



Standards Committee

Date: Thursday, 16 January 2020

Time: 10.00 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 - Nicolé 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

To approve as a correct record the minutes of the meeting held on 31 October 2019.

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5. Membership of the Standards (Hearing) Sub-Committee

The report of the City Solicitor is enclosed.

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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 **Monday, 6 January 2020** 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 31 October 2019

Present

Independent Co-opted Member: N Jackson – In the Chair
Councillors Andrews, Lanchbury and A. Simcock
Ringway Parish Council: Councillor O'Donovan
Independent Person: A Eastwood

Apologies

Councillors Evans and Kilpatrick
Independent Co-opted Member: G Linnell

ST/19/16 Minutes

The minutes of the meeting held 13 June 2019 were submitted for approval. Members discussed whether a Member/Member Protocol was required following confirmation from the Head of Governance that other authorities did not have one. The Chair commented that mechanisms should exist through the Group Officers and Party Whips to deal with such complaints and that a Member could make a complaint against another Member under the Code of Conduct if other avenues failed.

A Member commented that such a code would formalise any protocol through inclusion in the Code of Conduct. The City Solicitor stated that consideration could be given to this and that she would also consult with the Group Officers and Party Whips had arrangements to ensure that they dealt with Member/Member complaints appropriately and would offer any advice if required.

Decision

To approve the minutes of the meeting held on 13 June 2019 as a correct record.

ST/19/17 Standards Committee - Annual Report

The Committee considered the report of the City Solicitor that updated Members on the matters within the remit of the Committee since November 2018. The Head of Governance introduced the report.

In response to a question from a Member in relation to the number of DBS checks completed for Councillors, the Head of Governance reported that an additional drop in session had been arranged in October and that an up to date figure of the number completed would be provided at a future meeting. A Member commented that if any DBS checks were still outstanding Officers should inform Group Officers so this could then be followed up.

A Member commented that he had attended an Induction Programme that had been open to all Members following a request by Standards Committee in March 2019. He

commented that he had found this to be very informative and useful, however stated that there were a number of Members that had not attended the training despite being booked on, adding this was a waste of resources and enquired what could be done to address it. The Head of Governance stated that generally Members attendance at training had improved and this activity was reported to the Committee. She said if an issue was identified that needed addressing she would discuss this with the Group Whips to encourage Members attendance, noting the cost of non-attendance when external training had been arranged. The Chair commented that it would be beneficial if the Groups could resolve this issue informally as future reports to the Committee on the operation of the Member Development Strategy would identify the resources spent on Member Development, including costs wasted due to non attendance

Decisions

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

ST/19/18 Draft Code of Corporate Governance

The Committee considered the report of the Deputy Chief Executive and City Treasurer that proposed a revised draft Code of Corporate Governance which was in accordance with published guidance. Compliance with this Code would be monitored on an annual basis through the Council's Annual Governance Statement. The Performance, Research and Intelligence Officer introduced the report.

Members noted that the Code would be submitted to Audit Committee on 10 December 2019. The Code formed part of the Council's Constitution and would therefore then be submitted to full Council, prior to adoption and inclusion within a revised Constitution in 2020.

The Chair stated that she welcomed the Code commenting that it was a very accessible and informative document. In response to a comment from the Chair regarding referencing within the Code all key identity groups with whom the Council engaged, the Performance, Research and Intelligence Officer stated that the document would be reviewed and consideration would be given to this, in consultation with the Equalities Team.

Decision

To note the Council's draft governance standards as set out in the draft Code of Corporate Governance.

ST/19/19 Members' Update on Ethical Governance

The Committee considered the report of the City Solicitor that sought Members comments and approval on the draft Members' Update for November 2019. A member of the Committee recommended that the document should also be circulated to all Independent Persons and Co-Opted Members. The Committee endorsed this recommendation.

Decision

To approve the content of the draft Members' Update for circulation to all Members, Independent Persons and Co-Opted Members.

ST/18/20 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 recommended that in addition to the items already listed that a report on Partnership Arrangements be submitted to the March 2020 meeting. A Member also recommended that the report on Member training be submitted to the March 2020 meeting to ensure that training, including the Members induction programme, was considered prior to the May elections

Decision

To agree the Work Programme subject to the above amendments.

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Manchester City Council Report for Resolution

Report to: Standards Committee – 16 January 2020

Subject: Membership of the Standards (Hearing) Sub-Committee

Report of: City Solicitor

Summary

The purpose of this report is to assist the Standards Committee in reviewing the membership of the Standards (Hearing) Sub-Committee in light of changes to the membership of the Standards Committee.

Recommendations:

That the Standards Committee:

1. make appointments to the Standards (Hearing) Sub-Committee so that the Sub-Committee's membership becomes as detailed at paragraphs 3.1 and 3.2 of the report below; and
 2. agree that an annual review of the membership of the Standards (Hearing) Sub-Committee will be added to the Standards Committee's Work Programme.
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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	Updating the membership of the Standards (Hearing) Sub-Committee will enable the Sub-Committee to undertake its role in hearing member complaints in accordance with the Council's Arrangements. This contributes towards promoting and maintaining high standards of conduct among Members and encourages fairness by members in their conduct towards members of the public and other Members. It 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.

