



## **Standards Committee**

Date: Thursday, 15 June 2023

Time: 10.30 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Antechamber**

Public access to the Council Antechamber 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.**

## **Membership of the Standards Committee**

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**Councillors** - Andrews, Connolly, Evans, Good, Lanchbury, Simcock, O'Donovan, N Jackson and G Linnell

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

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## Agenda

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### **Urgent Business**

To consider any items which the Chair has agreed to have submitted as urgent.

### **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.

### **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.

### **Minutes**

To approve as a correct record the minutes of the meeting held on 16 March 2023.

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### **Annual Governance Statement**

The report of the Deputy Chief Executive and City Treasurer is enclosed.

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### **Planning Protocol**

The report of the Director of Planning is enclosed

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

The report of the the City Solicitor and Monitoring Officer is enclosed.

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### **The Member/ Officer Relations Protocol**

The report of the City Solicitor in enclosed.

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## **9. Update Use of Resources Guidance - to follow**

## **10. Work Programme**

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## Information about the Committee

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The Standards Committee comprises six 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,  
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Manchester, M60 2LA

## Further Information

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

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This agenda was issued on **Wednesday, 7 June 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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## **Standards Committee**

### **Minutes of the meeting held on Thursday, 16 March 2023**

#### **Present:**

Councillor Simcock – In the Chair

Councillors: Andrews, Connolly, Evans and Nunney

Ringway Parish Council: Councillor O'Donovan

#### **Apologies:**

Nicolé Jackson - Independent Co-opted Member

Geoff Linnell - Independent Co-opted Member:

Councillor Lanchbury

#### **ST/22/01 Appointment of Chair**

##### **Decision**

The Committee agreed to appoint Councillor Simcock as Chair for the meeting.

#### **ST/22/02 Minutes**

##### **Decision**

To approve the minutes of the meeting held on 3 November 2022 as a correct record

#### **ST/22/03 Standards Committee - Annual Report**

Consideration was given to the report of the City Solicitor, that provided an update on the matters within the remit of the Standards Committee, since the last annual report produced in March 2022 which covered the period from 1 February 2022 up to 31 January 2022.

The report also provided a summary of work undertaken by the Council Monitoring Officer concerning decisions on complaints made between 1 February 2022 to 31 January 2023.

The committee's comments were requested on issues raised within the report and agreement was sought to submit the Annual Report the next meeting of the Council.

The Chair invited member's questions and comments.

A member referred to paragraph 6.5 of the report and asked officers to explain the reasons two complaints listed in the report were not dealt with, due to exceeding the timeframe.

The City Solicitor advised the Committee that the complaints were delayed due to a technical issue in the exchange of emails with the Council's Independent Person. City Solicitor reported that the email issue had been addressed and mechanisms are in place to ensure that all complaints will be dealt with within the timeframe.

The Chair referred to paragraph 4.2 of the report concerning the register of member interests and officers were asked if all elected members had submitted a register of interest's form.

The committee was informed that all elected members are required to have a register of interests in place and during the year, all members are sent four reminders to update their interests form, if required. Two reminders are specific emails, and two emails include the reminder in the Ethical Standards Update. If the elected member has no changes to make since their form was submitted, no update is required. Individual members have the responsibility to update their record, as stated in the Code of Conduct for Members.

## **Decisions**

1. To note the matters reported since the last annual report in March 2022 and the work done by the Council's Monitoring Officer during the period to promote and maintain high standards of conduct by Councillors.
2. To agree to submit the report to the next meeting of the Council on 29 March 2023, to provide assurance on standards matters.

### **ST/22/04 Social Media Guidance for Members update**

Consideration was given to the report of the City Solicitor that provided an update on the operation and efficacy of the Social Media Guidance for Members ('the Guidance').

Reference was made to paragraph 2.1 of the report regarding two complaints relating to social media use. One of the complaints was outside of the scope of the member complaints procedure as it related to the member not acting in an official capacity. The Committee was informed that the number of complaints received is very low with one complaint received in the last year and none received in the year before. The Guidance will be reviewed again in 2024.

The Chair invited member's questions and comments.

Officers were requested to circulate the Social Media Guidance to all members and to include the Guidance within induction materials and training for all newly elected members.

A member referred paragraph 3.1 "Blurred Identities", within the Guidance and instances where an elected member uses a personal social media account for council business matters and suggested that any council related business should be released via a separate council business social media account. Officers were asked

if guidance could be included to advise members that personal and council business should be contained in separate accounts.

Officers noted the issue of maintaining the separation of personal and council business released on elected member's social media and agreed to consider the point made of elected members having two separate accounts.

The Chair referred to the description of social media websites and applications listed in paragraph 2 of the Guidance and asked officers to include the TikTok application to the list. Reference was also made to the 3.1 of the guidance, regarding non-disclosure of information given in confidence. Officers were asked what the reaction would be to a councillor releasing information into the public domain given to them in confidence.

The City Solicitor reported that any confidential information provided to a councillor that is then passed into the public domain by the councillor would be investigated as a potential breach of the Code of Conduct for Members. This would also apply to members of staff where a potential breach would be investigated under the Code of Conduct for Employees.

## **Decision**

To note the report and the comments and suggestions received.

### **ST/22/05 Member Development and Training**

Consideration was given to the report of the City Solicitor that provided details on all training delivered since the last report and noted some minor changes to the Member Development Strategy. The committee was advised that the Strategy is proposed to be updated in 2023 to reflect that responsibility for Member Development has moved from the Statutory Deputy Leader's portfolio to the Deputy Leader's portfolio. An amendment was made to the reference in Appendix B of the report 'Inclusive Leadership Training' with the category changed from 'Mandatory' to 'General'.

The Chair invited member's questions and comments.

A member referred to elected member training, where similar or the same training had been undertaken through the elected member's employer or organisation and asked officers if external training is accredited. Reference was also made to paragraph 5.5 of the report, concerning the number of elected members that had not completed Cyber Security training and the reasons for this.

It was reported that the Council has some specifically designed training packages and there is an expectation that all members complete the training. Members are offered help and support to access and undertake Cyber Security training and other training packages.

The City Solicitor reported that all members have been contacted to request them to undertake the training and welcomed suggestions to achieve 100% take up. Training

on cyber security is a high priority and very important to the council, in view of the potential dangers to the organisation from cyber-attack.

The City Solicitor undertook to write to the elected members that have not completed Cyber Security training, to make them aware of the concern expressed by the Standards Committee and to request the member to complete the training as a matter of urgency. If the training is not completed following a period specified, the matter would then be raised by the City Solicitor through the member's political group.

The Chair referred to Casework system and how the system can be used. Reference was also made members induction training and advice and guidance provided on member advice surgeries.

It was reported that the Casework system provides elected members with a tool to monitor casework and is a stand-alone application. Elected member ward surgeries are covered in induction sessions under health and safety advice to advise on location and times of surgeries and for help on risk assessment of premises used. The content of advice surgeries is not covered within the induction sessions.

## **Decisions**

1. To note the report on training received since February 2022.
2. To approve the proposed changes to the Member Development Strategy.
3. To approve the action proposed by the City Solicitor to write to elected members that have not completed Cyber Security training, to make them aware of the concern expressed by the Standards Committee and to request the member to complete the training as a matter of urgency. If the training has not been completed following the period specified, the matter will then be raised by the City Solicitor through the member's political group.

## **ST/22/06 Members' Update on Ethical Governance**

Consideration was given to the report of the City Solicitor seeking Committee's comments on and approval of the draft Members' Update on Ethical Governance for March 2023.

The Chair invited member's questions and comments.

In welcoming the Update on Ethical Governance, officers were requested to place Cyber Security training as the first article on the Update to raise member awareness of the importance of the training.

## **Decisions**

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



2. To request officers to place Cyber Security training as the first article on the newsletter

### **ST/22/07 Work Programme for the Standards Committee**

Consideration was given to the report of the Governance and Scrutiny Support Unit on the Work Programme for the Committee for the year 2023/24.

A member requested the inclusion of an update report on the process for members to complete Disclosure and Barring Services (DBS) checks and the follow up work to ensure completion.

### **Decisions**

1. To note the Work Programme.
2. To agree that update report on the process for members to complete Disclosure and Barring Service (DBS) checks and the follow up work to ensure completion, is included in the Work Programme.

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**Manchester City Council  
Report for Information**

**Report to:** Standards Committee – 15 June 2023  
**Subject:** Draft Annual Governance Statement 2022/23  
**Report of:** Deputy Chief Executive and City Treasurer

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**Summary**

This report contains the draft 2022/23 Annual Governance Statement (AGS) which has been produced following completion of the annual review of the Council's governance arrangements and systems of internal control. The processes followed to produce the AGS are outlined in the report.

**Recommendations**

Standards Committee is requested to note and comment on the contents of the draft version of the Council's 2022/23 Annual Governance Statement (AGS).

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**Wards Affected:** All

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## 1. Introduction

- 1.1 Local authorities have a legal responsibility to conduct, at least annually, a review of the effectiveness of their governance framework including their system of internal control. Following the review an Annual Governance Statement (AGS) must be produced, approved and published.
- 1.2 Standards Committee are asked to note the findings of the 2022/23 AGS, which is attached as an appendix to this report.

## 2. Format and sections of the document

- 2.1 The content and style of the AGS is reviewed each year to ensure that it remains compliant with the Chartered Institute of Public Finance and Accountancy (CIPFA) guidelines, and that improvements are made where possible. There is a focus in the document on effective public communication, plain and clear language, accessibility of the document, and ensuring transparency and clarity over what the Council's governance challenges are, alongside what is being done to address them.
- 2.2 A more concise document template for the AGS has been used since 2020/21 with the governance challenge update section containing a clearer focus on the high-level summary of the strategic oversight of improvements. Coupled with hyperlinks to the referenced documents and plans, this approach avoids the reproduction of detailed updates which are available in other existing Committee reports. This reduces duplication and delivers efficiencies in resource expended. In 2021/22 accessibility improvements were also made to the layout of the document.
- 2.3 In 2016, the Council fully reviewed and updated its Code of Corporate Governance (the Code) to reflect the seven principles detailed in CIPFA's "Delivering Good Governance in Local Government: Framework (2016)". Alongside the CIPFA principles, the vision and values of the organisation – the Our Manchester principles - are at the heart of the Council's approach to governance. Our Manchester was therefore also integral to the way the standards in the Code were defined when it was reviewed. A streamlined and updated version of the Code was taken to Audit and Standards Committees in November 2022.
- 2.4 A key element of compiling the AGS is an assessment of the extent to which the Council has adhered to the governance standards set out in its Code, and providing a robust evidence base for this, set out in a clear way. This can be seen in Section 4, The Governance Framework.
- 2.5 The AGS includes the following sections:  
  
**1 – Introduction** This section provides a clear, plain language explanation for the lay reader as to what the purpose of the document is.

**2 and 3 - The scope of responsibility and the purpose of the governance framework;** these sections outline the legal requirements for an AGS and its links to the Council's Code of Corporate Governance.

**4 – The Governance Framework;** this describes how the Council has complied with the principles in its Code of Corporate Governance and includes links to online documents where the reader can access more detailed information.

**5 – Annual review of effectiveness of the governance framework;** this section explains the mechanisms by which the Council assesses its governance arrangements, and what conclusions have been drawn.

**6 – Strategic oversight of actions to address the Council's governance challenges in 2022/23;** This section provides a concise high-level summary of strategic actions taken to address the Council's governance challenges for the 2022/23 financial year, as identified in the Action Plan in the previous AGS (2021/22).

**7 – Action Plan: Governance Challenges for 2023/24 Onwards;** this section sets out the key areas which the Council will focus on in 2023/24, to address challenges identified and changing circumstances.

### **3. Process followed to produce the AGS 2022/23**

3.1 To identify significant governance challenges to be addressed during 2023/24 several evidence sources were considered including;

- Analysis of responses from Heads of Services to the online annual governance questionnaires which provide a self-assessment of compliance with the Code of Corporate Governance.
- Significant governance challenges in Partnerships as identified by the Council's Register of Significant Partnerships assessment process.
- A meeting of key Senior Officers with responsibility for Governance, to identify and discuss emerging governance issues
- Consideration of risks identified in the Corporate Risk Register
- Emergent challenges identified by the work of Internal Audit during 2022/23
- Where appropriate carrying forward elements of action points from 2022/23 if substantial further challenges and monitoring is required.
- Annual Report of the Standards Committee - The Council is committed to promoting the highest standards of conduct by members and has adopted a Code of Conduct for all members as part of its constitution. The Annual Report of the Standards Committee is one of the Council's sources of governance assurance.

3.2 These processes, described in more detail in Section 5 of the AGS itself, led to the identified governance challenges described in Section 7. This sets out an Action Plan, which looks ahead to the main challenges where the Council will need to focus attention in 2023/24.

#### **4. Communication of Governance Arrangements**

- 4.1 The Council is committed to improving the transparency of its governance arrangements, and ensuring it publishes clear and concise explanations of these arrangements in a format easily accessible to the public.
- 4.2 **The Council's Code of Corporate Governance** – The Council's Code is written in plain and clear language and is easily accessible on the Council website. CIPFA has highlighted the Council's Code as an example of good practice.
- 4.3 **Accessibility of the AGS** – The AGS has been written in such a way as to make it as accessible as possible for the lay reader, for example by focusing on making the governance challenge updates as plain, clear and concise as possible, and providing evidence and examples for each of the governance principles. As well as being included as part of the Council's Annual Accounts, it is also easily accessible separately on the Council's website. The layout of the document follows digital accessibility best practice guidelines.

