIPFA/IFAC¹. The Framework is based on the principles in the inner circle permeating and being evident throughout the application of the principles in the outer circle. The diagram also illustrates that good governance is dynamic and involves continuous evaluation and review.

The International Framework describes governance as follows:

"Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved."

¹ CIPFA is the Chartered Institute of Public Finance and Accountancy. IFAC is the International Federation of Accountants.

The Council is committed to ensuring its approach to good governance can easily be understood by all. The Council and the Manchester Youth Council worked together to produce the following summary of the Council's commitment to good governance:

1. **We will** clearly set out our objectives and what we are trying to achieve.
2. **We will** measure how effective our services are and take action to improve them. We will publish information showing how we are progressing towards our objectives.
3. **We will** work with other public services, such as the Police and NHS, to improve services for Manchester residents.
4. **We will** ensure we make the best use of taxpayers' money by taking prudent financial decisions and measuring the level of value for money we achieve.
5. **We will** set out in our Constitution who can take which decisions.
6. **We will** behave in ways that reflect our values and high standards of conduct.
7. **We will** ensure people in the Council making decisions have access to accurate information to help them take decisions in the best interests of Manchester people.
8. **We will** record and publish the decisions we take and the reasons for them. Wherever possible, we will take the most important decisions in public.
9. **We will** carry out scrutiny of our services to make sure they meet our residents' needs.
10. **We will** be sensitive about how we collect and record information about citizens of Manchester and safeguard it from misuse.

Principles of Governance in the Greater Manchester Combined Authority

This Code of Corporate Governance describes the governance standards in place for Manchester City Council. The [Greater Manchester Combined Authority](#) (GMCA) reviews its own Code of Corporate Governance regularly. Its Code incorporates the governance arrangements needed as it took on responsibilities for further new functions subsequent to the original Devolution arrangements. The GMCA's most recent powers which relate to the functions of the former Waste Disposal Authority came into force on the 1st April 2018 and follow the mayoral powers of 2017/18. GMCA's Code is published on its website as part of its [Constitution](#).

Manchester City Council, along with the other nine local authority members of the Greater Manchester Combined Authority, has signed an [Operating Agreement](#) with the GMCA setting out their intention to co-operate with each other in the exercise of their functions and in particular their transport, economic development and regeneration functions, and the basis on which this will be done.

The Council's Corporate Governance Principles

A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

Behaving with Integrity

The Council fosters a culture of behaviour based on shared values, ethical principles and good conduct that is put into practice by members and officers alike.

The Council's approach ('Our Manchester') includes four central principles that underpin everything the Council does, including how it works with partners, how it makes decisions and how it serves local communities;

- **Better lives** – it's about people
- **Listening** – we listen, learn and respond
- **Recognising strengths of individuals and communities** – we start from strengths
- **Working together** – we build relationships and create conversations

The Our Manchester approach puts people at the centre, recognising that people are more important than processes, procedures or organisational boundaries.

The leadership of the Council embodies these values and creates a climate of openness, support and respect that covers the whole organisation. It establishes, monitors and maintains the organisation's ethical standards and performance.

The ['Our People'](#) Strategy articulates what the expectations of the Council's workforce are, in order to make Our Manchester a reality. This identifies four core behaviours which are central to working in an Our Manchester way;

- We work together and trust each other
- We're proud and passionate about Manchester
- We take time to listen and understand
- We 'own it' and we're not afraid to try new things

The Council is committed to maintaining its values and integrity and operates a Whistleblowing Policy to ensure that individuals who draw attention to factors that compromise the Council's integrity are adequately protected and supported in doing so.

Demonstrating Strong Commitment to Ethical Values

The Council operates a voluntary [Standards Committee](#), composed of elected Members and independent co-opted members, with responsibility for promoting and maintaining high standards of conduct by Members, assisting Members to observe the Member Code of Conduct, and monitoring the Member/Officer Protocol.

The leadership of the Council puts in place robust policies and procedures which put its values into practice, these include:

- A [Member Code of Conduct](#) and arrangements for determining allegations that a Member has acted in breach of the Council's Member Code of Conduct, as required by the Localism Act 2011.
- An [Employee Code of Conduct](#) which makes it clear what standards are expected from staff across the organisation in the performance of their duties.
- A Member / Officer Relations Protocols providing guidance on how the working relationships between Members and officers should be conducted.
- Use of Council resources guidance for members which clarifies how Council resources should be used and how to avoid the inappropriate use of resources.
- A Register of Members Interests in which Members' disclosable pecuniary interests, personal interests and prejudicial interests (as defined in the Member Code of Conduct) are registered. This includes gifts and hospitality received by elected Members. Each Member's individual entry can accessed via the ['Your Councillors'](#) webpage.
- Senior officers are responsible for recording gifts and hospitality which they have received.
- Registers of interests declared by officers in relation to Council contracts.
- Systems for reporting and dealing with any incidents of wrongdoing including fraud, corruption, bribery and money laundering.

The Council insists its commitment to its values and integrity is shared by external suppliers delivering services on its behalf as stated in its approach to [Ethical Procurement](#) policy.

Respecting the Rule of Law

The Council appoints a Monitoring Officer (the City Solicitor) who is a member of the Strategic Management Team (SMT). The Monitoring Officer ensures that decisions are taken in a lawful and fair way and agreed procedures are followed and that all applicable statutes, regulations and procedure rules are complied with.

The Council uses its legal powers, including the ['general power of competence'](#) to promote its values and priorities to the full benefit of the citizens and communities in Manchester. The Council will have full regard to the extent of its powers and not act beyond them, and will observe specific requirements in legislation as well as general responsibilities of public law.

The Council's decision making process will adhere to the principles of good administrative law, respect human rights and demonstrate rationality, legality and natural justice.

