



## **Standards Committee**

Date: Thursday, 4 November 2021

Time: 10.30 am

Venue: Council Chamber, 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. There is no public access from the Lloyd Street entrances of the Extension.

### **Face Masks / Track and Trace**

Anyone attending the meeting is encouraged to wear a face mask for the duration of your time in the building and to provide contact details for track and trace purposes.

## **Membership of the Standards Committee**

---

**Councillors** - Andrews, Connolly, Evans, 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** 5 - 10  
To approve as a correct record the minutes of the meeting held on 17 June 2021.
- 5. Dispensations** 11 - 16  
The report of the City Solicitor and Monitoring Officer is enclosed.
- 6. Planning Protocol** 17 - 20  
The report of the City Solicitor is enclosed.
- 7. Register of Members Interests** 21 - 24  
The report of the City Solicitor and Monitoring Officer is enclosed.
- 8. Gifts and Hospitality Guidance for Members** 25 - 36  
The report of the City Solicitor and Monitoring Officer is enclosed.
- 9. Review of the Operation and Efficacy of the Member/Officer Relations Protocol** 37 - 50  
The report of the City Solicitor is enclosed.
- 10. Local Government Association (LGA) Model Code of Conduct for Members** 51 - 84  
The report of the City Solicitor is enclosed.
- 11. Members' Update on Ethical Governance** 85 - 90  
The report of the City Solicitor is enclosed.

**12. Standards Committee Work Programme**

## 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](http://www.manchester.gov.uk).

Smoking is not allowed in Council buildings.

Joanne Roney OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

---

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

Andrew Woods  
Tel: 0161 234 3011  
Email: [andrew.woods@manchester.gov.uk](mailto:andrew.woods@manchester.gov.uk)

This agenda was issued on **Wednesday, 27 October 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

## **Standards Committee**

### **Minutes of the meeting held on 17 June 2021**

#### **Present**

Independent Co-opted Member: N Jackson – In the Chair

Councillors Andrews, Connolly, Lanchbury and A. Simcock

Ringway Parish Council: Councillor O'Donovan

Independent Co-opted Member: G Linnell

#### **Apologies:**

Councillor Evans

#### **ST/21/08 Minutes**

The minutes of the meeting held 18 March 2021 were submitted for approval.

#### **Decision**

To approve the minutes of the meeting held on 18 March 2021 as a correct record.

#### **ST/21/09 Draft Annual Governance Statement 2020/21**

The Committee considered the report of the Deputy Chief Executive and City Treasurer presenting the draft 2020/21 Annual Governance Statement (AGS). The AGS has been produced following completion of the annual review of the Council's governance arrangements and systems of internal control. The Directorate Lead - Corporate Planning and Governance introduced the report and informed the Committee that work had been undertaken to streamline the report following an exercise with peer authorities to look at examples of good practice and to adapt those to improve the layout and content of the statement. The statement has been made more concise and now focuses on important strategic information.

The Committee was reminded that the AGS is reported to both Audit Committee and Standards Committee. The Annual Report of Standards Committee informs the AGS as a source of assurance and it was proposed that for 2021/22 and subsequent years that instead of the AGS itself being brought to Standards Committee and Audit Committee, that would instead be submitted to Audit Committee only. This amendment would improve the efficiency of the process due to the timing of the usual Committee schedule which holds the meeting of the Standards Committee in March before Audit Committee. This will allow the draft version of the AGS to be in a more complete year-end position when reported to Audit Committee, therefore reducing officer resources required to update and produce the document. A recommendation would be required for the Council to consider and decide whether to amend article 9 of the Council Constitution accordingly. In addition, the Committee was requested to agree that the Code of Corporate Governance (CCG) be removed

from the remit of the Standards Committee and be considered by the Audit Committee.

The Chair invited the Committee to ask questions and comment on the report.

Members of the Committee questioned the reasons for the removal of the AGS from consideration by Standards Committee in particular the reference to officer time. Members also considered the involvement of the Committee to be relevant and important. A change of date of the Standards Committee was suggested to address the matter.

The Committee was informed that a change of date to bring the report later would address the matter.

The Chair advised the Committee that the change of timings in the accounting regulations had impacted on the production of the AGS. Also, the Standards Committee had only limited terms of reference in relation to the AGS and CCG. The Committee's ability to inform the AGS is through the production of the Annual Standards Report as it provides the Standards Committee overview of how the Council is operating and provides the Council with that assurance. It would also be difficult to advise on what the Committee could add to the CCG through the limited standards related focus it has, unless changes were made by CIPFA to the key principles relating to matters of conduct.

A member questioned what compromise could be made if a change was made to the CIPFA principles to allow to allow the Committee to assess if input was required into the any new principles.

The Committee was advised that any changes to the CIPFA principles would be reported to the Committee for consideration.

Following discussion, members were in agreement that the Committee should retain its current responsibility for parts of the AGS and CCG relating to Standards matters. In addressing the issue of the scheduling of meetings, it was suggested that the Chair agree to call an additional meeting of the Standards Committee to deal with those matters as and when they arise.

The Chair noted that the Committee was aware of the need for flexibility in considering the Annual Governance Statement and preferred to retain the current responsibilities as part of its terms of reference, as detailed in the Council Constitution. To ensure the schedule for the production of the AGS is met, the Committee would meet to consider the AGS at an additional ordinary meeting at a time to complement its submission to the Audit Committee.

## **Decisions**

1. The Committee noted the contents and the comments on the draft version of the Council's 2020/21 Annual Governance Statement (AGS).

2. The Committee agreed to retain its responsibility to consider the Annual Governance Statement and Code of Corporate Governance in relation to member standards matters.
3. The Committee agreed that an additional ordinary meeting of the Standards Committee be arranged, in consultation with the Chair, to consider the AGS, to complement the submission of the AGS to the Audit Committee if needed.

**ST/21/10      Review of the Operation and Efficacy of the Arrangements for dealing with Code of Conduct complaints against Members**

The Committee considered the report of City Solicitor and Monitoring Officer that provided an update on the operation and efficacy of the arrangements for dealing with Code of Conduct complaints against Members.

The report was introduced by the Head of Governance, Legal Services.

Reference was made to the suggestion that the Chief Legal Officers in Greater Manchester consider the wording of the Arrangements as part of their discussions on the new Local Government Association Model Code of Conduct for Members. The report also provided the timeframes within the Council's Arrangements for dealing with complaints. The Committee was also advised that for the period 1 February to 31 May 2021, four complaints against Members were received by the Monitoring Officer and in respect of all four complaints the timeframes were complied with.

The Chair invited the Committee to ask questions and comment on the report.

A member asked when the Chief Legal Officers would consider the New Model Code.

The Committee was informed that a meeting to consider the Code would take place within the next two months and the outcome would be reported to the next meeting of the Standards Committee in November.

**Decisions**

1. To note the Monitoring Officer's information on the operation and efficacy of the Arrangements for dealing with Code of Conduct complaints against Members.
2. That the Chief Legal Officers in Greater Manchester be requested to discuss their respective Arrangements and that the outcome of these discussions be reported to a future meeting of this Committee.

**ST/21/11      Review of the Operation and Efficacy of the Use of Resources Guidance for Members**

The Committee considered the report of the City Solicitor that provided an update on the operation and efficacy of the Use of Resources Guidance for Members.

The Head of Governance, Legal Services introduced the report and informed the Committee that the changes made to the Guidance as part of the review of the Constitution had been agreed by Council in February 2021 and these are highlighted in the report.

### Decisions

1. To note the Monitoring Officer's views on the operation and efficacy of the Use of Resources Guidance for Members.
2. To recirculate the Use of Resources Guidance for Members to all members of Council for information.

### **ST/21/12 Membership of the Standards (Hearing) Sub-Committee**

The Committee considered the report of City Solicitor to assist the Committee in reviewing the membership of the Standards (Hearing) Sub-Committee, considering recent changes to the membership of the Standards Committee.

### Decisions

1. To appoint the membership of the Standards (Hearing) Sub-Committee as follows:

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 Andrew	Councillor Simcock and Councillor Connolly shall, in that order of priority and subject to availability, act as substitute elected members in the event that one or more elected members of the Standards (Hearing) Sub-Committee is unable to attend a meeting of the Sub-Committee.
Councillor Evans	
Councillor Lanchbury	

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 Parish Councillor O'Donovan) shall also be a member of the Sub-Committee.

### **ST/21/13 Review of Procedure for the Hearing of Allegations of Breaches of the Council's Code of Conduct for Members**

The Committee considered the report of the City Solicitor seeking the views of the Committee on the proposed revisions to the Procedure for the Hearing of Allegations of Breaches to the Council's Code of Conduct for Members.

## Decision

The Committee noted the proposed revised Procedure for the Hearing of Allegations of Breaches of the Council's Code of Conduct for Members ('the Procedure') and approved, the revised Procedure, as detailed in the Appendix of the report submitted.

### **ST/21/14 Terms of Office of the Independent Members of the Standards Committee and the Council's Independent Persons**

The Committee considered the report of the City Solicitor and Monitoring Officer that sought the views of the Committee in relation to the terms of office of the two independent co-opted members of the Standards Committee and the Council's two Independent Persons.

The Head of Governance, Legal Services introduced the report. Reference was made to the extension of the terms of office of the current two Independent members and the two Independent Persons for one further year. The Committee for Standards in Public Life have recommended that Independent Person appointments should be for a fixed term of 2 years, renewable once. The Government's response to the recommendations is still awaited.

It was reported that contact with each of the Independent members Persons on the Standards Committee would take place outside of the meeting to confirm whether each person wishes to continue in the role. A report would then be submitted to Constitutional and Nomination Committee before submission to Council to approve the extension of one year from November 2021 to November 2022.

The Chair invited questions from the Committee.

A member asked if there is a recruitment process in place, in the event that any of the independent persons did not wish to continue in the role. Officers were also asked if it would be possible to extend the term of office beyond November 2022 and asked that the Committee be notified of the outcome of the contact with the Independent Persons and Independent Members

The Committee was informed that a recruitment process is in place and sufficient time is available to recruit if required. The extension beyond the current proposal is possible however, the recommended term of office is four years to prevent any possibility of their independence being compromised by a long period of involvement with particular Council

## Decisions

1. That Nicolé Jackson & Geoff Linnell (the two independent co-opted members of the Standards Committee) and Alan Eastwood & Sarah Beswick (the Council's two Independent Persons) be contacted to ask whether they are agreeable to the extension of their terms of their office for a period of one year from 18 November 2021.
2. That the matter then be referred to the Constitutional and Nominations Committee and Council for a decision to be taken regarding the potential extensions of their terms of office.