1.0 Background

- 1.1 At its meeting of 22 October 2015 the Committee established a Standards (Hearing) Sub-Committee to undertake the role of the Hearing Panel as described in the Council's arrangements for dealing with complaints that Council Members have failed to comply with the Code of Conduct for Members ("the Arrangements") and delegated to the Sub-Committee the functions of the Standards Committee set out at Articles 9.3(f) and 9.3(g) of the Council's Constitution (and reproduced in the Appendix to this report for information).
- 1.2 The Arrangements state that the membership of the Sub-Committee will comprise of at least one of the co-opted Independent Members of the Standards Committee along with three elected Members of the Standards Committee of whom one must be a member of the largest minority group (if any). Where the hearing concerns a complaint about a Member of Ringway Parish Council the co-opted Parish Council Member of the Standards Committee will also be included in the Sub-Committee.
- 1.3 The membership of the Sub-Committee was last reviewed at the 22 September 2016 meeting of the Standards Committee. Since then the membership of Standards Committee has changed. Councillors Cooley, Connolly and Reeves are no longer members of the Committee and Councillors Kilpatrick and Simcock have been appointed to the Committee.
- 1.4 At the time of the last review of the membership of the Sub-Committee there was not an opposition group on the Council. Consequently, the political balance rules did not apply so as to require an opposition member to be appointed to the Sub-Committee. Similarly, the requirement in the Arrangements for one of the three elected members of the Sub-Committee to come from the largest minority group was not engaged. Now that there is a minority group on the Council, the rules of political balance and the Council's Arrangements mean that the minority group member of Standards Committee must also sit on the Sub-Committee.
- 1.5 In light of the above changes the Committee will need to reconsider the membership of the Standards (Hearing) Sub-Committee.

2.0 Membership of the Standards (Hearing) Sub-Committee following the last review

- 2.1 When the Standards (Hearing) Sub-Committee was last reviewed its membership was designated as follows:

Members of the Sub-Committee	Substitute Members
The Independent Member who has been appointed as Chair of the Standards Committee, who would act as Chair of the Standards (Hearing) Sub-Committee – Nicolé Jackson	The other Independent Member of the Standards Committee, who would act as substitute Chair of the Standards (Hearing) Sub-Committee – Geoff Linnell
Councillor Andrews	Councillor Lanchbury
Councillor Cooley	Councillor Connolly
Councillor Evans	Councillor Reeves

3.0 Proposed Membership of the Standards (Hearing) Sub-Committee

- 3.1 The recommended revised membership of the Standards (Hearing) Sub-Committee is as set out below:

Members of the Sub-Committee	Substitute Members
The Independent Member who has been appointed as Chair of the Standards Committee, who will act as Chair of the Standards (Hearing) Sub-Committee – currently Nicolé Jackson	The other Independent Member of the Standards Committee, who will act as substitute Chair of the Standards (Hearing) Sub-Committee – currently Geoff Linnell
Councillor Andrews	Councillor Lanchbury
Councillor Evans	Councillor A Simcock
Councillor Kilpatrick	

- 3.2 Where the Standards (Hearing) Sub-Committee is considering a complaint against a member of Ringway Parish Council, the Parish Member of the Standards Committee (currently Councillor O'Donovan) shall also be a member of the Sub-Committee.

4.0 Work Programme

- 4.1 To ensure that the membership of the Standards (Hearing) Sub-Committee is reflective of any future changes to the membership of the Standards Committee it is proposed that an annual review of the Sub-Committee's membership is added to the Standards Committee's Work Programme.

5.0 Recommendations

- 5.1 Recommendations to the Committee are set out at the beginning of this report.

Appendix – Excerpt from Article 9.3 of the Council's Constitution

9.3 Role and Functions

The Council has delegated to the Standards Committee the following powers to deal with matters of conduct and ethical standards, and the Council's Standards Committee has the following role and functions:

[...]

- (f) To determine in accordance with the Council's Arrangements whether a Council Member has failed to comply with the Council's Code of Conduct for Members and, if so, to determine what action (if any) to take;
- (g) 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"), such actions to include:–
 - (i) Publication of the findings of the Standards (Hearing) Sub-Committee in respect of the Subject Member's conduct;
 - (ii) Reporting the findings of the Standards (Hearing) Sub-Committee to Council for information;
 - (iii) Recommendation to Council that the Subject Member should be censured;
 - (iv) Recommendation to the Subject Member's Group Leader (or in the case of ungrouped Members to Council) that the Subject Member should be removed from any or all Committees or Sub-Committees of the Council;
 - (v) Recommendation to the Leader that the Subject Member should be removed from the Executive, or removed from their Portfolio responsibilities;
 - (vi) Instructing the Monitoring Officer (or recommending to Ringway Parish Council) to arrange training for the Subject Member;
 - (vii) Recommendation to Council (or to Ringway Parish Council) that the Subject Member should be removed from all outside appointments to which the Subject Member has been appointed or nominated by the Council (or by Ringway Parish Council);
 - (viii) Withdrawal of (or recommendation to Ringway Parish Council that it withdraws) facilities provided to the Subject

Member by the Council, such as a computer, website and/or e-mail and internet access; or

- (ix) Placing such restrictions on the Subject Member's access to Council staff, buildings or parts of buildings as may be reasonable in the circumstances.

[...]