The Council puts in place measures to address breaches of its legal and regulatory powers. The Council's Monitoring Officer (the City Solicitor) has statutory reporting duties in respect of unlawful decision making and maladministration. Similarly, the

Chief Finance Officer (the Deputy Chief Executive and City Treasurer) has statutory reporting duties in respect of unlawful and financially imprudent decision making. These duties are detailed at, respectively, Article 12.3(b) and Article 12.4(a) of the Council's Constitution.

The Council appoints Statutory Officers that have the skills, resources and support necessary to perform effectively in their roles. These statutory officers include:

- Head of the Paid Service (Chief Executive)
- Monitoring Officer (City Solicitor)
- Chief Finance Officer (Deputy Chief Executive and City Treasurer)
- Director of Children's Services
- Director of Adult Social Services
- Director of Public Health
- Deputy Chief Finance Officer (Deputy City Treasurer)
- Deputy Monitoring Officer (Deputy City Solicitor)
- Scrutiny Officer (Governance and Scrutiny Support Unit Manager)

The Council supports these statutory officers as well as other key post holders and elected members to fulfil their responsibilities within legislative and regulatory requirements.

B. Ensuring openness and comprehensive stakeholder engagement

Openness

The Council sets out in this Code, its Constitution and in its Annual Governance Statement its commitment to openness.

Decisions taken by Council (in this case referring to the meeting of Council attended by all Councillors), as well as those taken by Committees or by the Executive are [recorded](#) (alongside the reasons and the evidence considered) and, subject to limited exemptions, made in public and information relating to those decisions is made available to the public. This includes access through [live webcasts](#) of Council and Committee meetings which remain online for six months.

The Council ensures that its most significant executive decisions (defined as [key decisions](#)) are recorded and, subject to limited exemptions, information relating to the reasons and evidence considered is made available to the public. The Council publishes notification of its intention to take key decisions through [the Register of Key Decisions](#).

The Council holds its Council and Committee meetings, and meetings of the Executive, in public with the agenda and public reports and minutes available on the Council website. However, certain exclusions apply where there is a need to protect confidential information or where certain categories of exempt information are being considered. The Council allows for people to make comments live through social media. Its approach in this area is consistent with the requirements of Part 5A of the Local Government Act 1972 and of the [Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#).

The Council informs, consults and involves [residents or representatives of residents in significant decisions](#) and their views are submitted to those making decisions for consideration.

Engaging Comprehensively with Institutional Stakeholders

The Council develops and maintains relationships with leaders of other organisations across the private, public and voluntary sector contributing to the vision for the city, including through the [Our Manchester Forum](#). Members of the Forum apply their experience and expertise in key partnerships at either Manchester or Greater Manchester level to benefit the city and actively drive forward the city's priorities as set out in the Our Manchester Strategy.

The Council maintains a [Partnership Governance Framework](#) that defines and standardises its approach to managing its partnerships, in order to help strengthen accountability, manage risk and ensure consistent good practice across its partnerships. This helps ensure the purpose, objectives and intended outcomes for each are clear.

In support of its application of the framework, the Council maintains a [Register of Significant Partnerships](#) listing all the Council's key partnership arrangements and assessing the strength of their governance arrangements. The Council will ensure Members and Officers are clear about their roles and responsibilities, both individually and collectively, in relation to the partnerships they are involved in and to the authority.

Engaging with Individual Citizens and Service Users Effectively

The Council strongly believes that consultation, co-design and co-delivery of services is the best way to deliver services that work for Manchester residents. The Council consults communities, individuals, service users and other stakeholders whenever there is a legal duty to do so, such as in setting the budget, or there is a reasonable expectation that it will, such as where it has consulted on similar matters in the recent past, or where the views of the public and service users will be valuable in informing decisions or the future service delivery model. The Council also talks with residents regularly on a wide variety of issues and topics.

As part of its Our Manchester approach the Council focuses on the strengths and potential in people and places, rather than their challenges. This means we listen to what people can do, want to do and what matters to them, not what's the matter with them.

The Council informs, consults and involves residents of Manchester on issues of interest to them, including through the [Council's online consultation portal](#), and maintaining effective channels for dialogue and debate, including live streaming of Council and Committee meetings and a wide mix of social media. This includes Facebook, Twitter, Vimeo, Youtube, Instagram and LinkedIn.

When conducting consultations the Council strives to balance the feedback it receives from more active stakeholders with that from less active stakeholders through monitoring responses by age, gender, location, ethnicity, sexuality and other factors and delivering targeted promotion where required to ensure that the sample of respondents is representative of the city as a whole.

The Council adopts a "You Said ... We Did" approach to consultation and promotes material advising the public and other stakeholders of the key findings from consultations and how they have been taken into account.

The Council has an online survey for Manchester residents so that it can access an up-to-date summary of the views of citizens on the city, their neighbourhood and the delivery of public services.

The Council is committed to considering and acting upon feedback from citizens and service users and so maintains effective [complaints and compliments handling](#) and monitoring procedures, so that it can identify where improvements in service delivery are needed and learn effectively from the complaints it has received.

The Council takes account of the impact of decisions on future generations of tax payers and service users, its commitment to doing so is matched by the commitment

of the members of its Youth Council, which acts to ensure young people have a stronger voice enabling them to make their views heard and to be involved in decision making in the city. The Council also uses relevant communication channels that younger people are more likely to engage with.

The Council is committed to the Age-Friendly Manchester partnership, involving organisations, groups and individuals and which has helped to create a city that's recognised by the World Health Organization as a great city to grow older in. The Age-Friendly Manchester Older People's Board includes and represents older people, addressing issues affecting the quality of life for older residents and their communities across Manchester. The Council works jointly with older people and health services to develop age-friendly neighbourhoods.