(The Committee was advised that following advice from the City Solicitor, the Co-opted members named within the report (Nicolé Jackson and Geoff Linnell), who were present at the meeting, would not be required to declare an interest for the reason that the report sought agreement to contact co-opted committee members to ask if they are agreeable to the extension of the terms of their office for a period of one year from 18 November 2021.)

**ST/21/15 Work Programme for the Standards Committee**

The Committee considered the report of the Governance and Scrutiny Support Unit that invited the members of the Standards Committee to consider its work programme for future meetings and make any revisions.

**Decision**

To note the report and agree the Work Programme.

**Manchester City Council  
Report for Information**

**Report to:** Standards Committee – 4 November 2021

**Subject:** Dispensations

**Report of:** City Solicitor and Monitoring Officer

---

**Summary**

To review the operation and efficacy of the process for granting dispensations in relation to Members' Interests.

**Recommendation**

That the Standards Committee note the report.

---

**Wards Affected:** All

---

**Contact Officers:**

Name: Fiona Ledden  
Position: City Solicitor  
Telephone: 0161 234 3087  
E-mail: fiona.ledden@manchester.gov.uk

Name: Peter Hassett  
Position: Senior Lawyer  
Telephone: 0161 600 8968  
E-mail: peter.hassett@manchester.gov.uk

**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Report to Standards Committee 15 June 2017 – Localism Act 2011 – Dispensations
- Report to Standards Committee 13 June 2019 – Dispensations

## 1. Introduction

The Committee last received a report regarding dispensations on 13 June 2019. It has requested a report to this meeting on the operation and efficacy of the process for granting dispensations since that date.

## 2. The Requirement to Register Interests and Dispensations.

2.1 The Localism Act 2011 ('the Act') requires Members to notify the Council's Monitoring Officer within 28 days of becoming a Member of any 'Disclosable Pecuniary Interests' (DPIs).

2.2 Section 31 of the Act provides that:

Where a member or co-opted (voting) member of a Council:

- is present at a meeting of the Council or of any Committee, Sub-Committee, Joint Committee or Joint Sub-committee of the Council
- has a DPI in any matter to be considered or being considered at the meeting; and
- is aware that they have such a DPI,

the member must not (unless they have a dispensation):

- participate or participate further in any discussion of the matter at the meeting; or
- vote on the matter.

2.3 There is provision in the Act for the grant of dispensations (which can last for a period of up to 4 years) in limited circumstances. The grounds for the grant of a dispensation under the Act are where the Council (after consideration of all relevant circumstances):

- (a) considers that without the dispensation the number of persons prohibited 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;
- (b) 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;
- (c) considers that granting the dispensation is in the interests of persons living in the authority's area;
- (d) considers that without the dispensation each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or

(e) considers that it is otherwise appropriate to grant a dispensation.

- 2.4 The Council has delegated the authority to grant dispensations in the circumstances set out in paragraphs (a), (b) and (d) above to the Council's City Solicitor (its Monitoring Officer) and it has delegated the power to grant dispensations for the reasons set out in paragraphs (c) and (e) to the Standards Committee (after consultation with one of the Council's Independent Persons). The Standards Committee also has a delegation to determine appeals against the Monitoring Officer's decision on the grant of dispensations.
- 2.5 To obtain a dispensation a written request for a dispensation must be made by a member or co-opted member of the Authority, to the Council's Proper Officer (for this purpose the City Solicitor).

### **3. Grant of Dispensations – Operation and Efficacy**

- 3.1 All new Members receive training as part of their induction on registration of interests, including in relation to dispensations. An item on dispensations has also been added to the Council's Ethical Guidance update circulated to all Members as a refresher on this topic.
- 3.2 The Committee received the report of the City Solicitor in June 2017 which set out the Monitoring Officer's proposals regarding the grant of dispensations to enable members of the Council to participate and vote on certain budget related matters notwithstanding the fact that the Member may have a DPI.
- 3.3 The Committee noted the Monitoring Officer's proposal to advise all Council Members to submit a written request through their Group Leaders or Group Secretaries for the grant of a dispensation pursuant to section 33(2)(a) of the Localism Act 2011 ('the Localism Act') allowing them to participate and vote on:
- (i) Setting the Council Tax or a precept under the Local Government Finance Act 1992 (as amended from time to time or any superseding legislation) and matters directly related to such decisions such as budget calculations;
  - (ii) Allowances, payments or indemnities given to Members of the Council

The Committee agreed the dispensation referred to at paragraph (i), should include determining the local council tax reduction scheme and other discounts and premiums pursuant to changes made by the Local Government Finance Act 2012 and that the dispensation referred to at paragraph (ii), should include all allowances payable to Council Members (including special responsibility allowances).

- 3.4 The Committee also agreed to advise any Members of the Council who are tenants of Manchester City Council to submit a written request for the grant of a dispensation to allow them to participate and vote on matters in relation to housing (provided that those functions do not relate particularly to the lease or tenancy of the Council Member concerned) and indicated it was minded to grant dispensations to allow any Member who has a DPI to make representations at a meeting where members of the public have the same entitlement (e.g. to allow a Council Member who is making an application for planning permission to attend and make representations at a meeting of the Council's Planning Committee which is to hear the matter in the same way as a member of the public).
- 3.5 In addition to receiving applications for dispensations in relation to the Council budget meetings there has been one other occasion when the Monitoring Officer has received a request for a dispensation. This was in March 2019 and related to consideration by the Council's Executive of adoption of a construction charter promoted by the Unite Trade Union to establish nationally agreed minimum workforce standards within the Council's Ethical Procurement Policy. Dispensations were granted upon application to 5 Members of the Executive who had received sponsorship from Unite and therefore had DPIs in relation to this matter. The grounds for the grant of the dispensation were that without the dispensation the number of Members prohibited 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.
- 3.6 On 13 June 2019 the Committee received a further report of the City Solicitor to review the operation and efficacy of the process for granting dispensations in relation to Members' Interests. The Committee requested 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. A briefing note was sent to all such Members on 4 October 2019.
- 3.7 Dispensations for a 4 year period have been issued by the Monitoring Officer to all Members who requested such a dispensation in relation to participating and voting on the setting of the Council's Council Tax etc. and participating and voting on Members' Allowances on the basis that without the dispensation the number of Members prohibited from participating in this particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business at the Council's budget setting meeting.
- 3.8 The majority of the dispensations that have been granted by the Monitoring Officer were given on 2 March 2018 at the Council budget meeting. Given that those dispensations were granted for a period of four years they will expire before the next Council Budget meeting which will be held on 4 March 2022.
- 3.9 The Monitoring Officer will therefore be writing to all Members shortly to remind them of the requirement to submit a written request for a dispensation

to the City Solicitor in good time for the March 2022 Council budget meeting.

- 3.10 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.

**4. Recommendation**

- 4.1 The Committee is asked to note this report.

This page is intentionally left blank

**Manchester City Council  
Report for Information**

**Report to:** Standards Committee - 4 November 2021

**Subject:** Planning Protocol

**Report of:** City Solicitor

---

**Summary**

To advise the Committee of the operation/efficacy of the Planning Protocol.

**Recommendation**

1. To note the position regarding the operation/efficacy of the Planning Protocol;  
and
  2. To note the potential amendment to the Planning Protocol and provide  
comments on it.
- 

**Wards Affected:** All

---

**Financial Consequences for the Revenue Budget:** None directly

**Financial Consequences for the Capital Budget:** None directly

---

**Contact officers**

Name: Fiona Ledden  
Position: City Solicitor  
Telephone: 0161 234 3087  
E-mail: fiona.ledden@manchester.gov.uk

Name: Robert Irvine  
Position: Group Leader (Planning and Infrastructure) (Legal)  
Telephone: 0161 219 6010  
E-mail: r.irvine@manchester.gov.uk

Name: Julie Roscoe  
Position: Director of Planning, Building Control and Licensing  
Telephone: 0161 234 4552  
E-mail: j.roscoe@manchester.gov.uk

**Backgrounds documents (available for public inspection):** None

## **1. Introduction**

- 1.1. This report provides Committee with an update and an overview of the operation and efficacy of the Council's Planning Protocol. Past reports from the City Solicitor (notably in 2018 and 2019) set out how the Committee's recommendations had been implemented.
- 1.2. This included establishing annual mandatory training for the Planning and Highways Committee, with updates as necessary throughout the municipal year. In addition, a note on the importance of the Protocol and its application to site visits is now part of each Planning and Highways Committee agenda.
- 1.3. Committee were also advised in March this year of some minor changes to the protocol, including amendments to the Site Visit Protocol which now advises that attendance at such is, in most cases, for the Members of the Committee and relevant officers only. This is to reinforce the position that visits are not to be used for lobbying and this is in line with practice elsewhere.

## **2. Effectiveness of the Protocol**

- 2.1. Officers continue to be of the view that the Protocol remains effective. There have been and are very few occasions when the Protocol has to be referred to. As has been the case in previous years, the occasions when the Protocol has been referred to are almost exclusively related to advising Members on the provisions around personal/prejudicial interests, bias/predetermination and members' rights with regard to participating where these issues arise. There has also been some reference to material considerations and to the provisions on site visits. There is one outstanding complaint which alleges that it has been breached. The progress of the complaint will be monitored and consideration will be given to whether any changes are required to the protocol in light of it.
- 2.2. The fact that members have known to seek advice in such situations, and that there has been only one complaint alleging a breach of the protocol would suggest that the Protocol is effective in achieving its purpose. As mentioned above, the outstanding complaint will be monitored with consideration given to any changes that may be required to the protocol to address any issues arising.

## **3. Potential amendment to the Planning Protocol**

- 3.1. Notwithstanding that officers consider that the Planning Protocol is effective, it is continually kept under review. Amendments to the Protocol are considered where particular issues arise which are either not covered by the Protocol or where the provisions in the Protocol could be improved or clarified.
- 3.2. Although no amendments are being recommended at this time, there are on-going discussions taking place about late comments received prior to Committee. Currently late comments made up to 4.00pm two days before

Committee are provided to Members in a supplemental report. Anything beyond this will be presented verbally.

- 3.3. This can be problematic if comments are made very late as officers are required to consider and address each and every point made. Practice elsewhere is to have a cut off for late comments to enable the process to be properly managed and to avoid some parties attempting to delay the planning process by deliberately submitting lengthy representations, for example the morning of the Committee itself.
- 3.4. Members of Committee are invited to comment on this potential change to the protocol, so that Members' views can be taken into account in reaching a decision on whether/how this amendment should be made.