#### **5. Next Steps and AGS Timeline**

- 5.1 The next key reporting dates for the 2022/23 AGS are.
- 23 June 2023 – Draft AGS included with the Council's draft Accounts 2022/23
  - 25 July 2023 – Draft Accounts 2022/23 to Audit Committee
- 5.2 Standards Committee is requested to note and comment on the contents of the draft version of the Council's 2022/23 Annual Governance Statement (AGS). Any amendments to the statement requested by Committee will be included in the draft version included with the Accounts and passed to External Audit prior to Audit Committee on 25 July 2023.



# Annual Governance Statement 2022/23

## 1. Introduction

- 1.1 This statement provides an overview of how the Council's governance arrangements operate, including how they are reviewed annually to ensure they remain effective. Governance comprises the systems and processes, culture and values by which the Council is directed and controlled, and through which it is accountable to, engages with and leads the community.
- 1.2 A summary of significant governance challenges which the Council faces is given, alongside an explanation of what actions have been taken to bring about required improvements, and what work is still to be done. This provides transparency and gives assurance that the Council is committed to continuously improve the way in which it functions. More detail on particular topics can be accessed by clicking on the hyperlinks, which are highlighted and underlined throughout the document.
- 1.3 The Council operates in a complex and constantly evolving financial, policy and legislative environment. The role, responsibilities and funding models of local government continue to be in a period of rapid transition. The city continues to progress the delivery of its ambitious Our Manchester strategy, with staff, residents and stakeholders across the city engaged in working towards the realisation of the vision. The Council's Corporate Plan sets out its priority actions for delivering the strategy for the city.
- 1.4 Key challenges for the Council and the city as it continues its longer-term recovery from the COVID-19 pandemic include tackling health inequalities and supporting residents who are impacted by the cost-of-living crisis. Effective leadership and governance of the response to these challenges is critical. Making Manchester Fairer is the city's new action plan to tackle the preventable gap between people with the worst health and people with the best health over the next five years (2022-27), and with a view to the long-term.
- 1.5 The introduction of the Integrated Care System (ICS) arrangements at Greater Manchester level continues to drive the next phase of health and social care integration. The operating model for Manchester's health and social care integration is key to enabling further progress towards achievement of the priorities for the city. These ambitions are for the city to significantly improve health outcomes, tackle health inequalities and develop a financially and clinically sustainable system.
- 1.6 The changes taking place present both opportunities and challenges. Therefore, the Council must continue to engage in a broad programme of innovation and reform work so that it can maintain services for residents which are efficient, effective and deliver value for money using available resources. This document explains the governance mechanisms in place to ensure appropriate oversight of this work.



## 2. Scope of Responsibility

- 2.1 Manchester City Council (the Council) is responsible for ensuring that its business is conducted in accordance with the law and proper standards. It is also responsible for ensuring that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. The Council also has a duty under the [Local Government Act 1999](#) to make arrangements to secure continuous improvement in the way in which its functions are exercised.
- 2.2 In discharging these responsibilities, the Council must put in place proper arrangements for the governance of its affairs and effective exercise of its functions, which includes arrangements for the management of risk. The Council first adopted a Code of Corporate Governance in 2008, which was last updated in November 2022. The Code of Corporate Governance sets out the Council's governance standards. These standards ensure the Council is doing the right things, in the right way in a timely, inclusive, open, honest, and accountable manner. Some of these standards are required by law, while others are a matter for the Council to choose.
- 2.3 The approach to the production of the Annual Governance Statement (AGS) is reviewed annually to ensure that it remains consistent with the principles of the most recent Chartered Institute of Public Finance and Accountancy and the Society of Local Authority Chief Executives and Senior Managers (CIPFA/SOLACE) joint framework for delivering good governance in local government. CIPFA issued an update to the Framework in 2016, which has informed the preparation of the Annual Governance Statement (AGS) from 2016/17 onwards.
- 2.4 This AGS explains how the Council has complied with the Code of Corporate Governance. The AGS also meets the requirements of the [Accounts and Audit \(England\) Regulations 2015](#) regulation 6(1) which requires all relevant bodies to prepare an Annual Governance Statement (AGS).

## 3. The Purpose of the Governance Framework

- 3.1 The governance framework comprises the systems and processes, culture and values by which the Council is directed and controlled, and through which it is accountable to, engages with and leads the community. It enables the Council to monitor the achievement of the city's strategic objectives as set out in the [Our Manchester Strategy - Forward to 2025](#), and to consider whether those objectives have led to the delivery of appropriate, cost effective services. The Council's Corporate Plan sets out the Council's contribution to the Our Manchester vision. The objectives in Our Manchester and Our Corporate Plan are underpinned by the five Our Manchester behaviours;
- We are proud and passionate about Manchester
  - We take time to listen and understand
  - We own it and are not afraid to try new things

- We work together and trust each other
- We show that we value our differences and treat people fairly

3.2 The system of internal control is a significant part of the framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve the Council's aims and objectives and can therefore not provide absolute assurance of effectiveness. The system of internal control identifies and prioritises risks; evaluates the likelihood of those risks being realised and the impact should they be realised; and aims to manage them efficiently, effectively, and economically.

## 4. The Governance Framework

Corporate governance describes how organisations direct and control what they do. The Council operates to a [Code of Corporate Governance](#), updated versions of which are reviewed by Audit Committee. The Code is updated when appropriate, to ensure it reflects the Council's current governance arrangements.

The information below includes key examples of how the Council has adhered to its governance commitments set out in the Code and includes hyperlinks to sources of further information, which include more detail about how the Council has implemented its commitments.

The Council has a broad range of strategies and policies in place, and therefore this is not intended to be an exhaustive list. There is a particular focus in this statement on 'first tier' strategies which deliver on the five key themes of the Our Manchester Strategy (Thriving & Sustainable, Highly Skilled, Progressive & Equitable, Liveable & Zero Carbon, Connected City). More detail about particular areas of interest can be found on the Council's website [manchester.gov.uk](http://manchester.gov.uk).

There are seven core principles of good governance in the public sector, which are set out below (principles 'A' through to 'G'). Each core governance principle has a set of sub-principles beneath it with a description of how we meet those principles. Where applicable, hyperlinks are also provided where you can access more information about key examples of governance in action.

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

#### A1 - Behaving with Integrity

- The Council's 'Our Manchester' approach included four behaviours that demonstrate the attitude and ways of working to achieve the Our Manchester Strategy, with a new fifth behaviour introduced in 2022:
  1. We are proud and passionate about Manchester
  2. We take time to listen and understand
  3. We own it and are not afraid to try new things
  4. We work together and trust each other
  5. We show that we value our differences and treat people fairly

These behaviours represent how we should do things, how we should treat others, what we should say, and how we should say it.

- We're prioritising workforce equality and diversity by creating a more inclusive Council, through delivering the Workforce Equalities Strategy 2022 [Equalities Strategy Implementation Update](#)

## **A2 - Demonstrating Strong Commitment to Ethical Values**

- The Standards Committee champion high standards of ethical governance from elected members and the Council as a whole. A summary of its work is included in its Annual Report to Council. [Standards Committee Annual Report](#)

## **A3 - Respecting the Rule of Law**

- The Council's City Solicitor undertakes the role of Monitoring Officer. The Monitoring Officer ensures that Council decisions are taken in a lawful and fair way, correct procedures are followed, and that all applicable laws and regulations are complied with. The City Solicitor is also responsible for reporting any actual or potential breaches of the law or maladministration to the Full Council and/or to the Executive, and for ensuring that procedures for recording and reporting key decisions are operating effectively. [Our Constitution](#) - article 12.3(b)
- The Chief Finance Officer (Deputy Chief Executive and City Treasurer) has statutory reporting duties in respect of unlawful and financially imprudent decision making. [Our Constitution](#) - article 12.4(a)
- The Council ensures that it complies with CIPFA's Statement on the Role of the Chief Finance Officer in Local Government (2016)

## **Principle B - Ensuring openness and comprehensive stakeholder engagement**

### **B1 - Ensuring Openness**

- The Council's website is set out in a clear and easily accessible way, using infographics and plain language. The information which residents use most, such as about Council Tax, and Waste and Recycling can be accessed quickly and easily from the main page. Design of the site has considered and incorporated understanding of the needs of people with accessibility requirements. [Manchester City Council website](#)
- All Council and Committee meetings are held in public (other than in limited circumstances where consideration of confidential or exempt information means that the public are excluded), with agenda and reports available on the Council's website. Live-streamed webcasts of Council, Executive and Scrutiny committee meetings are available online, as well as in an archive which can be accessed on-demand. [Council Meeting Agendas and Reports](#)  
[Webcasts of Council Meetings](#)

### **B2 - Engaging Comprehensively with Institutional Stakeholders**

- The Our Manchester Forum supports development of effective relationships across leaders of the city's key private, public, voluntary and community

sector organisations and our residents. The Forum benefits the city by driving forward the priorities set out in the Our Manchester Strategy to put Manchester in the top-flight of world class cities by 2025. [Our Manchester Forum Information - The Manchester Partnership](#)

- The Council maintains a list of major partnerships in a Register of Significant Partnerships. This contains an assessment of the level of assurance for the governance arrangements of each partnership, shining a light on areas where improvements may be required - so that these can then be addressed. [Register of Significant Partnerships](#)

### **B3 - Engaging with Individual Citizens and Service Users Effectively**

- Our Manchester Strategy 2016 - 2025 reset was underpinned by a comprehensive engagement exercise in 2020. Approximately 3,800 people were directly engaged with and their views captured, informing [Our Manchester Strategy – Forward to 2025](#)
- To promote transparency and wider engagement with Council decisions, residents can sign up for email e-bulletins and use social media to interact with the Council. [E-bulletins and Social Media](#)
- The Council ensures that community engagement is an integral part of how we work with residents and communities. Engagement activity has been key in the development of recent plans and strategies including [Public Engagement for Manchester Active Travel Strategy](#), [Zero Carbon Focused Communications and Engagement update](#) and the [Children and Young People Participation and Engagement Plan](#).
- Community consultation and involvement is delivered in accordance with the [Campaigning and Engagement Framework \(CEF\)](#).

## **Principle C - Defining outcomes in terms of sustainable economic, social, and environmental benefits**

### **C1 - Defining Outcomes**

- An extensive consultation in 2015 led to a 10-year strategy for the city – the Our Manchester Strategy 2016-2025 – which included a new approach to working across the whole organisation and with residents, partners and other key stakeholders. [Our Manchester Strategy – Forward to 2025](#). Our vision remains for Manchester to be in the top-flight of world class cities by 2025, when the city will be:
  - Thriving and Sustainable – vibrant with a cutting-edge economy involving and fairly rewarding all our people.

- Highly Skilled – work-ready, well-educated young people and all residents supported to take up opportunities.
  - Progressive and Equitable – so all can thrive, with better joined-up support, care and health services.
  - Liveable and Zero-Carbon – safe, enjoyable neighbourhoods with affordable housing, zero-carbon by 2038 using green growth and design, energy, and more climate-resilience.
  - Connected – more walking, cycling and green transport, and accessible digital technology used by and working for everyone.
- Our Corporate Plan sets out the Council’s contribution to the Our Manchester vision. These priorities align with the Our Manchester Strategy and further strengthen the Council and city-wide focus on the importance of Equality, Diversity, and Inclusion. The priorities are;
    - Zero carbon Manchester
    - Growth that benefits everyone
    - Young People
    - Healthy, Cared for people
    - Housing
    - Neighbourhoods
    - Connections
    - Equality
    - Well-managed Council
- We will help to deliver these priorities through new ways of working and by demonstrating the Our Manchester Behaviours.