The Council as an organisation, and the elected Members that make it up, share a common understanding of their respective roles regarding community engagement and work together to ensure the organisation understands and can effectively respond to local issues and concerns, through mechanisms such as ward co-ordination.

C. Defining outcomes in terms of sustainable economic, social, and environmental benefits

Defining Outcomes

The [Our Manchester Forum](#), following an extensive public consultation in 2015, developed a 10 year strategy for the city – the [Our Manchester Strategy](#) as well as a new approach to delivering functions – the Our Manchester approach. The Our Manchester Strategy sets out a vision of Manchester as:

- A Thriving and Sustainable City
- A Highly Skilled City
- A Progressive and Equitable City
- A Liveable and Low Carbon City
- A Connected City

Progress towards the vision described in the strategy is being monitored through the Forum's annual [State of the City](#) publication which comprises and analyses key performance indicators.

'Our Corporate Plan' was launched in November 2018, which sets out the Council's priorities for the next three years. These priorities describe the most important activities that constitute the Council's contribution to delivering the Our Manchester Strategy. This plan supports staff to understand the connection between the work they do every day, and the bigger vision for the city.

The Our Manchester Strategy sits at the heart of the Council's [budget and business planning process](#). Through this process the Council allocates resources to progress towards the vision for the city in the most effective and efficient way. The Council sets a [Medium-Term Financial Strategy](#) which sets out the financial assumptions and provides a set of goals for financial decision making for the planning period ahead. The Council is committed to consulting the people of Manchester and local businesses in the design of its budget proposals to understand service user's expectations and to inform service users of financial limitations.

It also sets objectives for each directorate as well as the performance monitoring framework that will be followed to track progress towards these objectives from the perspectives of finance, performance, workforce development, equality and risk.

The Council is committed to regularly reviewing its reporting methods, to ensure that they remain as efficient and effective as possible. Concise and timely integrated reporting compiles workforce, performance, and budget monitoring, leading to a single view of success and challenges based on multiple information sources. The development of this reporting has supported leaders in the organisation to respond rapidly to dips in performance or budget pressures. This method which is at the heart of the Council's management systems has helped to strengthen governance of service delivery.

The city's role in delivering Our Manchester will provide a key element of support for the linked objectives of the Greater Manchester Combined Authority (GMCA), as set

out in the Strategy launched in October 2017; [“The Greater Manchester Strategy – Our People, Our Place”](#).

Sustainable Economic, Social and Environmental Benefits

The Council is committed to considering the full combined economic, social and environmental implications of its decisions through thorough data analysis and consultation with affected parties so that its decisions advance the achievement of the city’s vision. The Our Manchester Strategy is an integral part of the Council’s decision making process. The Council will set out in reports recommending a decision, the impact the decision will have on the five broad objectives in the Our Manchester Strategy.

The Council provides political leadership on its equality, diversity and inclusion (EDI) priorities, with the Executive Member for Neighbourhoods supported by Lead Equality Members representing key identity groups in the city. At officer level leadership is provided by the Chief Executive and the City Solicitor in their capacity as SMT leads on EDI. The Council maintains strong governance arrangements around its EDI activities and performance, reporting to Members, senior officers including the Equality Champions Group, and the Communities and Equalities Scrutiny Committee. EDI governance is further supported by the Council’s EDI Policy, its Equality Impact Assessment framework, and its Equality Objectives. The Council’s approach to progressing EDI for its workforce is informed by its EDI Employee Network groups and the represented Trade Unions. The Council is committed to working with partners across the public and voluntary, community and social enterprise sectors, and to undertaking regular internal and independent reviews of its EDI performance, to ensure continual improvement in this area.

In November 2018, the Council’s Executive agreed to the establishment of science-based carbon reduction targets for Manchester which require the city to become net zero carbon by 2038, which is an acceleration of the target for becoming a zero-carbon city by 12 years. A motion asking the Council to formally declare a ‘climate emergency’ was unanimously agreed in July 2019. The motion declared that climate change is a serious risk to Manchester’s future, and committed to embedding the issue as an integral part of Council decision-making - making sure that all key decisions are taken with the city’s target of becoming zero-carbon by 2038 in mind.

Manchester’s vision for developing a more inclusive economy that all residents can participate in and benefit from is set out in [‘Developing a More Inclusive Economy – Our Manchester Industrial Strategy’](#).

The Council acknowledges that alongside the strengths and assets of the city and its residents, challenges such as poverty, deprivation, low skills and unemployment still exist, and can be concentrated in certain areas in the city. By a combination of co-design of strategy with input from partners and residents, backed by evidence based on research and intelligence, it endeavours to enact policy which will lead to progress towards the aim of a becoming a more progressive and equitable city.

D. Determining the interventions necessary to optimise the achievement of the intended outcomes

Determining Interventions

Decision makers receive accurate, relevant and timely performance information and intelligence to support them with objective and rigorous analysis of options, covering intended outcomes, financial impact and associated risks informing efficient service delivery.

The Council is committed to seeking continuous feedback from citizens and service users both in planning service changes and improvements whether through its online resident's survey, consultation or bespoke feedback gathering.

Delegation of decision making to officers is detailed in the Constitution so that they can deal with the day-to-day running of services without the need to constantly refer matters back to Elected Members. Details of what decisions are taken in this way are included in the Scheme of Delegation in the council's Constitution. Further specific delegations may be granted through recommendation in public reports to Committees.

Planning Interventions

The Council plans its activity at a strategic level through its budget and business planning cycle and does so in consultation with internal and external stakeholders to ensure services delivered across different parts of the organisations and partners complement each other and avoid duplication.

This is facilitated through the Manchester Partnership which comprises Thematic Partnerships supporting delivery agencies across the city to co-ordinate their activity and consider how they can collaborate to reduce risks to achieving their outcomes. The Thematic Partnerships include:

- [Children's Board](#)
- [Community Safety Partnership Performance Board](#)
- [The Health and Wellbeing Board](#)
- [The Neighbourhoods Board](#)
- [Work and Skills Board](#).