#### **4. Conclusion**

- 4.1. The Planning Protocol sets out a duty to promote and maintain high standards of conduct in the discharge of the Council's duty as local planning authority. It is considered to be effective in doing so, but notwithstanding this the Protocol is reviewed annually and periodically changes are made having regard to legislative changes or to ensure best practice continues to be followed. It is in this context that officers are considering amending the Protocol as set out in this report.

#### **5. Recommendations**

- 5.1. The recommendations appear at the front of this report

This page is intentionally left blank

**Manchester City Council  
Report for Information**

**Report to:** Standards Committee – 4 November 2021

**Subject:** Register of Members' Interests

**Report of:** City Solicitor and Monitoring Officer

---

**Purpose of the Report**

To consider the operation of the Register of Members' Interests.

**Recommendation**

That the Standards Committee note the report.

---

**Wards Affected:** All

---

**Contact Officers:**

Name: Fiona Ledden  
Position: City Solicitor  
Telephone: 0161 234 3087  
E-mail: fiona.ledden@manchester.gov.uk

Name: Peter Hassett  
Position: Senior Lawyer  
Telephone: 0161 600 8968  
E-mail: peter.hassett@manchester.gov.uk

**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Ethical Guidance Updates.

## 1. Introduction

- 1.1 The Committee has requested a report on the operation and efficacy of the process for updating the Register of Members' Interests.

## 2. The Requirement to Register Interests

- 2.1 The Localism Act 2011 requires Members to notify the Council's Monitoring Officer within 28 days of becoming a Member of any Disclosable Pecuniary Interests (DPIs).
- 2.2 In addition, if a Member is present at a meeting and they have a disclosable pecuniary (i.e. financial) interest in any matter to be considered or being considered at the meeting which is not yet registered or the subject of a pending notification, they must notify the Monitoring Officer of the interest within 28 days.
- 2.3 These requirements are set out in the Council's Code of Conduct for Members (the Code). A copy of the Code is attached as an Appendix to this report.
- 2.4 The list of what constitutes a DPI is set out in regulations and in the Code.
- 2.5 As indicated in the Code it is a criminal offence for a Member to:
- fail to notify the Monitoring Officer of any DPI within 28 days of election;
  - fail to disclose a DPI at a meeting if it is not on the register;
  - fail to notify the Monitoring Officer within 28 days of a DPI that is not on the register that the Member has disclosed to a meeting;
  - participate in any discussion or vote on a matter in which the Member has a DPI;
  - as an Executive Member discharging a function acting alone, and having a DPI in such a matter, fail to notify the Monitoring Officer within 28 days of the interest;
  - as an Executive Member discharging a function acting alone, and having a DPI in a matter, taking any steps in relation to such a matter; or
  - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

The criminal penalties available to a court are to impose an unlimited fine and disqualification from being a councillor for up to 5 years.

- 2.6 Councils do not need to require Members to include specific 'non-pecuniary' Interests on their Register of Interests but many, including Manchester, do.

The purpose of the Register is to be open and transparent about those interests and relationships that could lead to a conflict of interest.

- 2.7 The Committee on Standards in Public Life (CSPL), in its Report on Ethical Standards in Local Government (published in January 2019), recommended significant changes to Registration of Members' Interests including changes in the law to extend the categories of DPIs, to abolish criminal offences in relation to DPIs and to create a new objective test in relation to non-pecuniary interests.
- 2.8 In its report, the CSPL also recommended that the Local Government Association (LGA) create an updated model code of conduct (which will include registration of interests) in order to enhance the consistency and quality of local authority codes. The LGA has now done so. However, many local authorities have chosen not to adopt the LGA model code until such time as the Government publishes its views on the CSPL report including any proposals to amend legislation as recommended by the CSPL. A report concerning the LGA model code is elsewhere on the Agenda for this meeting.

### **3. Registration of Interests – Operation and Efficacy**

- 3.1 All new Members receive training as part of their induction on registration of interests and all new Members have registered their interests. Reminders to Members regarding the updating of their Register of Interests are contained in the Ethical Governance Update sent to all Members twice a year. Specific email reminders, regarding revision of existing register entries, are also sent to all Members twice a year. The last email reminder was sent to all Members in June 2021 and the next one will be sent to all Members in December 2021. Between 1 January 2021 and 30 September 2021 a total of 37 Members have updated their Register of Interests.
- 3.2 The agendas for all Council, Executive and Committee meetings contain the following standard item:

#### **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.

- 3.3 Minutes of the meetings record any declarations of interests made at the meeting. As the Committee will be aware, whilst officers do provide advice to Members, if requested, on Members' interests, it is the responsibility of individual members to comply with the requirements of the Code. If they have

queries, members do routinely seek officer advice in relation to declaration of interests.

- 3.4 As members will recall from the Standard's Committee's Annual report considered by this Committee at its March 2021 meeting, none of the complaints received by the Monitoring Officer related to Register of Interests issues. As indicated above, complaints about failure to register a DPI are potentially subject to criminal sanction. The Monitoring Officer is not aware of any action having been taken by the Police in relation to any Manchester City Councillor as regards DPI requirements.
- 3.5 All members have been advised that, if they consider that the disclosure of the details of a DPI or personal interest could lead to violence or intimidation against them, or to a person connected with them, and the Monitoring Officer agrees, the details of the disclosable interest can be withheld from the public register under section 32(2) of the Localism Act 2011. The public register will simply state that the member has a DPI. The CSPL have recommended that the law is changed to clarify that a Member does not need to register their home address in their Register of Interests, but as indicated above the Government's response on this is awaited.
- 3.6 The Monitoring Officer is of the view that Register of Interests requirements are understood by Members but will, as a matter of good practice, continue to issue specific guidance to all Members regarding declaration of interests at meetings.

#### **4. Recommendation**

- 4.1 The recommendation appears at the beginning of this report.

**Manchester City Council  
Report for Information**

**Report to:** Standards Committee - 4 November 2021  
**Subject:** The Gifts and Hospitality Guidance for Members  
**Report of:** City Solicitor and Monitoring Officer

---

**Summary**

This report considers the operation and efficacy of the Guidance for Members.

**Recommendations**

That the Standards Committee:

1. Notes the Monitoring Officer's views on the efficacy and operation of the Gifts and Hospitality Guidance for Members.
  2. Provide comments as necessary on the Monitoring Officer's views regarding the efficacy and operation of the Gifts and Hospitality Guidance for Members.
- 

**Wards Affected:** All

---

**Contact Officers:**

Name: Fiona Ledden  
Position: City Solicitor  
Telephone: 0161 234 3087  
E-mail: fiona.ledden@manchester.gov.uk

Name: Ian Mark  
Position: Principal Lawyer  
Telephone: 0161 234 5378  
E-mail: ian.mark@manchester.gov.uk

**Background documents (available for public inspection):** None

## **1.0 Background**

- 1.1 As the Committee will be aware the Council's Constitution contains a section relating to the Gifts and Hospitality Guidance for Members ('the Guidance'). The Committee last received a report about the Guidance at its meeting in March 2021. That report considered the efficacy and operation of the Guidance up until the 31 December 2020.
- 1.2 This report covers the period from 1 January 2021 to 30 September 2021 when the report was written. However, in relation to gifts specifically received by the Lord Mayors' who were in office the report covers a longer period from May 2020 to 30 September 2021.
- 1.3 The Guidance was also considered at the most recent review of the Council's Constitution in February 2021 and no substantive changes were made.
- 1.4 The current version of the Gifts and Hospitality Guidance for Members is attached as Appendix 1 to this report.

## **2.0 Gifts and Hospitality Guidance for Members**

- 2.1 The Council's Code of Conduct for Members ('the Code') requires Members to register any gifts and hospitality received with an estimated value of at least £100. This figure dates from the 2013 revision to the Code following the changes implemented by the Localism Act 2011. The Council's form for the Registration of Interests makes provision for gifts and hospitality to be recorded where applicable.
- 2.2 The Committee will be aware that whilst officers do provide advice to Councillors, if asked, on Members' Interests including gifts and hospitality it is the responsibility of individual Members to comply with the requirements of the Code. Reminders to Members regarding updating their Register of Interests and registering any gifts and hospitality are contained in the Ethical Governance Updates sent to all Members and in email reminders sent to Members during the course of the Municipal Year. For the period to which the report relates an email reminder was sent on 8 June 2021.
- 2.3 The Committee is advised that two new entries relating to gifts and hospitality have been recorded during the period 1 January 2021 and 30 September 2021. The first of these related to the use of 2 local businesses premises, equipment and time for an evening to host a Member's fundraising for the 2021 local elections. It is doubtful whether this needed to be entered on the Member's Register of Interests form given that the event was held in their capacity as a candidate rather than as a Member of the Council. The second concerned 2 complimentary tickets for the Manchester International Festival and 2 complimentary tickets for the Home Cinema respectively. In both cases the entry stated that the estimated value was less than £100. The view of the Monitoring Officer is that bearing in mind the Covid lockdown and accompanying restrictions the level of new entries is unsurprising. It is also the view of the Monitoring Officer that there is no indication that Members are

unaware of the requirement to register gifts and hospitality as set out in the Guidance.

- 2.4 The Committee is further advised that there have been no refusals to accept gifts which have been notified to the Monitoring Officer during the period 1 January 2021 and 31 August 2021.
- 2.5 Whilst the Lord Mayor is of course subject to the terms of the Code specific provision is also made in guidelines for the Lord Mayor and Deputy Lord Mayor which confirms that official gifts received by the Lord Mayor whilst in office belong to the City. However small personal gifts such as a scarf or diary may be retained by the Lord Mayor. The guidance also advises that whilst undertaking engagements care must be taken by the Lord Mayor to guard against being seen to solicit gifts. The Lord Mayor's Office has advised that with respect to gifts there is an agreed process in place where the Curatorial Manager of the Our Town Hall Project assesses the gifts received by the Lord Mayor approximately every 3-6 months to decide which gifts should be retained in the 'Town Hall Collection' and which gifts can be retained by the Lord Mayor.
- 2.6 There was no Mayor Making in May 2020 due to the COVID-19 pandemic. Instead, the incumbent Lord Mayor, Councillor Abid Latif Chohan stayed on for an extra 6 months. Councillor Chohan received no gifts between May 2020 and 27 October 2020, with the exception of two gifts presented on his last full day in office. As only two gifts were received, they are detailed below within the body of the report.

Date: 27 October 2020.

Person/Organisation: Enna Park, Ambassador of the Republic of Korea.

Gift Description: Decorative box of tea - Osulloc Secret Tea Story - value £30 - Lord Mayor kept gift.

Gift Description: Book - The King at the Palace: Joseon Royal Court Culture at the National Palace Museum of Korea - value £12.50 - Lord Mayor donated gift to Library collection.