## **C2 - Sustainable Economic, Social and Environmental Benefits**

- The Council declared a Climate Emergency in July 2019 and developed a Climate Change Action Plan which was approved by Executive in March 2020. Quarterly reports are provided on the progress that has been made in delivering the Plan. [Climate Change Action Plan 2020-25 \(item 37\)](#) [Climate Change Action Plan - Progress Report](#)
- Making Manchester Fairer is the city’s new action plan to tackle health inequalities – the preventable gaps between people with the worst health and people with the best health – over the next five years (2022-27), and with a view to the long-term. The plan is based on what Manchester’s residents and staff from a range of organisations and agencies have told the Council in recent years, as well as the evidence of what works from research and experts on health inequalities. [Making Manchester Fairer Plan](#)
- Our Anti-Poverty Strategy draws upon evidence from residents, organisations, and national research to produce evidenced based recommendations to tackle poverty, its causes, and consequences. [Making Manchester Fairer: Anti-Poverty Strategy 2023-2027](#)
- A new Economic Strategy for the city is being developed during 2023 which will set out Manchester’s approach to growth including focussing on

developing a strong, competitive, inclusive, and resilient economy which will maximise benefits of the city's residents and businesses. This reflects the fact that the economic context for Manchester and the UK has changed considerably since the Our Manchester Industrial Strategy was developed in 2019, and Powering Recovery: Manchester's Recovery and Investment Plan was published in late 2020. [Economic Strategy Update](#)

- The new Housing Strategy explains how the Council will ensure provision of homes that residents want and need, while also considering the role of housing in the context of the Our Manchester Strategy, its contribution to the economic recovery of the city, and zero-carbon objectives. [Manchester Housing Strategy \(2022-2032\)](#)
- Our Work and Skills Strategy sets out how we will use learning and employment to meet the Our Manchester Strategy vision of being a more highly skilled city, and how we will help to create a more inclusive and low-carbon economy in Manchester, where more of our residents are connected to the city's success. A public consultation on the new strategy ran until 9 May 2022. [Work and Skills Strategy 2022-27](#)
- The Council's approach to Social Value reflects the impact that COVID-19 has had on the city, and the role that social value can play in supporting the economic recovery. [Refresh of the Social Value Policy \(item 17\)](#)

## Principle D - Determining the interventions necessary to optimise the achievement of the intended outcomes

### D1 - Determining Interventions

- Decision makers receive accurate, relevant, and timely performance and intelligence to support them with objective and rigorous analysis of options, covering intended outcomes, financial impact and associated risks informing efficient service delivery. This can take the form of regular performance reporting, or bespoke reports. [Executive Reports](#)
- The Future Shape of the Council programme has a workstream focussed on Digital, Data and Insights which includes projects on data management to address data quality challenges. This will ensure all data initiatives follow a well-defined approach to enable uniformity and consistency across systems and solutions and improving insights for decision makers. A key part of this is [The Resident and Business Digital Experience Programme \(RBDxP\)](#)

### D2 - Planning Interventions

- The Council plans its activity at a strategic level through its budget and business planning cycle and does so in consultation with internal and external stakeholders to ensure services delivered across different parts of the organisations and partners complement each other and avoid duplication. The [Council's Budget 2023/24](#)

- The Council Budget and Business Plan are underpinned by individual service plans which set out the core priorities and activities for each service. The service plans also include a service improvement plan and active contributions to the corporate priorities of Zero-Carbon, Equalities, and a Place-Based approach. Service Plans have been further strengthened for the 2023/24 financial year with the inclusion of sections on Finance, Workforce Planning and Performance.

### **D3 - Optimising Achievement of Intended Outcomes**

- The Council integrates and balances service priorities, affordability, and other resource constraints, supporting it to take into account the full cost of operations over the medium and longer term, including both revenue and capital spend budgets. This includes a medium-term financial plan. The report sets out the Framework for the Our Manchester Strategy and Corporate Plan priorities which provide the strategic context for the 2023/24 Budget. [Medium Term Financial Strategy](#)

## **Principle E - Developing the entity's capacity, including the capability of its leadership and the individuals within it**

### **E1 - Developing the Organisation's Capacity**

- The Council's Organisation Development Plan (2021-23) (OD Plan) is the way in which we embed Our Manchester. It builds on existing work to transform the culture of the organisation to deliver against the Our Manchester Strategy. The six priority areas in the OD Plan are; Purpose, Change, Decision and Risk, Diversity and Inclusion, Performance and Development, and Partnerships.
- The Future Shape of the Council programme is reshaping how Manchester delivers services both internally and externally, by using new technologies, ways of working and new delivery models. It is an organisational wide initiative bringing together several programmes designed to strengthen our ability to deliver the Our Manchester Strategy. [Future Shape of the Council](#)

### **E2 - Developing the Capability of the Organisation's Leadership and Other Individuals**

- Immediately following local elections, new Council Members receive an induction into the work of the Council and their role as local members. The format and content are reviewed annually with members. The induction training is also open for existing members to attend. [Member Development and Training – Item 7](#)
- As part of the former Our People strategy, improved induction and appraisal processes ("About You") were introduced. These ensure all staff understand the part they will play in delivering the vision for the city in Our Manchester.



- The Council delivers a comprehensive programme of leadership and management development, which all managers have access to. Progress and support is monitored through the About You process.
- The Council is committed to promoting the physical and mental health and wellbeing of the workforce through both specific interventions and opportunities and as a central part of the role of all managers, through delivery of [The Health and Wellbeing Strategy](#). There is a dedicated intranet page with a wide range of support and guidance for staff and their managers covering a wide range of health and wellbeing topics and a 24/7 Employee Assistance Programme (phone line) providing a range of support.

## Principle F - Managing risks and performance through robust internal control and strong public financial management

### F1 – Managing Risk

- The Council operates a risk management framework that aids decision making in pursuit of the organisation’s strategic objectives, protects the Council’s reputation and other assets and is compliant with statutory and regulatory obligations. The Corporate Risk Register is part of this framework and is an articulation of the key risks impacting the Council. It is used to inform decision making, provide assurance over actions being taken to manage key risks and to inform directorate level risk management planning and mitigation activities. Named risk managers are identified in the Register for its key strategic risks. [Annual Corporate Risk Management Report and Corporate Risk Register](#)
- Staff are appropriately trained to ensure that they manage risk effectively using appropriate methodologies and aligned approaches, for example for Manchester Local Care Organisation. Safeguarding risks are managed in line with professional standards.

### F2 – Managing Performance

- The Council puts in place Key Performance Indicators (KPIs) to monitor service delivery whether services are internal or through external providers. An Integrated Monitoring and Corporate Plan report is provided to Strategic Management Team (SMT) every other month. This brings together analysis of performance, finance, Corporate Plan priority delivery highlights, and risk - to support effective resource allocation, and to shine a light on any challenges so that they can be addressed.

### F3 – Effective Overview and Scrutiny

- The Council has six scrutiny Committees, which hold decision makers to account and play a key role in ensuring that public services are delivered in

the way that residents want. The agenda, reports and minutes are publicly available on the Council's website [Scrutiny Committees information](#)

#### **F4 – Robust Internal Control**

- The Council has robust internal control processes in place, which support the achievement of its objectives while managing risks. The Council's approach is set out in detail in both the latest Annual Corporate Risk Management report, and its Internal Audit Plan. [Internal Audit Plan 2022/23 - Item 6](#)
- The Council has an Audit Committee, in line with CIPFA's 'Position Statement: Audit Committees in Local Authorities and Police (2018)', which provides an independent and high-level resource to support good governance and strong public financial management. The Committee has two Independent Co-opted Members and provides a mechanism for effective assurance regarding risk management and the internal control environment. [Annual Corporate Risk Management Strategy and Risk Register 2022/23](#)
- The Council maintains clear policies and arrangements in respect of counter fraud and anti-corruption. These are the Anti-Fraud and Anti-Corruption Policy; Whistleblowing Policy; Anti Money Laundering Policy and the Anti Bribery Policy. [Committee details - Audit Committee](#)

#### **F5 – Managing Data**

- The processing of personal data is essential to many of the services and functions carried out by local authorities. The Council complies with data protection legislation, which includes UK GDPR (United Kingdom General Data Protection Regulation) and the Data Protection Act 2018 (DPA 2018). This will ensure that such processing is carried out fairly, lawfully, and transparently. [Data Protection](#)
- The Council reviews and supplement its policies, and also keep its processing activities under review, to ensure they remain consistent with the law, and any compliance advice and codes of practice issued from time to time by the Information Commissioner's Office (ICO).
- The Council ensures that officers handling personal data are trained to an appropriate level in the use and control of personal data. It is made clear that all staff and Members are personally accountable for using the Council's information responsibly and appropriately. All staff must undertake protecting information e-learning training, and this forms part of the induction process for new staff. Data protection also forms part of the induction programme for new Members and is included in the Council's new starters induction pack.
- Information Governance is overseen by the Corporate Information Assurance and Risk Group (CIARG) chaired by the City Solicitor who is the Senior Information Risk Officer for the Council (SIRO).

- The Council makes information available to the public via the information access regimes provided for by the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. Data protection legislation, including the Data Protection Act 2018, provides individuals with various rights. The Council ensures that all valid requests from individuals to exercise those rights are dealt with as quickly as possible, and by no later than the timescales allowed in the legislation.  
[Freedom of Information](#) [Environmental Information Regulations](#)

## **F6 – Strong Public Financial Management**

- The Council's approach to Financial Management ensures that public money is safeguarded at all times, ensuring value for money. Its approach supports both long-term achievement of objectives, and shorter term financial and operational performance.
- The Chief Finance Officer (Deputy Chief Executive and City Treasurer) ensures that appropriate advice is given on all financial matters, proper financial records and accounts are kept, and oversees an effective system of internal financial control. The Deputy Chief Executive and City Treasurer ensures well developed financial management is integrated at all levels of planning and control including management of financial risks, systems and processes. The Constitution (Part 5) details the financial regulations which underpin the financial arrangements. [Our Constitution \(Part 5\)](#)
- The Financial Management Code (FM Code) sets out the standards of financial management expected for local authorities and is designed to support good practice and to assist local authorities in demonstrating their financial sustainability. The FM Code was launched in 2019, with the first full year of compliance being 2021/22. Information about the financial resilience assessment which the Council has carried out is set out in Section 5 of this AGS document – 'Annual review of effectiveness of the governance framework'. [Medium Term Financial Strategy](#)
- Section 25 of the Local Government Act 2003 requires that when a local authority is making its budget calculations, the Chief Finance Officer ('CFO') of the authority must report to the Council on the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves. [Medium Term Financial Strategy](#)
- The performance and outcomes delivered through the companies, Joint Ventures and charities which the Council is a party to is monitored through the Commercial Board (chaired by the Deputy Chief Executive and City Treasurer) and Shareholder Panel (chaired by the Deputy City Treasurer). In addition, the Council's loan and equity investments are also tracked through these routes to ensure that expected returns and repayments are in line with contractual agreements and forecasts. Furthermore, the [Register of Significant Partnerships](#) provides additional assurance through the detailed review of a number of entities which is reported to Audit Committee on a bi-annual basis.

- CIPFA's Prudential Code of Practice and Treasury Management Code of Practice sets out the risk framework through which the Council manages its balance sheet and makes capital investment decisions. Alongside the Department for Levelling Up, Housing and Communities (DLUHC) guidance on minimum revenue provision, and the guidance on borrowing from the Public Works Loan Board (PWLB) which seeks to limit borrowing solely for yield, the Council has a strong regulatory framework that it adheres to. The Capital Strategy and capital approval process detail the approach to decision making on capital investments, and the Treasury Management Strategy details the approach for debt management and cash investing, both of which contribute to strong, ongoing financial management of the Council's balance sheet. [Capital Strategy and Budget 2023/24 to 2025/26](#) [Treasury Management Strategy Statement 2023/24](#)

## Principle G - Implementing good practices in transparency, reporting, and audit to deliver effective accountability

### G1 – Implementing Good Practice in Transparency

- The Council follows the Local Government Transparency Code 2015, which includes requirements and recommendations for local authorities to publish certain types of data. [Local Government Transparency Code](#)
- The Council's website is set out in a clear and easily accessible way, using infographics and plain language. Information on expenditure, performance and decision making is sited together in one place and can be accessed quickly and easily from the homepage. [Manchester City Council website](#)

### G2 – Implementing Good Practices in Reporting

- The Council produces a detailed annual State of the City publication, which charts the city's progress towards its vision and priorities in the Our Manchester Strategy. [State of the City Report 2022](#)
- An integrated monitoring and Corporate Plan report is provided to Strategic Management Team (SMT) every other month. This brings together analysis of performance, finance, Corporate Plan delivery highlights and risk - to support effective resource allocation, and to shine a light on any challenges so that they can be addressed.
- A Communities of Identity report will be produced working with communities, Voluntary Community and Social Enterprise (VCSE) organisations, and partners to identify the different experiences of diverse communities in Manchester (due to be taken to Communities and Equalities Scrutiny Committee in July 2023).