The effectiveness of the Council's interventions and the quality of its services is monitored through the provision of regular performance reports showing progress towards goals and targets set in the budget and business plan.

Optimising Achievement of Intended Outcomes

The Council is committed to integrating and balancing service priorities, affordability and other resource constraints supporting it to take into account the full cost of operations over the medium and longer term. This is documented in the [Medium Term Financial Strategy](#) (MTFS) which sets the context for the Council on significant ongoing financial challenges as well as external changes, such as changes to local

government funding arrangements that are planned or forecast to arise during the planning period. The MTFS is updated annually in line with the latest Finance Settlement for the Council.

Our Manchester requires an integrated approach to the deployment of revenue and capital spend against a clear set of priorities. Therefore the Council's five-year [Capital Strategy](#) forms a critical part of strategic and financial planning.

The Council procures goods and services in compliance with EU, UK and Council regulations and ensure that value for money is obtained through a balanced consideration of social, economic and environmental impacts that can be derived from procurement spend.

The Council considers [Social Value](#) at pre tender and tender stage to ensure that appropriate desirable outcomes can be offered by suppliers in their tender submissions. Through this process the Council considers how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and how, in conducting the process of procurement, it might act with a view to securing that improvement.

E. Developing the entity's capacity, including the capability of its leadership and the individuals within it

Developing the Organisation's Capacity

The Council monitors on an ongoing basis its governance and staffing structures to support the delivery of planned services and proactively plans for the future. Through its budget process, the Council ensures services are prioritised so that resources are directed to those activities that will make the greatest contribution to the city's vision.

The Council continually seeks better outcomes from its use of resources by comparing information about functions, expenditure and performance with those of similar organisations and assesses why levels of economy, efficiency and effectiveness are different elsewhere. It acts upon the findings of this intelligence as part of its budget and business planning to ensure continual effectiveness of service delivery.

Where intelligence suggests alternative delivery methods, such as the establishments of partnerships or other types of collaborative working with other organisations, will lead to improved value for money these are explored.

In line with its Our People Strategy, the Council develops and delivers workforce plans which set out actions to ensure the workforce has the necessary skills and behaviours to deliver the vision for the city and are effectively engaged to act as champions for the Council's priorities and approaches.

Developing the Capability of the Organisation's Leadership and Other Individuals

The Council Leader and Chief Executive have clearly defined roles and maintain a shared understanding of roles and objectives. The Chief Executive leads in implementing strategy and managing service delivery and other outputs set by members. The Chief Executive and Leader provide a check and balance for each other's authority.

The Council is committed to operating in an efficient and effective way to obtain value for money from its resources. It maintains a [Scheme of Delegation](#) setting out which decisions and powers have been delegated to various Committee and other officers.

So that Elected Members and Senior Officers have a shared understanding of their respective roles the Council has produced [a Protocol governing Member/Officer relations](#).

As part of the Our People strategy, improved staff induction and appraisal processes ("About You") are in place. These ensure all staff understand the part they will play in delivering the vision for the city in Our Manchester. A 'Golden Thread' links individual staff objectives to team plans, directorate budget and business plans and the strategy for the city. As part of the 'About You' process staff consider with their line manager what training, development and support they need to succeed in their role.

The Council believes that governance is strengthened by the participation of people with many different types of knowledge and experience. Where external recruitment takes place, individuals from a range of backgrounds and communities are made aware of opportunities to join the Council. The Council is also committed to promoting electoral registration and participation and confidence in the integrity of the electoral process.

The Council is committed to developing the capability of people with governance responsibilities, evaluating their performance and ensuring that all staff understand the importance of governance within their role. As part of this, the Council provides an effective induction and training programme for Members and Officers tailored to individual needs and provides regular opportunities for them to learn about new developments key to their role as well as effective training and guidance for Members and Officers to understand their governance responsibilities. An improved corporate induction approach was launched in 2019, which includes information and a video explaining the structure of the Council and how it is run, which is readily accessible by both new and existing staff on the Council's intranet.

The Council is committed to developing all its managers at all stages throughout their careers. Therefore it offers a broad range of courses ranging from those aimed at all new managers, existing managers, and leaders.

The Council is consistent on consulting staff and their representatives on decisions regarding the terms and conditions of employment and the policies staff are subject to.

The Council listens to the views of its staff via the "BHeard" survey, and uses learning from this to make improvements in the way that it operates and communicates. It clearly communicates to its workforce when changes are made resulting from feedback in the survey, using a "You said... we did" approach.

The Council's Senior Officers and Executive Members run regular "Listening in Action" events where staff have the opportunity to engage with the Council's senior leadership in question and answer sessions.

The Council is committed to promoting the physical and mental health and wellbeing of the workforce as a core component of the People Strategy through both specific interventions and opportunities and as a central part of the role of all managers. This work is overseen by a cross-Directorate board which also includes representatives from Trade Unions. There is a dedicated intranet page with a wide range of support and guidance for staff and their managers covering a wide range of health and wellbeing topics and a 24/7 Employee Assistance Programme phone line providing a range of support.

The Council has an open and welcoming approach to external and peer review and inspection and actively considers constructive feedback.

F. Managing risks and performance through robust internal control and strong public financial management

Managing Risk

The Council operates a risk management framework that aids decision making in pursuit of the organisation's strategic objectives, protects the Council's reputation and other assets and is compliant with statutory and regulatory obligations. The framework is documented in a [Risk and Resilience Strategy](#) which is submitted to the Council's Audit Committee; the strategy involves regular appraisal of the effectiveness of risk management arrangements, involving elected members in the process of doing so. The implementation of the strategy is supported through a programme of risk management training for officers and members. The Council maintains a Corporate Risk Register identifying named risk managers for its key strategic risks.