- 2.7 The current Lord Mayor was installed on 28 October 2020. A copy of the Register of Interests for the current Lord Mayor since he took office until 30 September 2021 is attached as Appendix 2 to the report.

### **3.0 Recommendations**

- 3.1 The recommendations appear at the top of this report.

This page is intentionally left blank

**GIFTS AND HOSPITALITY – APPENDIX 1**

# **Section D**

## **Gifts and Hospitality Guidance for Members**

**GIFTS AND HOSPITALITY – APPENDIX 1****SECTION D: GIFTS AND HOSPITALITY GUIDANCE FOR MEMBERS****General Introduction**

Manchester City Council's Code of Conduct for Members (the Code) requires members to notify the Monitoring Officer in writing of a personal interest in any business of the Council where it relates to or is likely to affect the interests of any person from whom the member has received a gift or hospitality with an estimated value of at least £100 (an interest under paragraph 11.2(c) of the Code).

In addition to the obligation to notify under paragraph 11.1 of the Code, the Council requires members to notify the Monitoring Officer of any gifts or hospitality accepted by either themselves or their partner by or on behalf of the elected member in connection with their appointment as an elected member or representative of the Council with an estimated value of at least £100.

It is also a breach of the Code for a member to conduct themselves in a manner which could reasonably be regarded as bringing their office or the Council into disrepute or for a member to use or attempt to use their position as a member improperly to confer on or secure for themselves or any other person an advantage or disadvantage.

The following protocol aims to assist members in complying with these obligations and seeks to provide wider guidance so members can avoid any situation where their integrity may be brought into question as a result of gifts and hospitality.

**Legal position**

The Bribery Act 2010 provides that it is a criminal offence for a member (either personally or through a third party whether for the member's benefit or the benefit of another) to request, receive, agree to receive, promise, offer or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity. It is for the member to demonstrate that any such advantage has not been corruptly obtained. This guidance should be considered in conjunction with the Council's Anti-Bribery Policy.

**1. Gifts and hospitality**

Members are advised to treat with caution any offer, gift, or hospitality that is made personally to them in their capacity as an elected member/representative of the Council. The person or organisation making the offer may be doing business or seeking to do business with the Council or may be applying to the Council for some sort of decision in respect of which it is imperative that the member's independence should not be compromised e.g. planning or licensing approvals.

The requirements for notification of a personal interest under paragraph 11.2(c) of the Code and any other gifts or hospitality accepted by the member or their partner in connection with their position as an elected member/representative of the Council with an estimated value of at least £100 are set out at 2.1 below. It is recommended

## GIFTS AND HOSPITALITY – APPENDIX 1

that where a member refuses any gift or hospitality offered to them or to their partner in connection with their position as an elected member/representative of the Council, the member should notify the Monitoring Officer of the refusal as soon as reasonably practicable. The Council's Monitoring Officer will maintain a register for this purpose.

Below are some examples regarding acceptance of gifts and hospitality:

### 1.1 Gifts

All gifts and hospitality should only be accepted if they are in furtherance of the Council's objectives.

Generally personal gifts should not be accepted as an objective view could be that a gift was only given because of the persons standing as a Councillor. The exception is where the gift is of purely token value given to a wide range of people e.g. a pen or key ring, the member should be able to accept such a gift and as it will usually be substantially less than £100 in value there should be no need to register it.

Where the gift is of low value and refusal would cause needless offence and the giver is not currently seeking a decision or business from the Council the member should be able to accept it, and again as it will usually be substantially less than £100 in value there should be no need to register it.

Whilst it may be acceptable to accept a token or gift of low value on one occasion members should refuse repeated gifts, even if these are individually not of a significant value.

Cash or monetary gifts should always be refused without exception and the refusal notified to the Monitoring Officer.

Gifts given as prizes at exhibitions, conferences, seminars etc. as part of a free raffle or draw may be accepted but they belong to the Council and should be notified to the Monitoring Officer as soon as reasonably practicable (notwithstanding that their value may be less than £100). The Monitoring Officer in consultation with the chair of the Standards Committee will determine whether it is appropriate for the member to retain the gift in question.

### 1.2 Hospitality

It is increasingly the case that private companies offer hospitality e.g. free drinks, tickets to shows or hotel accommodation to persons with whom they do business or with whom they hope to do business in the future. Such hospitality could convey the impression that the member's judgement would be influenced. It would however be too rigid to say that no hospitality can be accepted. Members are reminded that any hospitality with an estimated value of at least £100 should be notified to the Monitoring Officer.

Examples of hospitality which may be acceptable are set out below but depend on the particular circumstances, for example, who is providing the hospitality, why the

## GIFTS AND HOSPITALITY – APPENDIX 1

member is there and the nature of the dealings between the Council, the member and the provider of the hospitality:

- A working meal provided to allow parties to discuss or to continue to discuss business;
- An invitation to attend a dinner or function of a Society, Institute or other non commercial body with whom the Council has contact; or
- Invitations to attend functions where the member represents the Council (opening ceremonies, public speaking events, conferences).
- The following are examples of unacceptable hospitality:
- Holidays, including accommodation and travel arrangements;
- Offers of complimentary theatre and sporting tickets for the member/family or free travel; or
- Paid for corporate invites for evenings out with representatives from a company or firm who have dealings with the Council or who are likely to have dealings in the future.

Members are again advised to err on the side of caution and if in any doubt as to the integrity of the offer/invite, the member should consult the Monitoring Officer or refuse.

### **2. Personal interests under paragraph 11.2(c) of the Code**

Paragraph 11.2 (c) provides that a Member has a personal interest in any business of the authority where it relates to or is likely to affect the interests of any person from whom a Member has received a gift or hospitality with an estimated value of at least £100.

#### **2.1 Registration of a personal interest under paragraph 11.2(c) of the Code and other gifts and/or hospitality**

A personal interest under paragraph 11.2(c) of the Code must be registered within 28 days of the member's election or appointment to office

In addition, members must notify the Monitoring Officer of any gifts or hospitality accepted by them or their partner in connection with their position as an elected member/representative of the Council with an estimated value of at least £100 within 28 days of the receipt of the gift or hospitality.

#### **2.2 Disclosure of a personal interest under paragraph 11.2(c) of the Code and other gifts and/or hospitality**

When a member attends a meeting of the Council at which the relevant business is considered, the member must disclose their personal interest under paragraph

## **GIFTS AND HOSPITALITY – APPENDIX 1**

11.2(c) of the Code where they are aware/ought reasonably to be aware of the existence of the personal interest.

The member must disclose to the meeting the existence and nature of that interest at the commencement of consideration of the relevant business or when the interest becomes apparent.

Where a member has a personal interest under paragraph 11.2(c) of the Code they need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

### **2.3 Personal interests under paragraph 11.2 (c) of the Code and prejudicial interests under paragraphs 13.1 – 13.5 of the Code and other gifts and/or hospitality**

When disclosing a personal interest under paragraph 11.2(c) of the Code members must also consider whether the personal interest is a prejudicial interest under paragraph 13.1 of the Code. If this is the case, paragraphs 13.2 – 13.5 of the Code apply.

Where the personal interest is also a prejudicial interest under paragraph 13.1 of the Code, if the interest is not registered and is not the subject of a pending notification, the member must notify the Monitoring Officer of the interest within 28 days of the meeting at which the interest was disclosed.

### **3. Notifications**

Notifications of gifts and hospitality should be sent to the Monitoring Officer at the following address.

Governance and Scrutiny Support Unit  
 Chief Executive's Department  
 Manchester City Council  
 3rd Floor  
 Town Hall Extension  
 Albert Square  
 Manchester M60 2LA

A form for this purpose is available from the Governance and Scrutiny Support Unit who administer the register on behalf of the Monitoring Officer.

### **4. The register of members' interests**

Notifications will be included in the register of members' interests, a copy of which is available for public inspection and is published on the Council's website (subject to the rules on sensitive interests set out in paragraph 16 of the Code).

This register is subject to scrutiny by the Standards Committee and inspection by the Monitoring Officer, Head of Internal Audit and Risk Management and External Auditors.

## **GIFTS AND HOSPITALITY – APPENDIX 1**

### **5. Gifts which cannot be retained**

Where the Monitoring Officer in consultation with the Chair of the Standards Committee determines that it would not be appropriate for a member to retain a gift, that gift will be returned, utilised by the Council or otherwise donated to an appropriate charitable organisation as determined appropriate by the Monitoring Officer following consultation with the Chair of the Standards Committee.

### **6. Conclusion**

Members are advised to seek the advice of the Monitoring Officer in cases where their position is unclear.

Breaches of this protocol may result in a breach of the Code of Conduct for Members.

### **7. Review of guidance**

This guidance was last reviewed in **2020** and shall be reviewed every 3 years thereafter or earlier where there is a change in the applicable law or circumstances warrant an earlier review.

13/11/20	Assistant High Commissioner of Bangladesh	Installation of new Lord Mayor	Bouquet of flowers	£25.00	Lord Mayor	LD
14/12/20	Assistant High Commissioner of Bangladesh	Christmas gift	Bottle of red wine and box of chocolates	£20.00	Lord Mayor	LD
14/12/20	Consul General of People's Republic of China	Christmas gift	Bottle of wine and Pannetone (sweet bread)	£15.00	Lord Mayor	LD
09/02/21	Assistant High Commissioner of Bangladesh	To commemorate the Golden Jubilee of Independence of Bangladesh	Book commemorating Golden Jubilee and 2021 calendar	£15.00	Lord Mayor	LD
21/04/21	Ambassador of the Republic of Korea	Token of friendship due to relationship with Gumi (Friendship Agreement)	BTS Gift Box containing DVD, calendar, diary and photos (Korean pop group)	£20.00	Lord Mayor	LD
30/04/21	Assistant High Commissioner of Bangladesh	Thank you following Lord Mayor's video message for Golden Jubilee of Independence of Bangladesh	Book, mug and pin badge celebrating Golden Jubilee	£15.00	Lord Mayor	LD
15/09/21	Consul General of People's Republic of China	Lord Mayor's visit to Chinese Consulate for afternoon tea	Silk scarf and wooden photo frame	£20.00	Lord Mayor	LD
24/09/21	Azeemia Foundation	Visit to the Lord Mayor's Suite	Book - "Muraqaba - The Art and Science of Sufi Meditation" by Khwaja Shamsuddin Azeemi	£15.00	Lord Mayor	LD

This page is intentionally left blank

**Manchester City Council  
Report for Information**

**Report to:** Standards Committee – 4 November 2021

**Subject:** Review of the Operation and Efficacy of the Member/Officer Relations Protocol

**Report of:** City Solicitor

---

**Summary**

This report provides an update to the Standards Committee on the operation and efficacy of the Member/Officer Relations Protocol.