### G3 - Assurance and Effective Accountability

- The Council welcomes peer challenge, internal and external review and audit, and inspections from regulatory bodies and gives thorough consideration to arising recommendations. The outcome letter of the Inspection of Local Authority Children's Services for Manchester was published on the Ofsted website in May 2022. This grades the overall effectiveness of children's services as 'Good'. The report notes that services for children in Manchester have significantly improved since the last inspection in 2017, and that many areas of service provide consistent practice for most children and their families. This includes when children first need support, come into care, and leave care. [Inspection of Manchester local authority children's services](#)
- The Council monitors the implementation of internal and external audit recommendations. Assurance reports are presented to Audit Committee and Mazars (the Council's external auditors), summarising the Council's performance in implementing recommendations effectively and within agreed timescales. [Audit Committee meetings](#)
- Public Sector Internal Audit Standards (PSIAS) set out the standards for internal audit and have been adopted by the Council. This process includes the development of an Emergent Audit Plan designed to invite comment from management and the Audit Committee.
- The Council requested a Corporate Peer Review from the Local Government Association (LGA) which took place from 30 November to 3 December 2021. The overall feedback from the peer reviewers was very positive for both the Council and the city. [Manchester City Council Peer Review and Action Plan LGA Corporate Peer Review](#)

## 5. Annual review of effectiveness of the governance framework

- 5.1 The Council has a legal responsibility to conduct an annual review of the effectiveness of its governance framework, including the systems of internal control. After conducting this review, the Council has assurance that its governance arrangements and systems of control are robust and reflect the principles of the Code of Corporate Governance.
- 5.2 The effectiveness of governance arrangements is monitored and evaluated throughout the year, with activity undertaken including:
- **Strategic Management Team (SMT)** - Responsibility for governance and internal control lies with the Chief Executive and the Strategic Management Team (SMT), which meets on a weekly basis to steer the organisation's activity.
  - **Scrutiny and challenge by Council and its Committees** - The Council has four bodies responsible for monitoring and reviewing the Council's governance:
    - 1) **The Executive** - Proposes the budget and policy framework to Council and makes decisions on resources and priorities relating to the budget and policy framework
    - 2) **Audit Committee** - Approves the Council's Annual Accounts, oversees External Audit activity and oversees the effectiveness of the Council's Governance, risk management and internal control arrangements
    - 3) **Resources and Governance Scrutiny Committee** - Considers the implications of financial decisions and changes to corporate, partnership and city region governance arrangements
    - 4) **Standards Committee** - Promotes high standards of ethical conduct, advising on the revision of the Codes of Corporate Governance and Conduct for Members
  - **Consideration of evidence sources to identify the Council's key governance challenges looking ahead to 2023/24 (see Action Plan at Section 7)** - These sources include:
    - Heads of Service online annual governance questionnaires, which provide a self-assessment of compliance with the Code of Corporate Governance. The questionnaire was sent to 52 different service areas, and the response rate was 97%.
    - Significant governance challenges in Partnerships as identified by the Council's Register of Significant Partnerships assessment process.
    - A meeting of key Senior Officers with responsibility for Governance, to identify and discuss emerging governance issues
    - Consideration of risks identified in the Corporate Risk Register
    - Emergent challenges identified by the work of Internal Audit

- Where appropriate, carrying forward elements of action points from 2022/23 if substantial further challenges remain, and ongoing monitoring is required.
- **Head of Audit and Risk Management Annual Opinion 2022/23** - In terms of the year to March 2023, the Head of Audit and Risk Management will provide assurance on the Council's governance, risk, and control framework. The level of assurance to be provided, and full opinion detail will be set out in the Annual Audit Opinion 2022/23 report being taken to June 2023 Audit Committee.
- **External Auditor's Review of the Effectiveness of Governance Arrangements** - The Council's external auditor is Mazars. They submit progress reports and their Annual Audit Letter to Audit Committee.
- **CIPFA Financial Management Code 2019 (FM Code)** - The authority has carried out a credible and transparent financial resilience assessment. This includes consideration of the CIPFA Financial Resilience Index which shows the Council to be relatively well placed on earmarked reserves and in a reasonably comfortable mid position on the other indicators. The only ratio classed as high risk relates to the low council tax base which is well understood and has mitigations in place. The index is not intended to represent the entire story on the financial sustainability of a Local Authority but provides some indicators of potential risk. In addition, the Chief Finance Officer has examined the major assumptions used within the budget calculations and associated risks. The Medium-Term Financial Plan and Capital Strategy have been updated to reflect the 2023/24 budget position including the current and anticipated financial impacts of continuing high levels of inflation.
- **Annual Report of the Standards Committee** - The Council is committed to promoting the highest standards of conduct by members and has adopted a Code of Conduct for all members as part of its constitution. The Annual Report of the Standards Committee is one of the Council's sources of governance assurance.
- **Governance of Significant Partnerships** – Assurance relating to governance arrangements of the Council's significant partnerships is recorded on the Register of Significant Partnerships. Each partnership is self-assessed annually to provide assurance that effective arrangements are in place, and to highlight any governance challenges which need to be addressed.
- **Commercial Governance** – the Council has oversight and assurance for governance in relation to its companies, loans and equity investments via the Commercial Board and Shareholder Panel. Regular performance reporting is reviewed via these forums to ensure that the expected governance standards are met both in terms of the Seven Principles of Public Life and embedding the delivery of zero carbon and social value through organisational approaches.

## 6. Strategic oversight of actions to address the Council's governance challenges in 2022/23

This section provides a concise high-level summary of strategic actions taken to address the Council's governance challenges for the 2022/23 financial year, and the arrangements for oversight of delivery. The seven challenges were set out in the Action Plan at the end of last year's AGS (2021/22). Where relevant, separate detailed progress updates are provided to Project and Programme Boards, and where applicable reports and information are taken to Committees.

### **Action 1 - Embedding and delivery of the Organisation Development (OD) Plan 2021-23 to further improve Council wide governance arrangements.**

#### Governance of actions taken and planned

- Activity continues to be delivered as part of the Organisation Development Plan which includes how we manage change, decision making and our approach to risk. This is underpinned by a renewed focus on ensuring we have good quality support in place, with fit-for-purpose processes and policies for staff and managers across the Council. The OD Plan supports the embedding of the Our Manchester behaviours and involves a continuous programme of activity.
- A [HROD Update report](#) to Resources and Governance Scrutiny Committee in July 2022 provided an overview on HROD activity within the Council, including updates on Our Ways of Working, Service Design and the Performance Management framework and approach.
- HRODT (Human Resources, Organisational Development and Transformation) have implemented an employee led user-centred design approach called Service Design which builds on the insights and experience of staff. The approach reflects the voice of the workforce and sets out activity across six key priorities:
  - Building a sense of purpose and belonging
  - Decision making and risk
  - Improving our approach to performance and development
  - A new approach to change
  - Diverse and inclusive (in conjunction with the Workforce Equality Strategy)
  - Partnerships and relationships

Next steps include a review of the OD Plan with refreshed priorities for 2023-25.

#### Is this governance challenge carrying forward to 2023/24?

Yes

Officer Leads: Director of HRODT, Deputy Chief Executive & City Treasurer, City Solicitor

How this is monitored: Resources and Governance Scrutiny Committee



**Action 2 - Future Shape of the Council – Ensure effective governance of the coordination of, and interdependencies between the work programmes which will deliver the next steps to reshape how Manchester City Council operates, including using new technologies, ways of working and new delivery models.**

Governance of actions taken and planned

- The Future Shape of the Council programme continues to reshape how Manchester delivers services both internally and externally. It is an organisational wide initiative bringing together several programmes designed to strengthen our ability to deliver the Our Manchester Strategy.
- To integrate and align service changes and internal transformations within the functions of HROD, the remit of the HROD Director was extended to include Transformation in November 2022. The Future Shape programme team moved to be within the remit of the Director of HRODT.
- The Deputy Chief Executive and City Treasurer is the Executive sponsor for the programme. The Director of HRODT is the SRO and the programme updates are accountable to SMT. The strategic board for Future Shape schedule to meet quarterly with the four main workstream leads meeting every six weeks.
- The Resident and Business Digital Experience Programme (RBDxP) sits under the Future Shape: Digital by Default, Customer Access and Front Door workstreams. Three core user groups have been devised, made up of service users, residents and businesses, to help design digital services, support implementation and ensure that solutions meet user requirements and accessibility needs.

Is this governance challenge carrying forward to 2023/24?

Yes

Officer Leads: Director of HRODT, Deputy Chief Executive & City Treasurer

How this is monitored: The Executive, Scrutiny Committees

**Action 3 - Governance of the coordination of delivery of our commitments on equality, diversity, and inclusion in relation to Manchester’s citizens, and to our workforce. This includes delivery of both the Workforce Equality Strategy and the Race Equality programme. Also in scope is co-ordination of work to mitigate the negative impacts of health inequalities exacerbated by the COVID-19 pandemic, highlighted by the Marmot report (Building Back Fairer, 2020).**

Governance of actions taken and planned

Equality, Diversity, and Inclusion:

- The Corporate Equality Diversity and Inclusion Leadership Group (CEDILG) which is chaired by the City Solicitor (the SMT lead for equalities) provides

corporate leadership, assurance and direction on equalities diversity and inclusion. They work with staff network chairs in respect of issues raised and provide regular reporting regarding workforce and development.

- Equality, Diversity, and Inclusion work continues to have high visibility across the Council. Reflecting the corporate priority of their work, the Equality, Diversity, and Inclusion (EDI) team has moved to be within the remit of the new Joint Director of Equality, Inclusion and Engagement for the Council and the NHS. The work programme of the EDI team is being aligned with wider work addressing health inequalities highlighted by the Marmot report, and engagement work. The postholder reports into the Director of Population Health.
- The Communities and Equalities Scrutiny committee have considered reports over the past year on: [Safety of Women and Girls](#), the [Armed Forces Covenant Annual report](#), and the [Public Sector Equality Duty \(PSED\) Annual Report 2022](#).
- The [Workforce Equality Strategy Implementation Update](#) was taken to Resources and Governance Scrutiny committee in November 2022. Staff Equality Networks continue to operate, and a new network has been established for Neurodiversity. A training programme called “Let’s Talk About Race” is now embedded as part of the mandatory training package for all staff.
- The Council has procured a new recruitment system, implemented in January 2023, capturing for the first time the protected characteristics data of applicants, which will facilitate the analysis of shortlisted and appointable candidates, and help identify where recruitment procedures may need further development and improvement.

Coordination of work to mitigate health inequalities:

- An [Update on Making Manchester Fairer Task Group](#) was reported to Health Scrutiny Committee in October 2022. The Task Group and Network have oversight of the collective development and delivery of the Making Manchester Fairer Action Plan, and include representatives of the Council, Manchester Local Care Organisation (MLCO), Housing Providers, Police, VCSE, and Health.
- An [Anti-Poverty strategy update](#) was taken to Economy Scrutiny Committee in November 2022 which included the outcome of an Equality Impact Assessment on the strategy, confirming that all communities of identity were more likely to live in or experience poverty. Poverty is a known factor linked to inequality in health outcomes and increased use of health services.

Further work planned for 2023/24 includes a report on Communities of Identity to be taken to Communities and Equalities Scrutiny in July 2023.

Is this governance challenge carrying forward to 2023/24?

Yes

Officer Leads: Director of HRODT, Director of Inclusive Economy, Director of Public Health, Head of Reform and Inclusion, Chief Executive, City Solicitor, Strategic Director – Development

How this is monitored: Resources and Governance Scrutiny Committee, Communities and Equalities Scrutiny Committee

**Action 4** - Governance of the response to national and international demands, including emergency responses. This includes responding effectively to Government-led programmes of support, for example the energy rebate, and support schemes for Afghan and Ukrainian migrants.

Governance of actions taken and planned

- Response to national and international demands entail financial expenditure for the Council and as a result receive scrutiny and governance through the established budget monitoring processes. Responses which incur significant expenditure (that of over £500k) are required by the Council's Constitution to be published on the [Register of Key Decisions](#), to keep Members informed of decisions being made and where appropriate, included in the work programme of the Committee.
- The [Our Manchester Progress Update](#) to Council Executive, provided an overview on the support to Ukrainian evacuees.
- Council Executive meeting in February 2023 reviewed the [Revenue Budget Monitoring Report](#) which included the Energy Rebate Scheme arrangements, the responsibility for which were delegated to the Deputy Chief Executive and City Treasurer, in consultation with the Executive Member for Finance and Human Resources. The design of any discretionary elements of the scheme were subject to agreement by the Council's Anti-Poverty Group – chaired by the Deputy Leader and reported back to the Executive.

Is this governance challenge carrying forward to 2023/24?

No

Officer Leads: Chief Executive, Deputy Chief Executive and City Treasurer, Strategic Director - Neighbourhoods

How this is monitored: Scrutiny Committees

**Action 5** - Ensure effective governance of the next phase of health and social care integration. This includes the next steps in the development of Manchester Local Care Organisation (MLCO) as the delivery vehicle to reduce health inequalities and improve the health and well-being of the people of Manchester, and work to develop the Manchester Operating Model supporting the introduction of the Integrated Care System (ICS) at Greater Manchester (GM) Level from July 2022.

Governance of actions taken and planned

Executive, in October 2022, considered the report on [The Establishment of the GM Integrated Care Partnership Board](#), (GM ICP) and approved the proposal of establishing it as a joint committee, with the proposed terms of reference. The Council's representative on the GM ICP will be the Leader of the Council with the Executive Member for Healthy Manchester and Adult Social Care acting as deputy.

The Integrated Care Board (ICB) for Greater Manchester (NHS GM) was established with effect from 1 July 2022 replacing ten CCGs in Greater Manchester. The existing Section 75 partnership agreement between the Council and the CCG was transferred to NHS GM on that date.

Council Executive February 2023 considered a report of the Chief Executive on [Health and Care Integration: Establishment of Manchester Partnership Board \(MPB\) as the Locality Board of Manchester](#) bringing together responsibility for the pooled budget with the exercise of NHS GM functions delegated to place level.

Health and Wellbeing Boards will continue to play a key role within integrated care systems. MPB's decisions will be informed by the Joint Strategic Needs Assessment and Health and Care Strategy that were produced by the Health and Wellbeing Board, and decisions will be reported to the Health and Wellbeing Board in Manchester.

Is this governance challenge carrying forward to 2023/24?

Yes, and amalgamated with Action 6

Officer Leads: Director of Adult Social Services, Deputy Chief Executive & City Treasurer, Assistant Chief Executive, Deputy Director of Adult Social Services

How this is monitored: Health Scrutiny Committee

**Action 6** - Effective governance with MLCO in preparation for the significant reforms facing Adult Social Care (ASC). This includes the work to move to a Fair Cost of Care, the implementation of the Care Cap, and the planned changes to the Care Quality Commission (CQC) inspection regime.