Risk management is also an integral component of the budget and business planning process, linking risk management to the achievement, monitoring and resourcing of objectives at directorate level.

Managing Performance

The Council puts in place measures to monitor service delivery whether services are delivered internally or through external providers. Key Performance Indicators (KPIs) setting out the effectiveness of services are monitored by service managers to inform and support accountability for delivery. Reports compiling KPIs are submitted to directorate management teams to support transparency and resource allocation to address challenges.

Performance management remains relevant to the organisation through the business planning process where directorate objectives are reviewed, leading to a review of the relevant performance indicators to monitor progress towards them.

Performance of services delivered through external companies is monitored with those providers so that a shared understanding of contract performance is achieved. Similarly the Council monitors performance towards objectives set at a partnership level with key partners providing appropriate support to enable any barriers to continuous performance improvement to be addressed.

Relevant, objective and reliable performance information is used to inform decision making, alongside financial implications and risk information. The Council seeks to continue to innovate with its reporting methods, to ensure that its senior leaders have access to the most concise and timely information, providing a single view of organisational successes and challenges. This supports effective evidence based decision making.

Effective Overview and Scrutiny

The Council believes that effective overview and scrutiny of decisions and delivery of services leads to improved decision making and improved public services. The

Council establishes and maintains an effective [Scrutiny function](#) which is able to constructively challenge decision-makers, including those who work in partnership with the Council, and policy makers.

This scrutiny applies equally to the setting of policy, objectives and budgets as it does to the delivery of services and arrangements for monitoring them.

Robust Internal Control

Internal Control within the Council supports the achievement of objectives by managing risks while complying with regulations and organisational policies. Internal controls seek to protect the Council's resources against loss, fraud, misuse and damage and to safeguard the availability, confidentiality and integrity of its ICT and information systems.

The Council maintains clear policies and arrangements in respect of counter fraud and anti-corruption. These are the Anti Fraud and Anti Corruption Policy; Whistleblowing Policy; Anti Money Laundering Policy and the Anti Bribery Policy.

The Council ensures an independent [Audit Committee](#) is in place which provides a mechanism for effective assurance regarding risk management and the internal control environment.

The Council's internal auditor assesses the overall adequacy and effectiveness of the framework of governance, risk management and control. A summary of the findings is documented in the "Head of Internal Audit Annual Opinion" section of the [Annual Governance Statement](#).

Managing Data

The processing of personal data is essential to many of the services and functions carried out by local authorities. The Council complies with data protection legislation which includes GDPR (General Data Protection Regulation) and the [Data Protection Act 2018 \(DPA 2018\)](#), this will ensure that such processing is carried out fairly, lawfully and transparently.

The Council will review and supplement its policies and also keep its processing activities under review, to ensure they remain consistent with the law, and any compliance advice and codes of practice issued from time to time by the Information Commissioner's Office (ICO).

The Council is committed to safeguarding the personal data it holds and sharing this data only in circumstances required or permitted by law.

The Council will ensure that officers handling personal data will be trained to an appropriate level in the use and control of personal data. It is made clear that all staff and Members are personally accountable for using the Council's information responsibly and appropriately.

The Council will ensure that all staff handling personal data know when and how to report any actual or suspected data breach, and that Members are made aware of the appropriate procedures. We will appropriately train staff to manage any breach correctly, lawfully and in a timely manner. Breaches will be reported to the ICO where such reporting is mandatory or otherwise appropriate and shall be done within the required timescales.

All resources which staff use to support their understanding of the regulations are set out in plain and clear language, and are easily accessible from one place on the Council's intranet. These resources include information on the 12 Golden Rules, Roles and Responsibilities, Training, and Incidents and Reporting. To supplement and re-inforce the message from information accessible on the intranet, communications and reminders to staff include email broadcasts, posters, and leaflets about the 12 Golden Rules.

Information Governance is overseen by the Corporate Information Assurance and Risk Group (CIARG) chaired by the City Solicitor who is the Senior Information Risk Owner for the Council (SIRO). The work of the SIRO will be supported at Directorate level by Directorate SIROs ("DSIROs"), who may in turn appoint deputies.

The Council also appoints a Data Protection Officer ('DPO'). The DPO's responsibilities include:

- Informing and advising the Council and its staff about their obligations to comply with data protection legislation.
- Monitoring compliance with data protection legislation, including managing internal data protection activities, advising on data protection impact assessments, training staff and conducting internal audits.
- Co-operating with and acting as the first point of contact for the ICO.

The Council will ensure that:

- The DPO reports to the highest management level of the Council in respect of their duties as DPO.
- The DPO operates independently and is not dismissed or penalised for performing their task.

The Council is committed to sharing appropriate data safely with other agencies; where this improves effective and efficient service delivery, supports its objectives and the vision for the city and is compatible with the rights of individuals.

The Council complies with the [Local Government Transparency Code 2015](#) by publishing accurate data within appropriate time frames in the areas mandated by the Code in the Council's [Open Data Catalogue](#) together with additional data of value to stakeholders and the public.

The Council keeps under regular review the quality and accuracy of the data it produces, and uses in decision making and performance monitoring.

The Council makes information available to the public via the information access regimes provided for by the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

Data protection legislation provides individuals with various rights. An individual's rights include, but are not limited to; 'the right to be informed', 'the right of access' and 'the right of rectification'. The Council recognises the fundamental nature of the individual rights provided by data protection legislation. The Council will ensure that all valid requests from individuals to exercise those rights are dealt with as quickly as possible and by no later than the timescales allowed in the legislation.

Strong Public Financial Management

The Council's approach to Financial Management ensures that public money is safeguarded at all times ensuring value for money. Its approach supports both long term achievement of objectives and shorter term financial and operational performance.