**Recommendation**

The Committee is asked to note the position set out in the report regarding the operation and efficacy of the Member/Officer Relations Protocol

---

**Wards Affected:** All

---

**Contact Officers:**

Name: Fiona Ledden  
Position: City Solicitor  
Telephone: 0161 234 3087  
E-mail: fiona.ledden@manchester.gov.uk

Name: Stephen Hollard  
Position: Group Manager, Democratic Services  
Telephone: 0161 234 3336  
E-mail: stephen.hollard@manchester.gov.uk

**Background documents (available for public inspection):** None.

## 1.0 Background

- 1.1 The Member/Officer Relations Protocol (“the Protocol”) is contained in Part 6 of the Council’s Constitution. Its purpose, as stated in paragraph 1.1 of the Protocol, is:

*“...to guide Members and Officers of the Council in their relations with one another in such a way as to ensure the smooth running of the Council.”*

Paragraph 1.4 goes on to say that the Protocol:

*“...seeks to reflect the principles underlying the Code of Conduct for Members (“the Members’ Code”) and the Code of Conduct for Employees (“the Employees’ Code”). The shared object of these codes is to enhance and maintain the integrity (real and perceived) of local government and the Codes, therefore, demand very high standards of personal conduct.”*

- 1.2 When the Council’s Constitution was reviewed by the Council on 3 February 2021, no changes were deemed necessary in respect of the Protocol. The Protocol was last amended as part of the Council’s 2 October 2019 review of the Constitution, which incorporated recommendations made by the Standards Committee on 13 June 2019. The Standards Committee’s recommendations took into account the best practice recommendations of the Committee on Standards in Public Life, along with feedback from both Officers and Members, while also seeking to ensure the language of and references within the Protocol were fully up to date. A copy of the current version of the Protocol is appended to this report.

## 2.0 The View of the Monitoring Officer on the Operation and Efficacy of the Protocol

- 2.1 The Monitoring Officer is of the view that the existing Protocol is well understood by Members and is not aware of any queries or issues that have not been addressed through existing procedures.
- 2.2 The Member Induction Programme includes a session dealing with conduct and ethical standards issues, which includes a section on the Protocol. The induction process for Officers refers new staff to the Employee Code of Conduct, which in turn makes reference to the Protocol. Paragraphs 2.3 and 2.7 of the Protocol cover the situation where a Member wishes to raise issues about an Officer and the reverse scenario. The Monitoring Officer is of the view that the Protocol is working as intended and if any issues have been raised, they have been resolved in accordance with the processes set out in these paragraphs of the Protocol.
- 2.3 The Monitoring Officer does not consider that any amendment of the Protocol is required at this time. However, when the Code of Conduct for Members is next subject to substantive change, she does consider that a full review of the Protocol should be undertaken to align the Protocol with the revised Code. The Protocol is, in any case, scheduled for review in 2022 in accordance with

paragraph 13.1 of the Protocol.

**3.0 Recommendation**

3.1 The recommendation is set out at the beginning of this report.

This page is intentionally left blank

**MEMBER / OFFICER RELATIONS PROTOCOL**

**Section F**

**Member / Officer Relations Protocol**

## **MEMBER / OFFICER RELATIONS PROTOCOL**

### **1. INTRODUCTION AND PRINCIPLES**

- 1.1 The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another in such a way as to ensure the smooth running of the Council.
- 1.2 Given the variety and complexity of such relations, this Protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts to these issues will serve as a guide to dealing with other circumstances.
- 1.3 This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed it should ensure that Members receive objective and impartial advice and that Officers are protected from accusations of bias and any undue influence from Members.
- 1.4 It also seeks to reflect the principles underlying the Code of Conduct for Members ("the Members' Code") and the Code of Conduct for Employees ("the Employees' Code"). The shared object of these codes is to enhance and maintain the integrity (real and perceived) of local government and the Codes, therefore, demand very high standards of personal conduct.
- 1.5 This Protocol should be read in conjunction with the Members' Code and the Employees' Code, the Council's Constitution and any guidance issued by the Standards Committee and/or Monitoring Officer.
- 1.6 This protocol relates to interactions and relations between Members and Officers both in-person and via other means, including through Social Media. Separate, more detailed guidance is in place for both Officers and members in relation to the use of social media.

### **2. GENERAL POINTS**

- 2.1 Both Councillors and Officers are servants of the public and are indispensable to one another. But their responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council, the Executive, committees and subcommittees.
- 2.2 At the heart of this Protocol, is the importance of mutual respect. Member/Officer relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and Officers should observe reasonable standards of courtesy, should show mutual appreciation of the importance of work / life balance and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party. This standard of conduct

## **MEMBER / OFFICER RELATIONS PROTOCOL**

should also be adhered to in Members' dealings with Officers employed by external organisations.

- 2.3 A Member should not raise matters relating to the conduct or capability of an Officer at meetings held in public or before the press. This is a long-standing tradition in public service as an Officer has no means of responding to such criticisms in public. If a Member feels they have not been treated with proper respect, courtesy or has any concern about the conduct or capability of an Officer, and fails to resolve it through direct discussion with the Officer, they should raise the matter with the respective Chief Officer. The Chief Officer will then look into the facts and report back to the Member. If the Member continues to feel concern, then they should raise the issue with the Chief Executive. Any action taken against an Officer in respect of a complaint will be in accordance with the provisions of the Council's Disciplinary Policy.
- 2.4 An Officer should not raise with a Member matters relating to the conduct or capability of another Officer or to the internal management of a Section/Division/Department at or in a manner that is incompatible with the overall objectives of this Protocol. Such matters should be raised with the officer's immediate line manager or Chief Officer as appropriate.
- 2.5 Nothing in this protocol shall prevent an officer expressing a relevant concern under the Council's Whistleblowing Policy.
- 2.6 Failure to follow this protocol may be a breach of the Code of Conduct for Members, particularly of those obligations relating to bullying and bringing the Council or the Member's office into disrepute. Further information is set out in the Code of Conduct for Members.
- 2.7 Where an Officer feels that they have not been properly treated with respect and courtesy by a Member, they should raise the matter with their Chief Officer or the Chief Executive as appropriate. In these circumstances the Chief Officer or Chief Executive will take appropriate action including approaching the individual member concerned or discussing the matter with the Monitoring Officer where they consider there may be a breach of the Code of Conduct for Members.
- 3. OFFICER SUPPORT TO MEMBERS: GENERAL POINTS**
- 3.1 Officers being employees of the Council must act in the best interests of the Council as a whole and must not give politically partisan advice.
- 3.2 Members must respect the impartiality of officers and do nothing to compromise it, e.g. by insisting that an officer change their professional advice.
- 3.3 Close personal familiarity between individual Members and Officers can damage professional relationships and can prove embarrassing to other Members and Officers. Situations should be avoided therefore that could give rise to the appearance of improper conduct or behaviour.

## **MEMBER / OFFICER RELATIONS PROTOCOL**

- 3.4 Certain statutory officers - the Chief Executive, the Chief Finance Officer and the Monitoring Officer have specific roles. These are addressed in the Constitution. Their roles need to be understood and respected by all Members. In particular members are reminded of the duty under the Members' Code to have regard to any relevant advice given by the Chief Finance Officer or Monitoring Officer.
- 3.5 The following key principles reflect the way in which officers generally relate to Members:
- all officers are employed by, and accountable to the authority as a whole and must remain politically impartial in the provision of advice and guidance;
  - support from officers is needed for all the authority's functions including full Council, Overview and Scrutiny, the Executive, Regulatory and other ordinary committees, Standards Committee, Joint Committees and individual Members representing their communities etc;
  - day-to-day managerial and operational decisions should remain the responsibility of the Chief Executive and other officers.
- 3.6 On occasion, a decision may be reached which authorises named Officers to take action between meetings following consultation with a Member or Members. It should be recognised that in these circumstances it is the Officer, rather than the Member or Members, who legally takes the action and it is the Officer who is accountable for it.
- 3.7 Finally, it should be remembered that Officers are accountable to their Chief Officer and that whilst Officers should always seek to assist a Member, they must not, in so doing go beyond the bounds of whatever authority they have been given by their Chief Officer.

### **4. OFFICER SUPPORT TO THE EXECUTIVE**

- 4.1 It is clearly important that there should be a close working relationship between Executive Members and the Officers who support and/or interact with them. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the Officer's ability to deal impartially with other Members and other party groups. Officers must ensure that even if they are predominantly supporting the Executive their political neutrality is not compromised.
- 4.2 Whilst Executive Members will routinely be consulted as part of the process of drawing up proposals for consideration on the agenda for a forthcoming meeting, it must be recognised that in some situations an Officer will be under a duty to submit a report. Similarly, the Chief Executive, Chief Officer or other Senior Officer will always be fully responsible for the contents of any report submitted in their name.

## **MEMBER / OFFICER RELATIONS PROTOCOL**

4.3 Where functions which are the responsibility of the Executive are delegated, the Executive will nevertheless remain accountable via the Overview and Scrutiny Committees, for both its decision to delegate a function and the discharge of those functions.

4.4 Under Executive Arrangements, individual Members of the Executive are allowed to take formal decisions. In Manchester the circumstances in which individual members of the Executive can take decisions are set out in the constitution. The Executive, Executive members and Officers must satisfy themselves that they are clear what exactly they can and cannot do.

### **5. OFFICER SUPPORT: OVERVIEW AND SCRUTINY COMMITTEES**

5.1 Overview and Scrutiny Committees have the following roles:

- to review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- make reports and/or recommendations to the full Council and/or the Executive and/or any joint or area committee in connection with the discharge of any functions;
- consider any matter affecting the area or its inhabitants; and
- exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive, area committees exercising executive functions and key decisions made by Officers.

5.2 It is clearly important that there should be a close working relationship between Chairs of the Overview and Scrutiny Committees and the Officers who support and/or interact with them. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the Officer's ability to deal impartially with other Members and other party groups. Officers must ensure their political neutrality is not compromised.

5.3 It is not the role of Overview and Scrutiny committees to act as a disciplinary tribunal in relation to the actions of Members or Officers. Overview and Scrutiny Committees should not act as a 'court of appeal' against decisions or to pursue complaints by individuals (Councillors, Officers or members of the public) which are the subject of other procedures, e.g. the Corporate Complaints Procedure, the Local Government Ombudsman, complaints to the Standards Committee or legal action in the Courts.