Governance of actions taken and planned

Fair Cost of Care and Care Cap:

A report on [Charging Reforms and the Fair Cost of Care](#) was taken to Health Scrutiny in November 2022, confirming that a Fair Cost of Care programme has been undertaken in accordance with government requirements and the returns submitted accordingly including:

- Cost of care report for Residential and nursing care for people aged 65+, and Home care for people aged 18+
- Provisional Market Sustainability Plan
- Spend report – containing a breakdown of how funding has been allocated to support 65+ care homes and 18+ domiciliary care markets, and specifies how

much funding has been used for implementation activities and funding fees increase

CQC Reforms:

The Health and Care Act 2022 gave the CQC new regulatory powers to undertake independent assessment of local authorities' delivery of regulated care functions and an [Adult Social Care Assurance Report – Care Quality Commission](#) was provided to Health Scrutiny Committee in January 2023.

Is this governance challenge carrying forward to 2023/24?

Yes, and amalgamated with Action 5

Officer Leads: Director of Adult Social Services, Deputy Chief Executive & City Treasurer, Deputy Director of Adult Social Services

How this is monitored: Health Scrutiny Committee

**Action 7** - Responding to the recommendations from the LGA Peer Review, including developing the next 3–5-year Medium Term Financial Plan and Capital Strategy. This will involve early planning to address challenges including financial risks (for example inflation and ASC reforms), uncertainty about our future resources with the one-year Finance Settlement, potential delays to the proposed funding reforms, and restraints on the capital programme including increased borrowing costs.

Governance of actions taken and planned

The initial [Peer Review Report and Action Plan](#) was taken to Resources and Governance Scrutiny in March 2022 with the delivery of actions being overseen through SMT and by Executive Members.

A follow-up visit for the Peer Review team to check in on progress was held in September 2022.

[A report on the Medium-Term Financial Strategy](#) was taken to Council Executive in February 2023.

Is this governance challenge carrying forward to 2023/24?

No

Officer Leads: Deputy Chief Executive & City Treasurer, Assistant Chief Executive

How this is monitored: Resources and Governance Scrutiny Committee, The Executive

## 7. Action Plan: Governance Challenges for 2023/24 Onwards

The review of governance arrangements has identified five main areas where the Council will need to focus its efforts during 2023/24, to address changing circumstances and challenges identified. These are set out in the section below. Completion or substantial progress against these objectives is due by the end of the financial year, in March 2024.

**Action 1** – Continuing to embed and deliver the Organisation Development (OD) Plan 2021-23 to further improve Council wide governance arrangements.

- Responsible officers (SMT): Deputy Chief Executive & City Treasurer, City Solicitor
- Responsible officers (Directors or Heads of Service): Director of HRODT
- How this is monitored: Resources and Governance Scrutiny Committee

**Action 2** – Effective updating, communication, and accessibility of key policies, including assurance over policy being put into practice. Effectively support the continued development of manager capabilities, to ensure policies are consistently implemented and adhered to.

- Responsible officers (SMT): Deputy Chief Executive & City Treasurer
- Responsible officers (Directors or Heads of Service): Director of HRODT
- How this is monitored: Resources and Governance Scrutiny Committee

**Action 3** – Future Shape of the Council – Ensure effective governance of the coordination of, and interdependencies between the work programmes which will deliver the next steps to reshape how the Council operates, including using new technologies, ways of working and new delivery models.

- Responsible officers (SMT): Deputy Chief Executive & City Treasurer
- Responsible officers (Directors or Heads of Service): Director of HRODT, Director of ICT
- How this is monitored: The Executive, Scrutiny Committees

**Action 4** – Ensure effective governance of the next phase of health and social care integration and reform. This includes:

- The next steps in the development of Manchester Local Care Organisation (MLCO) as the delivery vehicle to reduce health inequalities and improve the health and well-being of the people of Manchester;
- Deliver work to develop the Manchester Operating Model embedding effective delivery of the Integrated Care System (ICS)
- Partnership arrangements to deliver the Making Manchester Fairer Strategy.
- Ensuring alignment with GM of systems and working culture.

Effective governance with MLCO in preparation for the significant reforms facing Adult Social Care (ASC). This includes the work to move to a Fair Cost of Care, the implementation of the Care Cap, and the planned changes to the Care Quality Commission (CQC) inspection regime.

- Responsible officers (SMT): Director of Adult Social Services, Deputy Chief Executive & City Treasurer, Assistant Chief Executive
- Responsible officers (Directors or Heads of Service): Deputy Director of Adult Social Services
- How this is monitored: Health Scrutiny Committee

**Action 5** - Governance of the coordination of delivery of our commitments on equality, diversity, and inclusion in relation to work with communities, our partners, and our workforce. This includes delivery of both the Workforce Equality Strategy and the Race Equality programme. Also in scope is co-ordination of work to mitigate the negative impacts of health inequalities exacerbated by the COVID-19 pandemic, highlighted by the Marmot report (Building Back Fairer, 2020).

- Responsible officers (SMT): Chief Executive, City Solicitor
- Responsible officers (Directors or Heads of Service): Director of HRODT, Joint Director of Equality, Inclusion and Engagement
- How this is monitored: Resources and Governance Scrutiny Committee, Communities and Equalities Scrutiny Committee

**Action 6** - Effective governance of the Housing Services Improvement Plan to ensure the Council delivers improvements to housing for tenants and meets the requirements of the Social Housing Regulator including safe housing. This requires corporate support from different services and directorates to support the insourced Housing Operations service within the Neighbourhoods Directorate.

- Responsible officers (SMT): Strategic Director - Neighbourhoods
- Responsible officers (Directors or Heads of Service): Director of Housing Operations
- How this is monitored: Resources and Governance Scrutiny Committee

**Action 7** – Embedding of new capital governance arrangements to maximise the benefit that can be gained from more limited capital resources. This includes building into the process a stronger approach to planning for place, and a greater focus on neighbourhoods and communities.

- Responsible officers (SMT): Deputy Chief Executive and City Treasurer, Deputy City Treasurer
- How this is monitored: Executive, Resources and Governance Scrutiny Committee

## Conclusion

The governance arrangements as described above have been applied throughout the year, and up to the date of the approval of the Annual Accounts, providing an effective framework for identifying governance issues and taking mitigating action. Over the coming year the Council will continue the operation of its governance framework and take steps to carry out the actions for improvement identified in the review of effectiveness to further strengthen its governance arrangements.

Signed Councillor Bev Craig (Leader of the Council):

Signed Joanne Roney (Chief Executive):



**Manchester City Council  
Report for Information**

**Report to:** Standards Committee - 15 June 2023  
**Subject:** Planning Protocol  
**Report of:** City Solicitor

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**Summary**

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

**Recommendations**

1. To note the position regarding the operation/efficacy of the Planning Protocol; and
  2. To note the proposed amendment to the Planning Protocol.
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**Wards Affected:** All

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**Contact officers**

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**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.
- 1.2. Committee were advised in June 2022 of a proposed change to the protocol. The change proposed relates to the submission of late representations, and in particular proposed introducing a cut-off for their submission. Anything received beyond that cut-off point would not be reported to the Committee. Members indicated support for the principle of having such a cut-off point, to enable the Committee process to be properly managed and to avoid unnecessary delays to committee business caused by unduly late submission of representations.
- 1.3. This proposed amendment was not in fact progressed as an amendment, on the basis that it was a procedural matter rather than a conduct matter for inclusion in the Protocol. Instead, the proposed amendment was progressed as an amendment to the Council's guidance on how to comment on planning applications, available on the Council's website. A copy of the webpage is attached to this report, as Annex 1, for Members' information.

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

- 2.1. Officers continue to be of the view that the Protocol remains effective. There continue to be 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.
- 2.2. Four complaints regarding Member conduct in planning matters were reported to this committee in June 2022. However, all complaints were rejected at the initial stage, without the need for further investigation, and it is not considered that any changes to the Protocol are required in the circumstances.
- 2.3. Since the last report to Committee in June 2022, there have no formal complaints about Members' conduct in Planning Committee.
- 2.4. The fact that members have known to seek advice in relation to interests or potential bias/predetermination situations, and that there have been no recent formal complaints alleging a breach of the Protocol would suggest that the Protocol is effective in achieving its purpose.

## **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. On review it is apparent that, whilst the Protocol mainly uses gender-neutral language, there are some instances where amendment is needed in order to ensure gender-neutral language is used throughout. A copy of the Protocol is attached to this report at Annex 2, with the proposed changes shown as “tracked changes”. These amendments will be brought forward when the constitution is reviewed later this year.

3.3. No further amendments to the Protocol are proposed at this time.

#### **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.

#### **5. Recommendations**

5.1. The recommendations appear at the front of this report

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# Manchester City Council

Home / Planning and regeneration / Planning /

## Commenting on planning applications

- [How to comment on a planning application](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications)  
([https://www.manchester.gov.uk/info/200074/planning/7130/commenting\\_on\\_planning\\_applications](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications))
- [Issues we can consider](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/2)  
([https://www.manchester.gov.uk/info/200074/planning/7130/commenting\\_on\\_planning\\_applications/2](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/2))
- [Planning and Highways Committee](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/3)  
([https://www.manchester.gov.uk/info/200074/planning/7130/commenting\\_on\\_planning\\_applications/3](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/3))
- [How we notify neighbours of applications](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/4)  
([https://www.manchester.gov.uk/info/200074/planning/7130/commenting\\_on\\_planning\\_applications/4](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/4))
- [Other publicity we give to applications](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/5)  
([https://www.manchester.gov.uk/info/200074/planning/7130/commenting\\_on\\_planning\\_applications/5](https://www.manchester.gov.uk/info/200074/planning/7130/commenting_on_planning_applications/5))

## Planning and Highways Committee

### Applications to be considered at committee

Details of the applications being considered at a meeting of the Planning and Highways Committee, together with the reports on the application, can be found on the [agenda page for the committee](https://democracy.manchester.gov.uk/ieListMeetings.aspx?CIId=1516-Year=0) (<https://democracy.manchester.gov.uk/ieListMeetings.aspx?CIId=1516-Year=0>).

### Deadline for comments on applications being considered by committee

Comments and other relevant material are often received after the close of the committee agenda. These will be considered and placed on the public planning file along with all the other papers for the application, subject only to any public exclusion restrictions.

Where this material needs to be brought to the attention of the Committee, so that it can be considered, it will be presented in the Supplementary Information (Late Representation) Report. It will comprise a summary of what has been raised, in the same way as representations are summarised in the main

Committee report, will be circulated to Members of the Committee and published on the Council website as soon as it is ready, but before the Committee commences. Appendix 1, Item 6

The practicality of producing such a report means there must be a cut-off point for the receipt of late material by the Planning Service. Material received after this time will not be reported to the Committee: this includes new issues not previously raised during the formal consultation period. Only matters deemed to be of a highly significant legal or technical nature after consultation with the City Solicitor will be considered.

**The deadline for late comments and materials is noon on the Tuesday before the meeting.**

Material must not be distributed to Planning Committee Councillors by members of the public (including public speakers) or by other Councillors during the meeting. The distribution of such material should be in advance of the meeting through the Planning Service.

**PLANNING PROTOCOL FOR MEMBERS**

**Section B**

**Planning Protocol  
for  
Members and Officers**

**PLANNING PROTOCOL FOR MEMBERS****SECTION B: PLANNING PROTOCOL FOR MEMBERS AND OFFICERS****PLANNING PROTOCOL FOR MEMBERS AND OFFICERS****Introduction**

1. The aim of this Planning Protocol is to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.
2. In this Planning Protocol wherever references are made to the Council's "Planning Committees", this includes the Planning and Highways Committee and any other committee(s) to which planning functions are delegated. No member should be appointed to the Planning Committees unless they have agreed in writing to take part in training in planning matters, including the operation of this Planning Protocol. No member appointed to a Planning Committee should participate in the business of the Planning Committee unless they attend annual training in planning matters.
3. In this Planning Protocol, the expression "planning matter" means any planning application, development, development proposal or plan within the City of Manchester or which materially affects the City and includes the enforcement of planning control. This Planning Protocol sets out the practices and procedures that members and officers of the Council should follow whenever they are involved in planning matters in order to comply with the Code of Conduct for Members (as adopted by the Council from time to time) ('the Code') and the Employee Code of Conduct, respectively.
4. The sections of this Planning Protocol relating to the declaration of interests also apply to members who are not members of the Planning Committee. In making written representations to Planning Committee all members must serve only the public interest and should never seek to improperly confer an advantage or disadvantage on any person.
5. Planning affects land and property interests, including the value of land and the quality of the environment. Decisions affect people's daily lives and the private interests of individuals, landowners and developers. The role of the planning system is to regulate the use and development of land in the public interest. Accordingly planning decisions must be seen to be impartial and properly justified. The planning system can only operate effectively if there is trust among the various stakeholders: the public, applicants, developers, members and officers.
6. Failure to abide by this Planning Protocol may place the Council at risk of proceedings concerning the legality or maladministration of the related decision.