The Chief Finance Officer, the Deputy Chief Executive and City Treasurer, ensures that appropriate advice is given on all financial matters, proper financial records and accounts are kept, and oversees an effective system of internal financial control. The Deputy Chief Executive and City Treasurer ensures well developed financial management is integrated at all levels of planning and control including management of financial risks and controls.

G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability

Implementing Good Practice in Transparency

The Council is committed to publishing information including reports in a manner which is accessible to citizens and other stakeholders. Information is produced in an open and understandable style appropriate to the intended audience and the communication channel, including web-based and social media. The publication of information will strike a balance between satisfying transparency demand and becoming too onerous for users to understand.

The Council maintains a coherent and consistent approach to the management of social media, both with regards to messages sent out from the Council as well as those sent by individual staff members and elected Members, to reduce the risks of any breaches of legislation or reputational damage.

Implementing Good Practices in Reporting

The Council seeks to demonstrate to its stakeholders that it has delivered on its commitments and goals and has used public resources effectively in so doing. To this end it publishes an [Annual Report](#) as part of its accounts, setting out how it has performed, delivered value for money and exercised sound stewardship of resources.

The Annual Report includes performance information accompanying the financial statements that allow for comparison with other similar local authorities to be made. This information is drawn from the Council's Annual [State of the City](#) publication which charts the city's progress towards its vision.

The Council has a legal responsibility to conduct, at least annually, a review of the effectiveness of its governance framework including its system of internal control and document the findings in an [Annual Governance Statement](#). This evidences how it has complied with CIPFA's "Delivering Good Governance in Local Government (2016)", and includes an action plan identifying what governance challenges it will need to address in the next financial year. The Council also summarises the findings from the review in an easily digestible format within the Annual Report.

Assurance and Effective Accountability

The Council welcomes peer challenge, internal and external review and audit, and inspections from regulatory bodies and gives thorough consideration to arising recommendations. It puts in place arrangements for the implementation of actions agreed to be taken as a result and there is clear oversight from elected members on the conclusions and resultant actions.

The Council monitors the implementation of internal and external audit recommendations. Assurance reports are presented to Audit Committee and its External Auditors bi-annually summarising the Council's performance in implementing recommendations effectively and within agreed timescales.

The Annual Governance Statement contains a section “Annual Review of the System of Internal Audit” which sets out how the Council has gained assurance regarding the effectiveness of its Internal Audit function.

Public Sector Internal Audit Standards (PSIAS) set out the standards for internal audit and have been adopted by the Council. This process includes the development of an Emergent Audit Plan designed to invite comment from management and the Audit Committee.

Monitoring and Review

This Code will be reviewed on an annual basis to ensure it is kept up to date. Where the review identifies that changes to the Code are necessary, the revised Code will be submitted to Standards and Audit Committee for comments before being incorporated within the Council's Constitution.

The Council has three Committees that are jointly responsible for monitoring and reviewing the Council's Corporate Governance arrangements. These Committees are:

- [Audit Committee](#) - responsible for approving the Council's annual accounts and responding to the External Auditor's Annual Audit Letter. It also oversees the effectiveness of the Council's governance and risk management arrangements, the internal control environment, associated anti-fraud and anti-corruption arrangements and the Whistleblowing policy.
- [Resources and Governance Scrutiny Committee](#) – reviews how the Council uses its resources effectively and efficiently to deliver services for Manchester residents. It also looks at governance arrangements of the Council and its partners in the public sector, to ensure the views of local residents and their representatives are reflected in decisions it takes.
- [Standards Committee](#) – responsible for promoting and maintaining high standards of conduct amongst Members, for advising the Council on the adoption and revision of the Code of Conduct for Members, and for monitoring the operation of the Code.

Full terms of reference for each of these Committees are included in the Council's [Constitution](#). All Members of the Council are informed of the work of these Committees through minutes submitted to Council.

The Council will ensure that corporate governance arrangements are kept under continual review by updating, as appropriate, these Committees on:

- The work of Internal and External Audit
- The opinion of other review agencies and inspectorates
- Opinions from the Council's Statutory Officers
- General matters relating to the implementation of the Code
- The production of the Annual Governance Statement and actions planned to address arising governance issues.

The Annual Governance Statement

Each year the Council will publish an [Annual Governance Statement](#) to accompany the [Annual Accounts](#). The Statement provides an overall assessment of the Council's corporate governance arrangements and how it adheres to the governance standards set out in this Code. Evidence relating to the principles of this Code is reviewed and analysed to assess the robustness of the Council's governance arrangements.

The Statement includes an appraisal of the key controls in place to manage the Council's principal governance risks and the effectiveness of systems and processes governing decision making and financial control. The Statement also provides details of where improvements need to be made. Actions to address significant governance

issues are identified and recorded in an action plan. The Annual Governance Statement is audited by the Council's external auditors as part of the audit of the annual accounts.

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Manchester City Council Report for Resolution

Report to: Standards Committee – 31 October 2019

Subject: Members' Update on Ethical Governance

Report of: City Solicitor

Purpose of the Report

To seek the Standards Committee's comments on and approval of the draft Members' Update for November 2019.

Recommendation

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

Wards Affected: All

Financial Consequences for Revenue Budget

None directly.

Financial Consequences for the Capital Budget

None directly.

Implications for:

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

Contact Officers:

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Background documents (available for public inspection):

None

1. Background

- 1.1 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.
- 1.2 The last Members' Update was disseminated in November 2018. 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 are sufficient newsworthy items of interest to Members. The Members' Update now forms part of the Standards Committee Work Programme.
- 1.3 A draft of the Members' Update for November 2019 is set out in the Appendix 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.