### **6. OFFICER ADVICE TO PARTY GROUPS**

6.1 It must be recognised by all Officers and Members that in discharging their duties and responsibilities, Officers serve the Council as a whole and not any political group, combination of groups or any individual Member of the

## MEMBER / OFFICER RELATIONS PROTOCOL

Council. The assistance provided by Senior Officers can take many forms ranging from a briefing meeting with an Executive Member, Lead Member, Chair or other Members prior to a meeting, to a presentation, to a full political group meeting. It is an important principle that such assistance is available to all political groups and individual members.

6.2 The Monitoring Officer will meet regularly with political group leaders or group whips to discuss standards issues.

### 6.3 Attendance at Party Political Group Meetings

There is now statutory recognition for 'party groups' and these are recognised in the constitution. It is common practice for such groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant Council decision making body. Senior Officers may properly be called upon to assist and contribute to such deliberations by party groups but must at all times maintain political neutrality. All Officers must, in their dealings with political groups and individual Members, treat them in a fair and even-handed manner.

6.4 Attendance at meetings of party groups is voluntary for officers and must be authorised by the Chief Executive (or in their absence the relevant Chief Officer) or the City Solicitor.

6.5 Certain points must, however, be clearly understood by all those participating in this type of process, Members and Officers alike. In particular:

6.5.1 Officer assistance must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. Internal party debates and decision making should take place in the absence of officers.

6.5.2 Party group meetings, whilst they form part of the preliminaries to Council decision making, are not formal decision making bodies of the City Council and are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not interpreted or acted upon as such; and

6.5.3 Similarly, where Officers provide information and advice to a party group meeting in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the relevant Council decision making body when the matter in question is considered.

6.6 Special care needs to be exercised whenever Officers are involved in providing information and advice to a party group meeting which includes persons who are not Members of the Council. Such persons are not bound by the Members' Code (in particular, the provisions concerning the declaration of interests and confidentiality). Officers would not be able to provide the same level of information and advice as they would to a Member only meeting.

## **MEMBER / OFFICER RELATIONS PROTOCOL**

- 6.7 Officers must respect the confidentiality of any party group discussions at which they are present. When information is disclosed to an officer during discussions with a party group that information should not be passed on to other groups. However, Members should be aware that this would not prevent officers from disclosing such information to other officers of the Council so far as that is necessary to performing their duties.
- 6.8 Any particular cases of difficulty or uncertainty in this area of Officer advice to party groups should be raised with the Chief Executive who will discuss them with the relevant group leader(s).

### **7. USE OF COUNCIL RESOURCES**

- 7.1 The use of the Councils resources including the use of ICT equipment provided to Members of the Council is governed by a guidance note 'Use of Council Resources Guidance for Members' which has been adopted by the Council and is contained in the Constitution.

### **8. MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS**

- 8.1 The rights of members to inspect council documents are set out in the constitution in the Access to Information Procedure rules. Members and Officers should both be mindful of their obligations under data protection legislation.
- 8.2. A Member must not disclose information given to them in confidence by anyone or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so and must not prevent another person from gaining access to information to which that person is entitled by law. A breach of these requirements is a breach of the Member's Code and actionable by way of referral by the Monitoring Officer of the matter to the Standards Committee. If the breach is serious a civil action may be brought against the Member and / or the Council for damages.
- 8.3 The Freedom of Information Act 2000 ("the 2000 Act") and Environmental Information Regulations 2004 provide rights of access to recorded information held by public authorities. The Council is required to proactively publish information via its Publication Scheme and to provide information in response to specific requests, subject to certain conditions and exemptions. The provision relating to access to Council meetings and documentation are reflected in the Council's constitution.

### **9. CORRESPONDENCE**

- 9.1 Correspondence between an individual Member and an Officer should not normally be copied (by the Officer) to any other Member. Where it is necessary to copy the correspondence to another Member, (for instance where the Monitoring Officer considers this course of action is necessary to

## MEMBER / OFFICER RELATIONS PROTOCOL

comply with the rules of natural justice), this should be made clear to the original Member. In other words, a system of 'silent copies' should not be employed.

- 9.2 Official letters on behalf of the Council should normally be sent in the name of the appropriate Officer, rather than in the name of a Member. It will, however, be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter to appear in the name of an Executive Member or the Leader. Letters which, for example, create legal obligations or give instructions on behalf of the Council should never be sent out in the name of a Member, Executive or otherwise.

### 10. PUBLICITY AND PRESS RELEASES

- 10.1 In recent years, all local authorities have increasingly used publicity to keep the public informed and to encourage public participation. The Government has issued a Code of Recommended Practice on Local Authority Publicity and all local authorities must have regard to the provisions of any such Code in coming to any decision on publicity. Further guidance on publicity and extracts from the Code are contained in the guidance note to members 'Use of Council Resources Guidance for Members'. In particular members and officers should note that during the election period special rules apply with regard to local authority publicity
- 10.2 Officers and Members of the Council will, therefore, in making decisions on publicity, take account of the provisions of the Code of Recommended Practice on Local Authority Publicity and any further guidance issued by the Monitoring Officer. If in doubt Officers and /or Members should seek advice from the Chief Executive or the Monitoring Officer.
- 10.3 All press releases are issued through the Press Office on behalf of the Council. Press releases are not issued by the Council on behalf of political groups. They can contain the comments of Executive members and committee Chairs where they are speaking in connection with the roles given to them by Council. Officer's comments can be included on professional and technical issues.

### 11. INVOLVEMENT OF WARD COUNCILLORS

- 11.1 Whenever a public meeting is organised by the Council to consider a local issue, all the members representing the Ward or Wards affected should as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Members should be notified at the outset of the exercise. More generally, Officers should consider whether other policy or briefing papers, or other topics being discussed with an Executive Member, should be discussed with relevant Ward Members.

### 12. OFFICER/MEMBER PROTOCOL

## **MEMBER / OFFICER RELATIONS PROTOCOL**

- 12.1 This protocol forms part of the local framework for standards of behaviour approved by the Standards Committee and adopted by the Council as part of the Constitution.
- 12.2 Monitoring compliance with this protocol is the responsibility of the Standards Committee and the Monitoring Officer
- 12.3 Questions of interpretation of this Protocol will be determined by the Monitoring Officer.

### **13. REVIEW OF PROTOCOL**

- 13.1 This protocol was last reviewed in 2019 and shall be reviewed every 3 years thereafter, or earlier where there is a change in the applicable law or circumstances warranting an earlier review.

This page is intentionally left blank

**Manchester City Council  
Report for Resolution**

**Report to:** Standards Committee – 4 November 2021

**Subject:** Local Government Association (LGA) Model Code of Conduct for Members

**Report of:** City Solicitor

---

**Summary**

To consider the LGA Model Code of Conduct for Members

**Recommendation**

The Committee are asked to:

1. Defer consideration and recommendations regarding adoption of the LGA model code pending the receipt of central government's response the Committee on Standards in Public Life recommendations and any legislative changes
  2. Request a further report on this to its next meeting if the response is available and that this be added to the Committee's workplan
- 

**Wards Affected – all**

---

**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

---

**Contact Officers:**

Name: Fiona Ledden  
Position: City Solicitor  
Telephone: 0161 234 3087  
Email: fiona.ledden@manchester.gov.uk

Name: Poornima Karkera  
Position: Head of Governance Legal Services.  
Telephone: 0161 234 3719  
E-mail: poornima.karkera@manchester.gov.uk

**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Report to Standards Committee March 2019

Report to Standards Committee 18 March 2021

## **1 Introduction**

- 1.1 Members will recall that, as reported to this Committee in March 2019, the Committee on Standards in Public Life (“the CSPL”) published its report on its review of local government ethical standards on 30 January 2019. This report focuses on recommendation 1- ‘that the Local Government Association (‘LGA’) should create an updated code of conduct in consultation with representative bodies of councillors and officers of all tiers of local government’. The Government has yet to comment on the CSPL recommendations including relating to strengthening sanctions for the breach of the code.
- 1.2 The City Solicitor in her March 2021 report indicated that there were in her view a number of issues with the LGA Code in particular it was noted that it departed from narrower wording in s 31 of the Localism Act 2011 (which relates to Disclosable Pecuniary Interests (DPI’s)) and introduced a distinction between things that "directly relate" to an interest and things that "affect" an interest. She took the view that this was probably because it assumed the change to the law recommended by the CSPL report to repeal s 31 of the Localism Act 2011 but until such time as s31 was repealed departing from (narrower) the wording currently in the Localism Act would not be recommended given the criminal sanctions for failure to disclose a DPI. A copy of Manchester’s Code of Conduct for Members is at Appendix 1
- 1.3 The March 2021 report to this Committee also highlighted benefits in consistency of approach across Greater Manchester Councils in the event that stronger sanctions were to be made available for breach of the code and agreed that Chief Legal Officers in Greater Manchester be requested to discuss the adoption of the LGA model code (either as is or with minor amendments) throughout Greater Manchester and that the outcome of these discussions be reported to this Committee’s November meeting.

## **2 Background**

- 2.1 A number of GM Chief Legal Officers met in June 2021. The view at that time was that it would be worth waiting for the LGA’s proposed Guidance on the Code before considering the matter further.
- 2.2 The Guidance was issued by the LGA in July 2021 and a further meeting of GM Chief Legal officers took place in September. It became apparent in the interim that since its issue the LGA code had been updated twice by the LGA to clarify issues that were not fully covered in the earlier versions. Whilst the current version does pick up some of the issues referred to above it retains the wording departing from the legislation as set out at paragraph 1.2 above. The latest version of the LGA code is attached at Appendix 2.

- 2.3 The LGA contacted Monitoring Officers in relation to its original proposal to review the Code on an annual basis querying whether it is too early to review the code this year for the following reasons:
- It has not yet been well embedded
  - Some councils have only just considered it
  - It would be better to review it shortly before the May 2022 London Local Government elections, so that it can be considered at the annual general meeting for adopted in full/part/not at all at the annual meeting of councils
  - Wait for central government response to CSPL recommendation if this is likely to be published by the end of 2021.
- 2.4 Whilst 2 Councils within Greater Manchester have already adopted the LGA model code the view of other Chief Legal Officers seemed to be that individual Councils would need to consider their positions in more detail.
- 2.5 It is the view of the Monitoring officer for the reasons highlighted above and because the LGA code appears to be in a state of flux that Manchester should retain its current code of conduct for now. It is recommended that the central government response to CSPL recommendations and any legislative changes eg in relation to sanctions (which may lead to further changes to the LGA model code) should be awaited before changing our code. The Government's response is apparently expected by the end of this year. Hopefully by then the position will be clearer.

### **3. Recommendation**

The recommendation appears at the front of this report.