## PLANNING PROTOCOL FOR MEMBERS

### Role and conduct of members and officers

7. Members and officers have different but complementary roles. Both serve the public but members are accountable to the electorate and officers accountable to the Council as a whole.
8. The main duty of members is to represent their constituents as a whole, including those who did not vote for them. This is especially relevant to planning matters where often decisions are taken against the interests of individuals but for the benefit of the wider community. However, case law has established there may be occasions where the need to uphold public trust and confidence in the impartiality of planning decision making requires a restriction of members' representative capacity.
9. The role of members of the Planning Authority is to make planning decisions openly, impartially with sound judgement and for justifiable planning reasons.
10. Although members may take into account the views of others they should not discriminate in favour of any particular group or individual or put themselves in a position where they appear to do so.
11. Members are advised to treat with extreme caution any offer, gift, favour or hospitality that is made to a member personally. Members are referred to the Code and to the Gifts and Hospitality Guidance for Members.
12. Officers who are chartered town planners must act in accordance with the Royal Town Planning Institute's (RTPI) Code of Professional Conduct and breaches of that code may be subject to separate disciplinary action by the Institute. All officers are expected to follow the Council's own Code of Conduct for Employees, or any statutory code which may come into force or be adopted by the Council.
13. Members are free not to follow the advice of the professional officers. Professional officers may also have a change of opinion but this must be on the basis of professional judgement; they must not be allowed to be influenced by members or other officers to change an opinion where this does not genuinely represent their professional view. The Council endorse the RTPI's statement that its members "shall not make or subscribe to any statements or reports which are contrary to their own bona fide professional opinions".
14. The Council has a designated head of the planning service, who is qualified for election to membership of the RTPI and who has direct access to elected members as their professional adviser on planning matters.

### Declaration of disclosable pecuniary interests

15. Part 2 of the Code incorporates the provisions in the Localism Act 2011 concerning the disclosure of pecuniary interests.

## PLANNING PROTOCOL FOR MEMBERS

16. A "Disclosable Pecuniary Interest" is fully defined in the Code and includes, in relation to both members and their partners:
- Employment, office trade, profession or vocation
  - Sponsorship
  - Contracts
  - Land
  - Licences
  - Corporate tenancies
  - Securities
17. It is a criminal offence, if a Member without reasonable excuse:
- a. fails to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
  - b. fails to declare a disclosable pecuniary interest at a meeting if it is not on the register
  - c. fails to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that s/he has disclosed to a meeting
  - d. participates in any discussion or vote on a matter in which s/hethe Member has a disclosable pecuniary interest
  - e. knowingly or recklessly provides false or misleading information relating to disclosable pecuniary interests in notifying the Monitoring Officer or in disclosing such interest to a meeting.
18. Part 2 of the Code also advises members that, if they are present at a meeting and have a disclosable pecuniary interest in any matter to be considered at that meeting:
- members must disclose the interest to the meeting whether or not it is registered
  - members must not participate in any discussion of the matter or in any vote taken on the matter at the meeting and must withdraw from the room of the meeting whilst the matter is being considered.

Members with a disclosable pecuniary interest in a planning matter may apply to the Monitoring Officer for a dispensation to make representations, answer questions or give evidence relating to the relevant planning matter at a meeting, provided that the public are also allowed to attend the meeting for the same reason. Members must declare their interest at any meeting which they attend with a dispensation and must make it clear that their representations are made in a personal capacity rather than in their role as a councillor.

### Declaration of personal interests

19. Part 3 of the Code states that, in addition to disclosable pecuniary interests, members must also register other personal interests defined in the Code.

## PLANNING PROTOCOL FOR MEMBERS

20. Subject to the circumstances outlined in the Code, where members have a personal interest in any business of the Council and attend meetings such as Planning Committee at which the business is considered, they must disclose the existence and nature of that interest at the meeting.

### Declaration of prejudicial interests

21. A member with a personal interest in any business of the Council also has a prejudicial interest if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice the member's judgement of the public interest. A full definition of 'prejudicial interest' appears in Part 3 of the Code.
22. A member with a prejudicial interest must disclose the interest to the meeting and must withdraw from the room where the meeting is held unless s/he is making representations, answering questions or giving evidence relating to the relevant planning matter provided that the public are also allowed to attend the meeting for the same reason. The member must leave the room immediately after making representations, answering questions or giving evidence and must not participate in any discussion of the matter at the meeting or in any vote taken on the matter at the meeting.

### Bias and predetermination

23. The law on bias and predetermination may apply at times when the member concerned does not have a disclosable pecuniary interest or a personal or prejudicial interest as defined by the Code.
24. Predetermination is a principle developed by the courts which has established that a decision taken by a public body is unlawful if the decision maker approaches the decision with a closed mind.
25. Section 25 of the Localism Act 2011 applies when a Court has to consider whether a decision has been validly made. It provides that a "decision taker" is not to be regarded as having a closed mind just because the decision taker had previously done anything that directly or indirectly indicated what view the decision-maker took or would or might take in relation to a matter that was relevant to the decision. The use of the qualifying words 'just because' in Section 25 indicates that some decisions will still be invalid by reason of predetermination notwithstanding the enactment of the section, because all the circumstances surrounding the decision have to be taken into account. Regardless of any predisposition of members to determine an application in accordance with their political views and policies, the members of Planning Committees must approach decision making with an open mind, must listen to the evidence and arguments on both sides and must make decisions with regard to material planning considerations. Members should not have, or appear to have, a closed mind on a planning application prior to its full consideration at Planning Committee.

## PLANNING PROTOCOL FOR MEMBERS

26. Where bias or predetermination or a risk of the perception of bias or predetermination arises, a member of Planning Committee who has, or appears to have, a closed mind about a planning matter in advance of Committee should not participate in the decision making part of the meeting. Members may, in their representative capacity, address the Committee on the planning merits of the application for the same period of time as any member of the public with a right to speak. Members should declare that they cannot participate in the decision taking as a result of having a closed mind in advance of the meeting and withdraw as soon as they have addressed the Committee.

### Development proposed by the City Council or a Council controlled company or agency

27. Planning legislation allows councils, and bodies controlled by them, to submit and determine development proposals which they intend to carry out themselves. These shall be considered in the same way as those put forward by private developers.
28. Decisions shall be taken strictly on planning merits and without regard to any financial gain that the Council - e.g. in its capacity as land owner - may accrue, if the development is allowed. The Council should treat such applications on an equal basis with all other applications.
29. Members of the Planning Committees who hold a position of control or management in another public authority or are appointed by the Council as its representative to another body need to consider their position where such bodies submit planning applications to the Council. In such cases the Code provides that members have a personal interest and need only disclose the nature or existence of that interest when they address the meeting on the business which relates to their public authority or other body, unless the interest is a prejudicial interest. Members should always consider whether it is appropriate to regard themselves as having no prejudicial interest in the light of the specific facts. In addition, because of the appearance of bias, a member should always consider whether it is appropriate to take part in the decision making process. For example, where the member has been or is perceived as being the chief advocate for the proposal *or* has had a significant personal involvement in preparing or promoting the proposal by which ~~s/he~~the Member may be perceived as being unable to act impartially or determine the proposal purely on its planning merits and in the public interest *or* has, or appears to have, a closed mind about the application, this would give rise to an appearance of bias. If the circumstances would give rise to potential allegations of bias, members are advised to explain their involvement and not take part in the decision (see paragraph 26 above).

### Development proposals by individual members or officers or persons related to them

## PLANNING PROTOCOL FOR MEMBERS

30. Serving members or officers should never act as agents for another in pursuing a planning matter. If members or officers submit their own proposal to the Council they should take no part in the processing and determination of that proposal. The Council's Head of Planning should be informed of all such proposals as soon as they are submitted.
31. Proposals for development by members or officers shall be reported to the Planning Committees and should not be determined under delegated authority unless they relate to the residence of a member or officer *and* there are no objections to the application.
32. Officers should not deal with development proposals and planning applications in which they have a personal interest.

### Lobbying of and by members

33. Lobbying is a necessary and legitimate element of the political and democratic process. Those affected by a development proposal often try to canvass support from one or more members of a planning committee. The time for individual members of the Planning Committees to make a decision on a proposal is at the committee meeting when all the relevant information is available and has been properly considered. Members should not close their minds or give the appearance of having closed their minds, particularly in relation to an external interest or lobby group, prior to the Planning Committee meeting. Members who commit themselves in advance to a fixed view as to how the proposal should be determined must withdraw from the room in which the meeting is held and not participate when the Committee is discussing or voting on the application. They may, in their representative capacity, address the Committee on the planning merits of the application (see paragraph 26 above).

(Note: Where a matter is discussed and then deferred from one meeting to another, members may continue to take part in the decision at the second meeting, even if they have expressed views at the first meeting. Members should always keep an open mind and take into account new information presented at the second meeting when they vote)

34. Members are free to listen to a point of view about a particular proposal and to provide procedural advice, (e.g. by referring the person to a particular officer). They should be careful however to reserve their own final judgement on the matter until the Planning Committee meeting.
35. Members should not circulate unofficial papers not previously considered by officers at Planning Committee meetings.
36. Members should not use mobile telephones or hand held devices during the Planning Committee meeting to discuss the progress of the application with any other person.

## PLANNING PROTOCOL FOR MEMBERS

### Membership of lobbying groups

37. If a member is in a position of general control or management of an organisation that has made representations on a particular planning matter then ~~s/he~~the Member is likely to have a personal interest under the Code. Such membership may also give rise to a perception of bias or predetermination (see paragraph 26 above).
38. Whether membership constitutes a prejudicial interest will depend on the individual case. Where their lobby group has expressed a public view on a matter, members must consider whether a member of the public with knowledge of the relevant facts would reasonably regard the member's judgement of the public interest as prejudiced. In deciding whether they have a prejudicial interest, members should consider:
- the nature of the application
  - the nature of their involvement with the organisation
  - the publicly expressed views of the organisation
  - what the member has said or done in relation to issues relevant to the application
39. A personal interest may also be prejudicial where it relates to the determining of any planning application in relation to any persons or bodies described in paragraph 12.3 in Part 3 of the Code (see paragraph 21 above)

### Pre and post application discussions

40. Members of Planning Committees need to uphold their position as impartial decision makers and it would not be appropriate for them to take part in pre or post application discussions with applicants, developers or groups of objectors regarding the proposed development even if they find it desirable as a ward member to attend such meetings'. If it is necessary that they do so in order to fulfil some role other than ward member, this should be part of a structured arrangement agreed with a senior planning officer, who will arrange the meeting and the attendance of an officer at the meeting.
41. Councillors should not participate in pre-application meetings without Officers also being present. Councillors should avoid giving separate advice on the development plan or material considerations as they may not be aware of all the issues at an early stage. Neither should they become drawn at any stage of the planning process into any negotiations, which should be done by officers.

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"Pre and post application meetings" refer to meetings between applicants, developers or groups of objectors and members of Planning Committee, attending in their capacity as a councillor. It does not refer to such meetings where the member is attending in a personal capacity, such as consultation events for proposed development in the vicinity of their home, though members should still be mindful of the provisions in this protocol on interests, bias and predetermination in such circumstances.

## **PLANNING PROTOCOL FOR MEMBERS**

42. During any pre-application discussions or meetings with the applicant, developers or group of objectors that may take place, it shall be made clear by an officer at the outset that the Council will not - as a result of anything during the course of such communication - be bound to make a particular decision and further that any views expressed are provisional only and not those of the Council.
43. A written note shall be made of pre-application meetings at which Councillors are present. At least two officers should be present at meetings likely to arouse controversy as to what took place.
44. Officers and serving councillors must not act as agents for people pursuing planning matters within their authority even if they are not involved in the decision making on it.

### **Officer reports to committee**

45. Officers' reports to the Planning Committees (except to present and update a report) shall be in writing except in the most exceptional circumstances. Oral reports which are material to the Committee's decision shall be minuted.
46. Officers should seek to apply and interpret national and local planning policies in a consistent and objective manner.
47. Reports to the Planning Committees shall be accurate and provide all relevant information. They shall contain a reasoned assessment of the proposal and justification of any recommendation. If an officer's recommendation is contrary to the Development Plan the material considerations which justify this shall be set out clearly.

### **Decisions contrary to officer recommendation**

48. Members shall take decisions on planning matters in accordance with the Development Plan (or its statutory replacement) where relevant unless material considerations indicate otherwise. The reason for a contrary decision should be clear and convincing and fully minuted.
49. In order to ensure an accurate minute of decisions contrary to officer advice, members should ordinarily make a resolution that they are minded to grant or refuse permission. When such a resolution is made, officers will report to the next committee on the proposed course of action and shall produce a written record of the proposed decision and reasons for adoption by the Committee.
50. A senior officer shall be invited to explain to the Committee the implications of a contrary decision before the decision is taken.
51. If the Committee asks for additional planning conditions to be imposed or requests that amendments be made to proposed conditions, officers should prepare the draft condition. Standard conditions may be delegated to officers. Drafting of non-standard conditions which significantly depart from officers'

## **PLANNING PROTOCOL FOR MEMBERS**

recommendations as set out in the committee report should be delegated to officers in consultation with the Chair.