2. Recommendation

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

Ethical Update – November 2019

‘Helping to promote high standards of conduct’

Welcome to the November 2019 issue of Manchester City Council’s Ethical Governance Update

This newsletter contains details of the following:-

- Code of conduct decisions and news items
- Amendment to Use of Council Resources Guidance for Members
- Officer/Member Protocol
- Training
- Register of Interests.

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 the Democratic Legal Services team.

Recent Code of Conduct Decisions and News Stories

Councillors criticised over attitude towards investigation into email leak

Three councillors have been found to have brought Lancaster City Council into disrepute. The three councillors were judged by a standards hearing after a dispute last year in which information was leaked from the council’s email system to a tabloid newspaper. No suggestion was made that any of the three councillors leaked the information but the standards committee was dissatisfied with their attitude towards an investigation carried out into the matter. One of the councillors was additionally found to have misled officers and was removed from the standards committee.

One councillor was found to have intimidated and misled officers and was censured by the council, and another was found to have bullied an officer. Both councillors were censured.

Councillor who called for PM to be hanged for treason did not breach code of conduct

A councillor convicted of making offensive Facebook posts about the Prime Minister did not breach the code of conduct, an investigation has found. The Investigating Officer decided that the councillor was not acting in an official capacity when he made the statements and so had not breached the code. The Leader of Rutland Council said he believed the councillor, who subsequently resigned, had breached the code and referred the matter to the monitoring officer and police.

The councillor was convicted in September 2018 of four offences under the Communications Act and sentenced to a six-month curfew between 7pm and 7am. This had the effect of preventing him attending council meetings, so leaving him liable to disqualification for non-attendance. He was refused dispensation to avoid this.

In regards to the Council's investigation into the matter of the social media posts, the Investigating Officer's report explained: "What must be considered here is to gauge an objective view. That is, whether the actions of [the] Councillor were such that a member of the public, knowing all the relevant facts, would reasonably think that his actions were so significant that it would impact on the council's ability to properly carry out its functions."

It said it was "evident from the complaints received by the council that [the] Councillor comments caused concern to a number of people.", but "we consider that a reasonable person would realise that [the] Councillor comments were his individual opinions and did not represent the views of the council".

Amendment to the Use of Council Resources Guidance for Members

An amendment has been made to the Use of Council Resources Guidance for Members to assist with the establishment of a clear corporate position on retention of Members' email accounts and non-email casework records held by the Council on Members' behalf, upon Members ceasing to be Councillor. The amendment was approved by Full Council at its meeting on 2 October 2019.

The necessity for a clear position had become an increasingly urgent issue in light of the greater focus, following implementation of the General Data Protection Regulation (GDPR), on how personal data is handled.

Another driver for clarity in this area is the introduction of the new Member (ward and Executive portfolio) casework management system ("Caseworker")

During their time as a Councillor a Member will receive and send a large volume of emails. These emails may relate to various matters including, most significantly:

- a) Council business, such as the Member's work on committees or the Executive, or as a Council representative on other bodies; and
- b) Constituency casework, representing the concerns of individual residents in the Councillor's ward.

Where the information relates to personal data, the Council will be the data controller only in respect of emails of type a).

In respect of emails of type b) (and other constituency casework records held by the Council on an individual Member's behalf) the individual Member will be the data controller, with the Council acting as a data processor on the Member's behalf.

With regard to any e-mails in Member email accounts concerning Council business it was considered these will almost certainly be replicated elsewhere in officer email accounts. On that basis there should, in most cases, be no issues associated with deleting such emails after the member concerned ceases to hold office.

In relation to constituency casework related emails (and other constituency casework records held by the Council on an individual Member's behalf), in respect of which as noted above the individual Member is the data controller, it was considered that once the Member ceases to hold office there is no proper basis for the Council to continue to process the personal data concerned.

Summary of Amendments to the Guidance:

- The guidance has been clarified to confirm that it applies to any Council systems holding relevant data and not just to devices that had been provided to the Member by the Council.
- The guidance confirms that all data (i.e. both Council business and constituency casework) received and sent by a Member will be deleted upon a Member ceasing to hold office as a Councillor.

The use of Council Resources Guidance for Members is contained in Part 6 Section C of the Council's Constitution which can be accessed via the link below:

https://secure.manchester.gov.uk/info/100004/the_council_and_democracy/2446/our_constitution

Member/ Officer Protocol

The Member/Officer Relations Protocol has at its heart the importance of mutual respect, and sets out protocols about what support members can expect from officers, given the need for officers to remain fair and impartial.

A review of the Member/Officer Protocol earlier this year identified minor revisions to take into account the recommendations of the Committee on Standards in Public Life (CSPL), and other feedback on the Protocol's relevance and operation. The language of the Protocol was refreshed and clarified in some areas. The amendments to the Protocol include:

- Clarification that the Protocol relates to interactions and relations between Members and Officers both in-person and via other means, including through Social Media.
- The importance of a mutual appreciation of work/life balance from Members and Officers, especially as the growing use of technology which allows communications to be sent and accessed 24 hours a day, 7 days a week and the need to ensure respect in terms of requests for responses and turn-around expectations.
- An emphasis on the importance of Officers remaining politically neutral at all times, and Members to respect that Officers must remain impartial at all times
- That the Monitoring Officer will meet regularly with political group leaders or group whips to discuss standards. This is a recommendation from the CSPL, and already happens in practice.
- Updated references to relevant data protection and information sharing legislation.

Further information about the revisions to the Officer/Member Protocol can be found here

<https://democracy.manchester.gov.uk/ieListDocuments.aspx?CId=150&MId=2753&Ver=4>

The Protocol can be found at Part 6 Section F within the Constitution.

https://secure.manchester.gov.uk/info/100004/the_council_and_democracy/2446/our_constitution

Member Training and Development

It has been a busy year for Member training and development which has seen an increase in the number of training opportunities on offer and member take-up.