**CODE OF CONDUCT FOR MEMBERS**

**Section A**

**Code of Conduct for Members**

## CODE OF CONDUCT FOR MEMBERS

<b>SECTION A: CODE OF CONDUCT FOR MEMBERS</b>
---

**(ADOPTED BY THE COUNCIL ON 11 JULY 2012)**

### **Pre-amble to Code of Conduct for Members**

#### **1. Introduction**

The Council is determined to provide excellent local government for the people of the City. It promotes and maintains high standards of conduct by Members and Voting Co-opted Members and has adopted a Code of Conduct for Members, in line with its obligations under section 27(2) of the Localism Act 2011.

#### **2. General Principles of Conduct for Members and Voting Co-opted Members**

The Code and the Guidance are based on the following General Principles.

##### **2.1 General Principles**

Members and Voting Co-opted Members must behave according to the highest standards of personal conduct in everything they do as a Member. In particular they must observe the following principles of conduct, some of which are set out in law.

##### **2.2 Selflessness**

Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

##### **2.3 Honesty and Integrity**

Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

##### **2.4 Objectivity**

Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

##### **2.5 Accountability**

Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-

## CODE OF CONDUCT FOR MEMBERS

operate fully and honestly with any scrutiny appropriate to their particular office.

### 2.6 Openness

Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

### 2.7 Personal Judgement

Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

### 2.8 Respect for Others

Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

### 2.9 Duty to Uphold the Law

Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

### 2.10 Stewardship

Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

### 2.11 Leadership

Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

## 3. Training

- 3.1 Each Member must attend training on the Code of Conduct/ethical standards, in addition to any current requirements to receive training for specific Committees, for example Planning or Licensing Committees.

## CODE OF CONDUCT FOR MEMBERS

# THE CODE OF CONDUCT

## Part 1 General provisions

### 1. Introduction and interpretation

- 1.1 This Code applies to you as a Member of the Council.
- 1.2 It is your responsibility to comply with this Code. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and an unlimited fine and /or disqualification from office for a period of up to 5 years. In this Code - “meeting” means any meeting of:
- (a) the Council;
  - (b) any of the Council’s Committees or Sub-Committees, Joint Committees or Joint Sub-Committees;
  - (c) the Executive or any committee of the Executive.
- 1.3 “Member” includes a Voting Co-opted Member and an Appointed Member.

### 2. Scope

- 2.1 Subject to sub-paragraphs (2) and (3), you must comply with this Code whenever you are acting as a Member or Voting Co-opted Member of the Council or an Appointed Member of a Joint Committee, and, references to your official capacity are construed accordingly.
- 2.2 This Code does not have effect in relation to your conduct other than where it is in your official capacity.
- 2.3 Where you act as a representative of the Council—
- (a) on another relevant authority, including the Greater Manchester Combined Authority, the Greater Manchester Fire & Rescue Authority and the Greater Manchester Waste Disposal Authority, you must, when acting for that other authority, comply with that other authority’s code of conduct; or
  - (b) on any other body, you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

### 3. General obligations

- 3.1 You must not:

## CODE OF CONDUCT FOR MEMBERS

- (a) do anything which may knowingly cause the Council to breach the Equality Act 2010;
- (b) bully or be abusive to any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be:
  - (i) a complainant,
  - (ii) a witness, or
  - (iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a Member (including yourself) has failed to comply with his or her authority's code of conduct; or

- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

#### 4. You must not:

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
  - (i) you have the consent of a person authorised to give it;
  - (ii) you are required by law to do so;
  - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
  - (iv) the disclosure is:
    - (a) reasonable and in the public interest; and
    - (b) made in good faith and in compliance with the reasonable requirements of the Council; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

#### 5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

#### 6. You:

- (a) must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

## CODE OF CONDUCT FOR MEMBERS

- (b) must, when using or authorising the use by others of the resources of your authority:
    - (i) act in accordance with the Council's reasonable requirements; and
    - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
  - (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
7. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by
- (a) The Council's Chief Finance Officer; or
  - (b) The Council's Monitoring Officer,
- where that officer is acting pursuant to his or her personal statutory duties.
- (2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

## CODE OF CONDUCT FOR MEMBERS

### Part 2 - Disclosable pecuniary interests

#### 8. Notification of disclosable pecuniary interests

- 8.1 Within 28 days of becoming a Member or Voting Co-opted Member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'.
- 8.2 A 'disclosable pecuniary interest' is an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in the table below.
- 8.3 "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the 12 month period prior to notification of the interest in respect of any expenses incurred by you in carrying out duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation Act) 1992 (a).
Contracts	Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and the Council - (a) under which goods or services are to be provided or works are to be executed: and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of Manchester City Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of Manchester City Council for a month or longer.
Corporate Tenancies	Any tenancy where (to your knowledge) - (a) the landlord is the Council: and  (b) the tenant is a body in which you or your partner has a beneficial interest.
Securities	Any beneficial interest in securities of a body where - (a) that body (to your knowledge) has a place of business or land in the area of Manchester

**CODE OF CONDUCT FOR MEMBERS**

	City Council; and (b) either - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	--

For the purposes of the above table -

- (a) "a body in which you or your partner has a beneficial interest" means a firm in which you or your partner is a partner or a body corporate of which you or your partner is a director, or in the securities of which you or your partner has a beneficial interest.
- (b) "director" includes a member of the committee of management of a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014, other than a society registered as a credit union.
- (c) "land" excludes an easement, interest or right in or over land which does not carry with it a right for you or your partner (alone or jointly) to occupy the land or receive income, and
- (d) "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## **9 Non participation in case of disclosable pecuniary interest**

9.1 If you are present at a meeting and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,

1. You must not participate in any discussion of the matter at the meeting.
2. You must not participate in any vote taken on the matter at the meeting.
3. If the interest is not registered, you must disclose the interest to the meeting.
4. If the interest is registered, you are also required by Council Procedure Rule 29.3 and Executive Procedure Rule 3 to disclose it to the meeting.

## CODE OF CONDUCT FOR MEMBERS

5. If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.
  6. You are also required by Council Procedure Rule 30 and Executive Procedure Rule 4 to withdraw from the room of the meeting whilst the matter is being considered.
- 9.2 Where an Executive Member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the Executive Member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

### 10 Offences

- 10.1 It is a criminal offence to
- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election.
  - Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register.
  - Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting.
    - Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest.
    - As an Executive Member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
    - As an Executive Member discharging a function acting alone, and having a disclosable pecuniary interest in a matter, taking any steps in relation to such a matter.
    - Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.
- 10.2 The criminal penalties available to a court are to impose an unlimited fine and disqualification from being a councillor for up to 5 years.

## CODE OF CONDUCT FOR MEMBERS

### Part 3 - Other interests

#### 11 Notification of personal interests

- 11.1 In addition to the disclosable pecuniary interests notifiable under the Localism Act 2011, you must within 28 days of your election or appointment to office (where that is later) notify the Monitoring Officer in writing of the details of your other personal interests, where they fall within the categories set out in paragraph 11(2) below for inclusion in the register of interests.
- 11.2 You have a personal interest in any business of your authority where it relates to or is likely to affect -
- (a) any body of which you are in a position of general control or management and to which you are appointed or nominated by your authority;
  - (b) any body -
    - (i) exercising functions of a public nature;
    - (ii) directed to charitable purposes; or
    - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),
 of which you are in a position of general control or management;
  - (c) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £100.

#### 12 Disclosure of interests

- 12.1 Subject to paragraphs 12.4 to 12.7, where you have a personal interest described in paragraph 11.2 above or in paragraph 12.2 below in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- 12.2 You also have a personal interest in any business of your authority where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward, affected by the decision.
- 12.3 In paragraph 12.2, a *relevant person* is -
- (a) a member of your family or any person with whom you have a close association; or

## CODE OF CONDUCT FOR MEMBERS

- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
  - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
  - (d) any body of a type described in paragraph 11.2(a) or (b).
- 12.4 Where you have a personal interest in any business of the Council which relates to or is likely to affect a body described in paragraph 11.2(a) or 11.2(b)(i), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- 12.5 Where you have a personal interest in any business of the Council of the type mentioned in paragraph 11.2(c), (gifts and hospitality) you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- 12.6 Where you have a personal interest but, by virtue of paragraph 16, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- 12.7 Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- 13 Non participation in case of prejudicial interest**
- 13.1 Where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business -
- (a) affects your financial position or the financial position of a person or body described in paragraph 12.3; or
  - (b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 12.3.
- 13.2 Subject to paragraphs 13.3 and 13.4, where you have a prejudicial interest in any business of your authority -
- (a) You must not participate in any discussion of the matter at the meeting.

## CODE OF CONDUCT FOR MEMBERS

- (b) You must not participate in any vote taken on the matter at the meeting.
  - (c) You must disclose the interest to the meeting.
  - (d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.
  - (e) You are also required by Council Procedure Rule 30 and Executive Rule 4 to withdraw from the room of the meeting whilst the matter is being considered.
- 13.3 Where you have a prejudicial interest in any business of the Council, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.
- 13.4 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of your authority in respect of—
- (a) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
  - (b) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay; and
  - (c) any ceremonial honour given to members.
- 13.5 Where, as an Executive Member, you may discharge a function alone, and you become aware of a prejudicial interest in a matter being dealt with, or to be dealt with by you, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.

### **14 Interests arising in relation to Scrutiny Committees**

In any business before a Scrutiny Committee of the Council (or of a Sub-Committee of such a Committee) where—

## CODE OF CONDUCT FOR MEMBERS

- (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the authority's Committees, Sub-Committees, Joint Committees or Joint Sub-Committees; and
- (b) at the time the decision was made or action was taken, you were a member of the Executive, Committee, Sub-Committee, Joint Committee or Joint Sub-Committee mentioned in paragraph (a) and you were present when that decision was made or action was taken,

you may attend the meeting of the Scrutiny Committee for the purpose of explaining the reasons for the decision, or answering questions or giving evidence relating to the business, but you cannot participate otherwise in the discussion or in any vote on the matter.

**CODE OF CONDUCT FOR MEMBERS****Part 4 - General Matters relating to Parts 2 and 3****15 Register of interests**

Subject to paragraph 16 any disclosable pecuniary interests or personal interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

**16 Sensitive interests**

This paragraph applies where you consider that disclosure of the details of a disclosable pecuniary interest or a personal interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees. In these circumstances, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2) of the Localism Act 2011.

**17 Dispensations**

The Council may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest or a prejudicial interest.