### **Committee site visits**

52. Site visits will be decided upon and carried out in accordance with the provisions of the Site Visit Protocol annexed to this Planning Protocol for Members.

### **Complaints and record keeping**

53. Any complaints made about the planning process should be recorded accurately, and would normally be dealt with in accordance with the Council's established Complaints Procedure, unless it is a complaint which is appropriate to be dealt with as a Standards or Conduct issue, in which case it should be reported to the Council's Monitoring Officer in the first instance.

### **Breach of the Members' code**

54. Breaches of the Code and/or this Planning Protocol by members should be reported to the Monitoring Officer.



## PLANNING PROTOCOL FOR MEMBERS

### ANNEX

#### SITE VISIT PROTOCOL

##### INTRODUCTION

In order to ensure that all Planning Committee site visits relating to planning matters are dealt with consistently and fairly, the following protocol will apply.

##### THE DECISION TO HOLD A SITE VISIT

1. A decision to carry out a site visit may be made where a proposal is contentious or complex and the impact is difficult to visualise or assess from the plans or any supporting presentation, including photographs taken by officers. The visit is intended to enable members to gain knowledge of the proposal and its physical context.
2. The purpose of the site visit is to obtain information relevant to the determination of the application only. The decision should not be arbitrary, unfair or be used as a lobbying device.
3. Site visits can, however, cause delay and additional cost, so should only be used where the expected benefit is clear and substantial.
4. A site visit will be held following a majority resolution of the Planning Committee. In reaching its decision, the Planning Committee, having heard the application and representations, must consider that such a visit would be of substantial benefit to the decision making process. Members should bear in mind that officers will have visited the site prior to writing their report and forming their recommendation.
5. A site visit should not be used as an opportunity to defer consideration or determination of an application.
6. The reason for a site visit based on sound and proper planning reasons must be recorded and minuted.

##### PRACTICAL ARRANGEMENTS FOR THE SITE VISIT

7. The site visit may take place at any reasonable time during any working day (including the day of the Committee) before the Committee meeting at which it is proposed to determine the application.
8. Wherever possible, a site visit should be attended by all members of the Planning Committee.
9. The appropriate Council officers will attend the site visit. This would include the Planning Officer and other officers who may be required to provide specialist advice and information relevant to the application.

## PLANNING PROTOCOL FOR MEMBERS

10. The applicant will be notified of the date and time of the site visit.
11. If it is proposed to enter onto private land as part of the site visit, it will be necessary to obtain permission from the landowner first.
12. A site visit is ordinarily to be attended only by Officers and Members of the Committee.

### PROCEDURE AT THE SITE VISIT

13. The Planning Officer will explain the proposal to members and provide a summary of the objections.
14. Members can ask any questions concerning the proposal to the respective officer(s) in attendance.
15. In the event that anyone other than Officers or Members of the Committee is in attendance, the Chair or Planning Officer (as appropriate) will inform those attending the site visit that they should not approach or attempt to speak to or engage with any member or officer of the Council about the application during the site visit and that this is not an opportunity for lobbying, representations, public address or debate.
16. In order to ensure transparency of public dealing by members, members shall keep together as a group and shall not engage individually in discussion with local members, applicants, objectors and other interested parties present at the site visit.
17. Members should not express an opinion on the planning application or on its merits (or otherwise) at the site visit. Members should be mindful at all times of the need to avoid allegations of predetermination or bias, or the fettering of the Council's discretion in relation to the application.
18. No hospitality may be accepted by members and officers from any party present at the site visit.
19. A note shall be taken by the Planning Officer of any significant events occurring during the site visit.

### PROCEDURE AT COMMITTEE FOLLOWING THE SITE VISIT

20. Officers will provide a brief update to members of any significant additional information or issues raised at the site visit.
21. Following the update, members of the Committee who were not able to attend the site visit should consider whether they have sufficient information before them to enable them to take part in determining the application and, if not, they should take no part in the deliberation and should abstain from the vote on the proposals.

**PLANNING PROTOCOL FOR MEMBERS**

22. Particular care should be taken by members who have proposed or voted in favour of a site visit

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**Manchester City Council  
Report for Information**

**Report to:** Standards Committee – 15 June 2023  
**Subject:** The Gifts and Hospitality Guidance for Members  
**Report of:** The City Solicitor and Monitoring Officer

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**Summary**

This report considers the operation and efficacy of the Gifts and Hospitality 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.
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**Wards Affected:** All

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**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 June 2022. That report considered the efficacy and operation of the Guidance up until the 12 May 2022.
- 1.2 This report covers the period from 13 May 2022 to 18 May 2023 when the report was written.
- 1.3 The Guidance was last considered at the review of the Council's Constitution carried out in November 2022 and no substantive changes were made. A further review of the Constitution will take place later this year.
- 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 email reminders were sent on 17 May 2022 and 9 January 2023
- 2.3 The Committee is advised that six members updated their Register of Interests form in connection with entries relating to gifts and hospitality during the period 13 May 2022 and 18 May 2023. The first entry concerned complimentary tickets for the Halle Concert Society received by the member concerned as part of their role as a Board Member. The relevant entry on the Member's form states as part of their role it is expected that they attend various concerts over the year. Part of their role is also to bring new audiences to the Halle, and this involves passing on complimentary tickets. No estimated value of these tickets was provided. The second concerned a donation of £100 received as a donation for a campaign to which the member is a beneficiary. The relevant entry on the Member's form states "Crowd Justice campaign as one of 4 beneficiaries. Maximum donation from one individual was £100 collected on our behalf but paid direct to the solicitors Rahman Lowe Total amount raised £4075." The third relates to 6 complimentary tickets for

Manchester City Football Club in December 2021 and 2 additional complimentary tickets for the same Football club in March 2022. No estimated value of the tickets was provided. The entries concern events which took place outside the period to which this report relates but were made by a councillor who was only elected in May 2022. The fourth Register of Interests form which was updated contained reference to a week-long residential course in Durham 2017 by Unite Political School and a week-end residential course in 2018 by Unite Future. No specific or estimated value of these courses was provided. It would appear that strictly speaking these two entries are no longer required on the Member in question's register, however they were still provided on their latest update made on 18 May 2022. The fifth entry concerned a donation of £100 from Field Consulting, this was donated to a charity of which the member concerned is a trustee. The final entry relates to 2 complimentary tickets including a meal for a football match between Watford and Preston North End. No specific or estimated value of the tickets was provided. The Monitoring Officer continues to be of the view that the level of new entries is unsurprising. It is also the Monitoring Officer's view 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 13 May 2022 and 18 May 2023.
- 2.5 Whilst the Lord Mayor is of course subject to the terms of the Code specific provision is also made in the guidelines for the Lord Mayor and Deputy Lord Mayor. 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. The guidance also advises that whilst undertaking engagements care must be taken by the Lord Mayor to guard against being seen to solicit gifts.
- 2.6 A copy of the List of Gifts and Hospitality received by the Lord Mayor who has held office during the period which the report covers is attached as Appendix 2.  
The Committee will note that an assessment by the Curatorial Manager of gifts numbered 30-46 on the spreadsheet was scheduled to take place during the week commencing 22 May 2023. However, the assessment did not take place as planned and was rescheduled for 7 June. As this was the deadline for publication of this report it was not possible to update the spreadsheet. Any gifts that the Lord Mayor received as a ward councillor will be on their Register of Interests.
- 2.7 The Monitoring Officer is of the view that bearing in mind the number of events the Lord Mayor has to attend in their civic capacity the level of entries is again unsurprising. In deciding which gifts can be retained by the Lord Mayor or retained in the 'Town Hall Collection', care needs to be taken not to cause offence to the donor if they intended the gift to be for the Lord Mayor

personally. In addition, gifts are sometimes engraved to personalise them or they may be given to specifically mark a particular occasion, event or visit carried out by the incumbent Lord Mayor. Gifts provided in these kinds of circumstances will either be added to the Town Hall Collection or, if the Curatorial Manager decides not to add them, dealt with in accordance with the agreed process mentioned in paragraph 2.5 above again having regard to the overarching principle of ensuring no offence is caused to the donor. The Committee is advised that the agreed process for assessing gifts is kept under review to ensure that it is appropriate and works well.

- 2.8 As things currently stand the Monitoring Officer does not consider that any amendment of the Gifts and Hospitality Guidance for Members is required. However, Members of the Committee are advised that a report on the Adoption of the Local Government Association Code for Members will be considered at a future meeting and any consequential changes which are required following that report will be picked up then.

### **3.0 Recommendations**

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



**GIFTS AND HOSPITALITY**

**Section D**

**Gifts and Hospitality  
Guidance for Members**

## GIFTS AND HOSPITALITY

### 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

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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

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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

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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  
2nd 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

### 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 **2023** and shall be reviewed every year thereafter or earlier where there is a change in the applicable law or circumstances warrant an earlier review.

**REGISTER OF GIFTS AND HOSPITALITY RECEIVED BY LORD MAYOR - 13 MAY 2022 TO 18 MAY 2023**

Office to complete when Lord Mayor presented with gift

No	Date	Person/Organisation	Provenance - Reason for gift (particularly relevant if gift added to Town Hall Collection inventory)	Gift Description	Value	Retained by: Town Hall Collection* / Libraries / We Love MCR Charity / Lord Mayor OR Awaiting Assessment by Curatorial team**	Recorded by
<b>Lord Mayor, Councillor Tommy Judge</b>							
	13/05/2022 - 17/05/2022	No gifts received during this period					
<b>Lord Mayor, Councillor Donna Ludford</b>							
	18/05/2022 - 19/05/2022	No gifts received during this period					
1	20/05/22	European Taekwondo Union	Lord Mayor hosted a Civic Reception for European Taekwondo Union in Lord Mayor's Suite	Replica Thracian Mask - 5th century BC golden mask discovered in the village of Shipka, some 200km east from the Bulgarian capital Sofia, in August 2004. Kitov unearthed the ancient gold mask and a ring featuring an 'Olympic' rower in what he called an unrivalled find in the study of classical antiquity. The artefacts likely belonged to a 5th century BC leader of the Thracians, the dispersed tribes who once lived in parts of what is now modern-day Bulgaria, Romania, Macedonia, Turkey, and Greece.	Approx £40.00	Lord Mayor	Donna Willis
2	27/05/22	Olive Pathway organisation (Tackling Domestic Abuse and Gender Based Violence within BME Communities)	Lord Mayor attended 'I Am Exhibition' in St Peter's Square with creator of exhibition and Olive Pathway organisation	Bouquet of flowers	Approx £15.00	Lord Mayor (perishable item)	Donna Willis
3	31/05/22	Consul General of Iraq in Manchester	Consul General's Office delivered some flowers for Lord Mayor to the Lord Mayor's Suite	Bouquet of flowers	Approx £25.00	Lord Mayor (perishable item)	Lesley Domnitz
4	24/06/22	Góbéfest	Lord Mayor opened Gobefest in Cathedral Gardens	Selection of alcohol - 12 x 500ml bottles of beer, 1 x 50cl bottle Tiltott Csiki Sorparlat, 1 x 50cl bottle of Ceseru, 1 x 50cl bottle of Birsal Fruit Palinska, 1 x 40ml bottle of Malna Parlat, 1 x 50ml bottle of Budapest Barack Palinka	Approx £50.00	Donated to We Love MCR Charity	Lesley Domnitz
				2 small glasses	Approx £5.00	Lord Mayor	Lesley Domnitz
5	20/07/22	Pupil from Trinity High School	Lord Mayor attended Year 9 Graduation at Trinity CE High School	Box of Lindt Selection chocolates	£14.00	Lord Mayor (perishable items)	Donna Willis
6	10/08/22	Azeema Foundation	Lord Mayor attended annual Adam Day celebration	Glass Award with engraving: "Thank you Lord Mayor of Manchester Councillor Donna Ludford for participating in Adam Day 2022. We appreciate your support. 20th Anniversary Celebrations. Azeema Foundation"	Approx £15.00	Lord Mayor	Lesley Domnitz
7	11/08/22	Consul General of Turkey	Lord Mayor received Consul General of Turkey for courtesy call in Lord Mayor's Suite	Ornate flower-shaped mirror (boxed)	£25.00	Lord Mayor	Lesley Domnitz
8	27/08/22	Salford City Reds ladies rugby team	Lord Mayor attended Manchester Pride Parade. A group of women from Salford City Reds taking part in parade presented Lord Mayor with a signed rugby ball	Signed Rugby Ball	£9.99	<b>Town Hall Collection</b> (assessed by Nerys Rudder on 14/12/2022)	Donna Willis
9	06/09/22	Consul General of Portugal	Lord Mayor received Consul General of Portugal for courtesy call in Lord Mayor's Suite	Book (hardback) - 'Madeira - The Book' by Cristina Leitão	£10.00	Donated to Libraries	
10	26/09/22	Rusholme ward residents	Lord Mayor hosted Afternoon Tea for Rusholme ward residents in Lord Mayor's Suite	Selection of Marks and Spencer chocolates and biscuits: Operetta chocolates; Irish cream liqueur chocolates; Belgium biscuits; Italian soft nougat and personalised cake	£3.89 / £3.79/ approx £8 / approx £3.50 / approx £15	Lord Mayor (perishable items)	Jenna Prevost
11	26/09/22	SLS College, Pakistan	Lord Mayor received Councillor Muqaddasah Bano and two guests from SLS College, Pakistan for a photo opp in Lord Mayor's Suite	Appreciation Award (wooden plaque)	Approx £10	Lord Mayor	Donna Willis
12	30/09/22	Visitor from USA (Honorary King of a territory in Ghana)	Lord Mayor received visitor from USA as part of Black History Month in Lord Mayor's Suite	I Change Nations Medal on ribbon	Approx £5	Lord Mayor	Donna Willis
13	12/10/22	Australia Rugby League World Cup 2021 team (event delayed 12 months due to Covid)	Lord Mayor hosted Civic Reception for Australia team participating in Rugby League World Cup 2021 in Lord Mayor's Suite	Australia 'Kangaroos' Rugby League World Cup Signed Jersey	Over £100	Donated to We Love MCR Charity	Jenna Prevost
14	15/10/22	International Brigade Memorial Trust	Lord Mayor opened International Brigade Memorial Trust AGM	A4 poster - 'Spain 1936-1939 Remembering Those Who Died Fighting Facism' and British Battalion Major Attlee Company 15th International Brigade flag	£10.00	Lord Mayor	Jenna Prevost
				Book (Hardback) - 'The Nurse Who Became A Spy - Madge Addy's War Against Facism' by Chris Hall inscribed "To Donna Ludford. Salud, Chris Hall. PS. A new road, health centre or school named after this Manchester heroine should be seriously considered"	£25.00	Donated to Libraries	