A new Member Development Strategy was adopted in March 2019 which sets out a clear direction for how member training will be supported and delivered moving forward. As part of this strategy a training programme was issued in September highlighting the wide variety of training opportunities on offer accompanied by testimonials from those who have previously attended.

A dedicated 'Our Members' team drive has been set up which members can access from any device. The drive hosts a variety of information - current content includes Code of Conduct, Gifts and Hospitality, Member/Officer relations, Members Handbook, GDPR guidance, Social Media guidance, scrutiny guides, Member Development (including the Member Development Strategy and training programme) and Members updates on Ethical Governance from 2016 onwards. Members will be notified as new content is added.

All members are reminded of the importance of completing the GDPR e-learning module or notifying the City Solicitor if you have completed similar training as part of another role. It is very important that the Council has assurance that the whole organisation has undertaken appropriate training in respect of data protection rules. As noted above, further GDPR guidance is available on the 'Our Members' team drive including Constituency Guidance and GDPR fact sheets.

For more information on how to access the 'Our Members' team drive, the GDPR e-learning module or general member development and training enquiries, please contact the Members Development Working Group at members.development.group@manchester.gov.uk

Register of Interests- keeping it up to date

Members ordinarily complete this within the 28 day period of being elected.

However, members are reminded that this is a live document and therefore needs to be reviewed regularly to ensure it is up to date. Failure to keep your register of interests up to date could lead to a complaint being received that it is not accurate and also misleading.

If any member is unsure if something should be registered then please contact the Democratic Services Legal Team via DemServ@manchester.gov.uk, or 0161 234 3336.

To update your register please contact the Governance and Scrutiny Support team on 0161 234 33034.

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**Manchester City Council
Report for Resolution**

Report to: Standards Committee – 31 October 2019

Subject: Work Programme for the Standards Committee

Report of: Governance and Scrutiny Support Unit

Summary

To allow the Committee to consider and revise its work programme for future meetings.

Recommendation

The Committee is invited to discuss the work programme and agree any changes.

Wards Affected: All

Financial Consequences for Revenue Budget - None directly.

Financial Consequences for the Capital Budget - None directly.

Contact Officers:

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Background documents (available for public inspection):

None

Work Programme of the Standards Committee

Meeting – 31 October 2019

Item	Purpose of the report	Report Author	Comments
Standing item if needed – Members Update on Ethical Governance	To update Members on any national issues regarding ethical governance which may impact on the Council's arrangements for ethical governance.	Poornima Karkera	
Code of Corporate Governance	To review the operation and efficacy of the Code.	Sean Pratt	
Annual standards committee report	To note and review the work done in the last year to promote and maintain high standards of conduct by members.	Poornima Karkera	
Standing item - Work Programme	To review and (amend if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

19 March 2020

Item	Purpose of the report	Report Author	Comments
Social Media Guidance for Members	To consider any revisions proposed to the guidance and the efficacy of the guidance.	Poornima Karkera	Last reported March 2019
Consultation outcome on Updating Disqualification Criteria for Local Authority Members	a report to be brought to a future meeting once the legislation has been introduced.	Poornima Karkera	
The Annual Governance Statement	To consider the AGS	Sean Pratt	
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

Meeting – 18 June 2020

Item	Purpose of the report	Report Author	Comments
Register of Members Interests	To consider the operation of the Register of Members' Interests	Poornima Karkera	
Dispensations	To review the operation and efficacy of the process for granting dispensations.	Poornima Karkera	
Planning Protocol	To review the operation and efficacy of the Protocol.	Robert Irvine / Julie Roscoe	
Arrangements for Investigating Complaints made under the Members' Code of Conduct	To review of the operation and efficacy of the Arrangements	Poornima Karkera	
Gifts and Hospitality Guidance for Members	To review the operation and efficacy of the Guidance.	Poornima Karkera	
The Member/ Officer Relations Protocol	To review the operation and efficacy of the Protocol	Poornima Karkera	
The Use of Council Resources Guidance for Members	To review the operation and efficacy of the Guidance.	Poornima Karkera	
Standing item, if needed - Members Update on Ethical Governance	To update Members on any national issues regarding ethical governance which may impact on the Council's arrangements for ethical governance.	Poornima Karkera	
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

Unscheduled Items	
Disqualification criteria for members	To be scheduled once primary legislation is introduced
Committee on Standards in Public Life (CSPL)	The Monitoring Officer is requested to, in conjunction with colleagues in the other Greater Manchester authorities, undertake a review of the implications for the Council in following the best practice recommendations for local authorities, of the Committee on Standards in Public Life and that she report back to a future meeting of the Standards Committee;

Documents/Procedures/Protocols – within the remit of the Committee

Document/Procedure/Protocol	Last Reviewed	Date Due for Review	Comments
The Code of Corporate Governance	March 2019	Provisionally 2021	Review date to be fixed.
The Annual Governance Statement	March 2019	March 2020	
Members' Code of Conduct	Updated annually as needed as part of annual review of constitution.		AGMA wide review
Arrangements for Investigating Complaints made under the Members' Code of Conduct	June 2019	June 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	
Gifts and Hospitality Guidance for Members	June 2019	October 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	
The Member/ Officer Relations Protocol	June 2019	October 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	

The Use of Council Resources Guidance for Members	October 2019	October 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	
Social Media Guidance for Members	March 2019	March 2020 or earlier where there is a change in the law or circumstances warrant an earlier review.	
The Planning Protocol for Members	June 2019	Oct 2020	Reviewed June 2019
Procedure for the Local Hearing of Allegations of Misconduct by Members of the Council	Reviewed March 2017	November 2021 or earlier where there is a change in the law or circumstances warrant an earlier review.	To review after next hearing to pick up any issues arising
Register of Members Interests	Considered as part of annual report. Last considered March 2019.	March 2020	Considered as part of Annual report Oct 2019

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