## **Local Government Association**

### **Model Councillor Code of Conduct 2020**

#### **Joint statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

## Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

## Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

### **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

### **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Officer.

## **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

##### **As a councillor:**

**1.1 I treat other councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

#### **2. Bullying, harassment and discrimination**

##### **As a councillor:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### **3. Impartiality of officers of the council**

**As a councillor:**

#### **3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

**As a councillor:**

#### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

#### **4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

#### **4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## 5. Disrepute

### As a councillor:

#### 5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

## 6. Use of position

### As a councillor:

#### 6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## 7. Use of local authority resources and facilities

### As a councillor:

#### 7.1 I do not misuse council resources.

#### 7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## **8. Complying with the Code of Conduct**

### **As a Councillor:**

**8.1 I undertake Code of Conduct training provided by my local authority.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

### **Protecting your reputation and the reputation of the local authority**

## **9. Interests**

### **As a councillor:**

**9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B sets** out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## 10. Gifts and hospitality

### As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it ]

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<p><b>Land and Property</b></p>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<p><b>Licenses</b></p>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<p><b>Corporate tenancies</b></p>	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<p><b>Securities</b></p>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	--

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
  - (i) exercising functions of a public nature
  - (ii) directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

## Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

***The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.***

**Manchester City Council  
Report for Resolution**

**Report to:** Standards Committee – 4 November 2021  
**Subject:** Members' Update on Ethical Governance  
**Report of:** City Solicitor

---

**Summary**

To seek the Standards Committee's comments on and approval of the draft Members' Update on Ethical Governance for November 2021.

**Recommendations**

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

---

**Wards Affected - All**

---

**Financial Consequences – Revenue**

None directly

**Financial Consequences – Capital**

None directly

---

**Contact Officers:**

Name: Fiona Ledden  
Position: City Solicitor  
Telephone: 0161 234 3087  
E-mail: f.ledden@manchester.gov.uk

Name: Poornima Karkera  
Position: Head of Governance  
Telephone: 0161 234 3719  
E-mail: p.karkera@manchester.gov.uk

**Background documents (available for public inspection):** None

## **1.0 Introduction**

- 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 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.

## **2.0 Background**

- 2.1 The last Members' Update was disseminated directly to all Members in March 2021.
- 2.2 A draft of the Members' Update for November 2021 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.

## **3.0 Recommendation**

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

## **Ethical Update – November 2021**

**'Helping to promote high standards of conduct'**

### **Welcome to the November 2021 issue of Manchester City Council's Ethical Governance Update**

This newsletter contains details of the following:

- Information Commissioner launches investigation into use of private email
- Councillor censured following complaints
- Reminder: Cyber security training
- Reminder: Register of Interests
- Reminder: Dispensations

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.

### **Information Commissioner launches investigation into use of private email**

In July 2021, the Information Commissioner launched a formal investigation into the use of private correspondence channels at the Department for Health and Social Care. Information notices have been served on the department and others to preserve evidence relevant to the ICO's inquiry.

The Information Commissioner noted that the use of private correspondence channels for official government business does not break freedom of information law, but her concerns relate to information in private emails and messages being forgotten or otherwise not considered when a freedom of information request is later received. The Commissioner also highlighted the public concern about a lack of transparency about decisions that affect individuals and their families.

The Information Commissioner pointed to the ICO's *guidance* on the use of private communication channels and the government's own code of practice which sets clear standards, and emphasises the importance of good records management in ensuring public trust and confidence.

The Information Commissioner also is concerned about risks that personal data are not held securely in personal email accounts but will not comment further until the outcome of the investigation.

<https://ico.org.uk/about-the-ico/news-and-events/news-and-blogs/2021/07/ico-launches-investigation-into-the-use-of-private-correspondence-channels/>

### **Councillor censured after complaints upheld from officers and other members**

In September 2021, Maldon District Council (the Council) upheld six complaints against a member who was found to have failed to treat others with respect; bullied officers and other members; to have disclosed confidential information about another member on social media; and had deliberately attempted to undermine the Council's Code of Conduct process, bringing his office and the Council into disrepute.

The allegations included that the member had disrupted a Planning Committee meeting by repeatedly shouting over the chair, insulting her and other members of the committee. It was also alleged that the member had made abusive, haranguing and potentially slanderous comments towards council officers, and had acted in an aggressive and intimidating manner.

In another incident, the member was alleged to have taunted an officer at a meeting while filming the encounter and subsequently publishing it on Facebook, after which he 'liked' a comment which described the officer as the "worst kind off [sic] human filth we have in our society".

It was also alleged that the member made repeated attempts to undermine and publicly discredit the members complaints process, such as by livestreaming his investigation interview on Facebook Live. This resulted in the council having to report a personal data breach to the Information Commissioner.

The committee found that the member's behaviour during the investigation process showed contempt for the principles of accountability and integrity and also brought his office and the council into disrepute.

As well as the decision to formally censure the member, the Chair of the Joint Standards Committee also recommended that the member be removed from committee meetings and working groups; that access to ICT and email to be restricted until May 2022; and that the member is provided with training on conflict management and resolving disputes.

[https://www.maldon.gov.uk/download/downloads/id/18712/joint\\_standards\\_committee\\_decision\\_letter.pdf](https://www.maldon.gov.uk/download/downloads/id/18712/joint_standards_committee_decision_letter.pdf)

### **Cyber security training**

Cyber Security e-learning was rolled out to all members in January 2021. The ICT Cyber Security team have compiled a bespoke training package designed to support councillors in their roles but also to provide knowledge and principles that can be applied more widely to prevent becoming a victim of a Cyber-attack.

All members who have not yet completed the training are recommended to complete the training as soon as possible, as such training is considered an important element in helping to protect the Council and individuals against the very real and evolving risk of a Cyber-attack.

Members will have received an invite to the training from the MCC compliance team and further information from Members Services. If you have any difficulties accessing the training, please contact Members Services.

### **Register of Interests- keeping it up to date**

Members ordinarily complete their register 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](mailto:DemServ@manchester.gov.uk), or 0161 234 3336.

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

## Dispensations

The Council may grant you a dispensation, but only in limited circumstances, to enable you to vote on a matter in which you have a Disclosable Pecuniary Interest or a prejudicial interest.

The main reason why a dispensation may be granted is where so many Members have an interest in a matter that it would not be possible for the business in question to go ahead. This is particularly relevant at the Council budget setting meeting as many Members are Council Tax payers or are Council tenants, etc.

If you want a dispensation you will need to make an application to the Monitoring Officer in good time before the meeting.

The Monitoring Officer will be writing to all Members shortly to remind them of the requirement to submit a written request for a dispensation to her in good time for the March 2022 Council budget meeting.

If any member is unsure if they should need to apply for a dispensation then please contact the Democratic Services Legal Team via [DemServ@manchester.gov.uk](mailto:DemServ@manchester.gov.uk), or 0161 234 3336.

**Manchester City Council  
Report for Resolution**

**Report to:** Standards Committee – 4 November 2021  
**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**

**Financial Consequences for the Capital Budget - None**

---

**Contact Officers:**

Fiona Ledden - City Solicitor  
0161 234 3087  
fiona.ledden@manchester.gov.uk

Andrew Woods - Governance Team Leader  
0161 234 3011  
andrew.woods@manchester.gov.uk

**Background documents (available for public inspection): None**

This page is intentionally left blank

## Standards Committee Work Programme – 4 November 2021

### Meeting – 4 November 2021

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	
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	
Register of Members Interests	To consider the operation of the Register of Members' Interests	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	
LGA new model code	To update the Committee on the discussions of the Greater Manchester Chief Legal Officers in the adoption of the LGA Model Code of Conduct for Members and the arrangements for dealing with complaints regarding breaches of the Code	Poornima Karkera	
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

### Meeting – 17 March 2022

Annual Standards Report	To note and review the work done in the last year to promote and maintain high standards of	Poornima Karkera/ Peter Hasset	
-------------------------	---	--------------------------------	--

## Standards Committee Work Programme – 4 November 2021

	conduct by members.		
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	
Social Media Guidance for Members	To consider any updates/ revisions to the guidance and the efficacy of the guidance.	Poornima Karkera	
Member Training	To update Standards Committee on the operation and efficacy of the Member Development Strategy; report on training delivered in the current municipal year and update on the proposals in relation to the next municipal year	Jonathan Kershner	
Members Code of Conduct – partnership arrangements	Report outlining 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.	Sarah Narici	
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

### Meeting – 16 June 2022

Code of Corporate Governance	TBC		
Annual Governance Statement	TBC		

## Standards Committee Work Programme – 4 November 2021

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	
Register of Members Interests	To consider the operation of the Register of Members' Interests	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	

<b>Unscheduled Items</b>	
Consultation outcome on Updating Disqualification Criteria for Local Authority Members	Committee notes the report and requests that a report be brought to a future meeting once the legislation has been introduced.
Code of Corporate Governance	TBC
Partnership arrangements	Report outlining the position regarding incorporating the Council's Member Code of Conduct into the overall governance arrangements of organisations that the City Council has entered into Partnership Arrangements with
Annual Governance	An additional ordinary meeting of the Standards Committee be arranged, in consultation with the Chair,

## Standards Committee Work Programme – 4 November 2021

Statement	to consider the AGS, to complement the submission of the AGS to the Audit Committee. (17 June 2021)
Review of the Operation and Efficacy of the Arrangements for dealing with Code of Conduct complaints against Members	the Chief Legal Officers in Greater Manchester be requested to discuss their respective Arrangements and that the outcome of these discussions be reported to a future meeting of this Committee. (17 June 2021)

### 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	Date to be arranged as required	Standards Committee to retain responsibility of CCG (June 2021)
The Annual Governance Statement	June 2021	Date to be arranged as required	Standards Committee to retain responsibility of AGS (June 2021)
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 2021	June 2022	
Gifts and Hospitality Guidance for Members	By Full Council February 2021 By Standards Committee March 2019	2022 or earlier where there is a change in the law or circumstances warrant an earlier review	Reviewed annually as part of the Council's Constitution
The Member/ Officer Relations Protocol	February 2021 By Standards Committee March 2019	2022 or earlier where there is a change in the law or circumstances	Reviewed annually as part of the Council's Constitution

## Standards Committee Work Programme – 4 November 2021

		warrant an earlier review	
The Use of Council Resources Guidance for Members	By Full Council February 2021 By Standards Committee June 2021	2022 or earlier where there is a change in the law or circumstances warrant an earlier review	Reviewed annually as part of the Council's Constitution
Social Media Guidance for Members	March 2021 By Standards Committee March 2019	March 2023 or earlier where there is a change in the law or circumstances warrant an earlier review.	
The Planning Protocol for Members	June 2019	November 2021	Reviewed annually as part of the Council's Constitution
Member Development Strategy	March 2021	March 2022	
Procedure for the Local Hearing of Allegations of Misconduct by Members of the Council	June 2021		
Register of Members Interests	Considered as part of annual report. March 2021	March 2022	

This page is intentionally left blank