15	15/10/22	Wythenshawe Hall	Lord Mayor attended reopening of Wythenshawe Hall	Book (paperback) - 'A Lost Wythenshawe' by Iain McLean inscribed "15 October 2022 To Madame Lord Mayor Donna Ludford"	£16.95	Donated to Libraries	Jenna Prevost
16	18/10/22	Woodhouse Park ward residents	Lord Mayor hosted Afternoon Tea for Woodhouse Park ward residents in Lord Mayor's Suite	CD 'Taiwan Aboriginal Gospel Song - Song for choir'	£10.00	Lord Mayor	Jenna Prevost
				Book (paperback) - 'Time to Act - A resource book by the Christians in Extinction Rebellion' by Jeremy Williams inscribed "With prayers for action together in Manchester and globally. Dandelion Community Wythenshawe (The United Reformed Church)"	£12.00	Donated to Libraries	Jenna Prevost
17	20/10/22	Mayor of the Municipality of Castelo Branco, Portugal	Lord Mayor hosted Civic Luncheon to welcome the Mayor of the Municipality of Castelo Branco, Portugal in Lord Mayor's Suite	Embroidered table cloth	£50.00	<b>Town Hall Collection</b> (assessed by Nerys Rudder on 14/12/2022)	Lesley Domnitz
18	22/10/22	University of Nigeria Alumni Association (UK)	Lord Mayor opened the University of Nigeria Alumni Association (UK) 2022 Convention at Ininside Hotel, First Street	Men's bow tie and handkerchief (green, red and yellow)	£8.00	<b>Town Hall Collection</b> (assessed by Nerys Rudder on 14/12/2022)	Lesley Domnitz
				Earrings	£10.00	Lord Mayor	Lesley Domnitz
				Book (paperback) - 'The Adventures in the Magical Forest' by Ifechidelu Didi Orji inscribed: "To the Honourable Donna Ludford, I hope this book encourages you to keep using the magic inside you"	£4.00	Donated to Libraries	Lesley Domnitz
				Book (paperback) - 'For The Love of Mothers' by Njideka Chika Orji inscribed: "To The Worshipful, the Mayor of Manchester, Councillor Donna Ludford. Soar on"	£4.00	Donated to Libraries	Lesley Domnitz
				Notebook - 'Grace After Grace' inscribed: "To The Worshipful, the Mayor of Manchester, Councillor Donna Ludford. From MC @ UNAA-UK 5th Convention. Date: 22-10-2022. May your light continue to shine"	£4.00	Lord Mayor	Lesley Domnitz
19	26/10/22	Tokyo Metropolitan Government delegation	Lord Mayor hosted Afternoon Tea for Tokyo delegation attending Young Carers event with MMU and Council	Tokyo Lucky Cat promotional soft toy, Tokyo promotional pen, Tokyo sugar candy	£10 / £2 / £2	Lord Mayor	Jenna Prevost
20	09/11/22	Ambassador of Portugal for the UK	Lord Mayor received Ambassador of Portugal for courtesy call in Lord Mayor's Suite	Ceramic fish labelled 'A Sardinha de Lisboa'	£26.20	Lord Mayor	Lesley Domnitz
21	14/11/22	Student Leader, Sports Authority of Thailand	Lord Mayor hosted Afternoon Tea for students from Sports Authority of Thailand in Lord Mayor's Suite	Wooden presentation box containing 3 commemorative medals - Gold, Silver and Bronze	£20.00	<b>Town Hall Collection</b> (assessed by Nerys Rudder on 14/12/2022)	Lesley Domnitz
				O-Kusarin Elephant patterned fabric tote bag x 2	£20.00	Lord Mayor	Lesley Domnitz
				Set of two porcelain cups and saucers in presentation box	£25.00	Lord Mayor	Lesley Domnitz
22	14/11/22	UG Art and Culture Group	Lord Mayor received UG Art and Culture Group in Lord Mayor's Suite	Bouquets of flowers x 3	£45.00	Lord Mayor	
				Embroidered shawl (red and gold)	£20.00	Lord Mayor	Lesley Domnitz
				Gown (grey)	£15.00	Lord Mayor	Lesley Domnitz
				Kurta (navy)	£25.00	Lord Mayor	Lesley Domnitz
23	14/11/22	Ambassador of Romania for the UK	Lord Mayor received Ambassador of Romania for courtesy call in Lord Mayor's Suite	Book (hardback) - 'Carpathia - Food from the Heart of Romania' by Irina Georgescu	£16.75	Donated to Libraries	Lesley Domnitz
24	17/11/22	Representative of the Mayor of Khmelnytskyi, Ukraine	Lord Mayor received representative of the Mayor of Khmelnytskyi, Ukraine in Lord Mayor's Suite, with Mayor Oleksandr Symchyshin and Deputy Mayor Vavryshchuk Mykola of the City of Khmelnytskyi, Ukraine joining via video link	Book (hardback) - 'Khmelnytskyi Region' (in Ukrainian language)	£15.00	Donated to Libraries	Lesley Domnitz
				Postcards	£3.00	Lord Mayor	Lesley Domnitz
25	17/11/22	Manager of Turkish Airlines in Manchester	Lord Mayor received Mr Onur Sayin, Consul General of Turkey for Manchester, along with Manager of Turkish Airlines in Manchester, in Lord Mayor's Suite	Ornamental brass incense burner	£15.00	Lord Mayor	Lesley Domnitz
26	21/11/22	Resident of Ancoats ward	Lord Mayor hosted Afternoon Tea for residents of Ancoats and Beswick ward in Lord Mayor's Suite	Black t-shirts x 2 (one size 12-13 and one size S) - Front design: Gold star with a picture of tree in the centre and surrounded by the words 'Keep Youth Work Alive Know Your Roots', a bee and the Queen's profile. Rear design: Follow & Support @keepyouthworkalive. Youth Mentoring #lifeskills #martialarts #antibullying #streetdefence #careersupport #lifenotalife and a logo of Franks Team	£10.00	Lord Mayor	Lesley Domnitz
				Red baseball caps. Design: 'Life' x 2	£15.00	Lord Mayor	Lesley Domnitz
27	22/11/22	Chorlton Arts Festival	Lord Mayor hosted Afternoon Tea for residents of Chorlton Park ward in Lord Mayor's Suite	Mug and pen celebrating 20 years of Chorlton Arts Festival	£7.50	Lord Mayor	Lesley Domnitz
28	23/11/22	President of Bikes for Peace for Norway	Lord Mayor received President of Bikes for Peace for Norway for courtesy call in Lord Mayor's Suite	Books x 2 - 'Pedal on for World Peace' by Tore Naerland	Approx £10 each	1. Donated to Libraries 2. Lord Mayor	Jenna Prevost
29	02/12/22	The Shaw Centre, Cheetham Hill	Lord Mayor attended Sweet Dreams at Christmas Book Launch	Book - 'Sweet Dreams at Christmas' by The Shaw Centre	£8.00	Donated to Libraries	Lesley Domnitz
<b>GIFTS ASSESSED TO HERE BY CURATORIAL TEAM*</b>							
30	07/12/22	Together Trust	Lord Mayor attended Together Trust Christmas Carol Service	Finger paintings of Father Christmas x 2	£2.00	Awaiting Assessment	Lesley Domnitz
				Book - 'Understanding' by D-vonte Devonish	£5.00	To donate to Libraries	Lesley Domnitz



31	10/12/22	Manchester Lithuanian School	Lord Mayor attended Manchester Lithuanian School Christmas Afternoon	Framed 'Thank You' letter and engraved wooden cut out of Lithuania	£10.00	Awaiting Assessment	Lesley Domnitz
32	14/12/22	Consul General for Turkey	Christmas Present	Bottle of Kavaklidere Cankaya white wine	£9.00	Donated to We Love MCR Charity	Lesley Domnitz
33	15/12/22	Representative of the Mayor of Khmelnytskyi, Ukraine	Representative of the Mayor of Khmelnytskyi, Ukraine dropped off gifts following meeting between Councillor Bev Craig, Leader of the Council and Mayor of Khmelnytskyi, Ukraine. Lord Mayor was unable to attend the meeting	Traditional Ukrainian top (dark navy and white)		Awaiting Assessment	Lesley Domnitz
				Lacquer wooden box with flower design	£20.00	Awaiting Assessment	Lesley Domnitz
				Ukrainian Gerdan Necklace	£10.00	Awaiting Assessment	Lesley Domnitz
34	16/12/22	Rainbow Personnel	Deputy Lord Mayor attended the Rainbow Personnel Christmas Gala representing the Lord Mayor	Bouquet of flowers	£20.00	Deputy Lord Mayor (perishable item)	Lesley Domnitz
35	19/12/22	Artist	Lord Mayor opened 'From Millworkers to Millennials' exhibition at Central Library on 13 October 2022	Screen print of New Islington	£95.00	Awaiting Assessment	Lesley Domnitz
				Screen print of Manchester Town Hall with message on the rear: "Donna, Thought this screen print would be a suitable reminder of your amazing year in office as Lord Mayor of Manchester as well as being kind enough to open my exhibition."	£150.00	Awaiting Assessment	Lesley Domnitz
36	20/12/22	Consul General of Libya	Christmas Present	Tin of traditional Libyan sweets	£5.00	Lord Mayor (perishable items)	Lesley Domnitz
37	10/01/23	Deputy Consul General of Iraq in Manchester	Lord Mayor received Deputy Consul General of Iraq for courtesy call in Lord Mayor's Suite	Bouquet of flowers	£30.00	Lord Mayor (perishable items)	Lesley Domnitz
				Hotel Chocolat Everything Collection	£29.50	Lord Mayor (perishable items)	Lesley Domnitz
				Model of Minaret Al-Hadba, Mosul, 1172	£15.00	Awaiting Assessment	Lesley Domnitz
				Set of 5 models of Iraqi historical monuments - Lion of Babylon, Nimrod, Ishtar Gate - Babylon, Zaggurat Ur and The Code of Habburabi 1792 BC	£20.00	Awaiting Assessment	Lesley Domnitz
38	13/01/23	Manchester CECCC Chinese School	To thank Lord Mayor for signing Certificates for Chinese New Year	Year of the Rabbit 2023 soft toys x 3	£5.00 each	Awaiting Assessment	Donna Willis
39	16/01/23	Director for Environmental Policy, The Environment Bureau of Osaka City Government	Lord Mayor hosted Afternoon Tea for delegation from Osaka on 3 day visit to Manchester hosted by GMCA, in Lord Mayor's Suite	Japanese printed square scarf	£15.00	Awaiting Assessment	Donna Willis
40	27/02/23	Communities for All	Lord Mayor attended Communities for All coffee morning at Khizra Community Hall	Book - 'The Islam Guide - An insight into the faith, history and civilisation' by Exhibition Islam and Rahida Begum Alam	£15.00	To donate to Libraries	Lesley Domnitz
				Book - 'A Brief Illustrated Guide to Understanding Islam' by I A Ibrahim	£5.00	To donate to Libraries	Lesley Domnitz
41	18/03/23	Mayor of the Municipality of Castelo Branco, Portugal	Lord Mayor attended Official Visit to Castelo Branco, Portugal - Visit to Silk Museum	Cream coloured 'Eloseda' 100% Naural Silk/Seda fabric (approx size 24" x 12")	£25.00	Awaiting Assessment	Jenna Prevost
42	18/03/23	Mayor of the Municipality of Castelo Branco, Portugal	Lord Mayor attended Official Visit to Castelo Branco, Portugal - Visit to Silk Museum	Small Castelo Branco 'Marafona' Fabric Doll, decorated by children of Castelo Branco (approx size 4") (Item has a tag attached describing the significance of such a doll)	£15.00	Awaiting Assessment	Jenna Prevost
43	19/03/23	Parish Councillors of Sarzedas	Lord Mayor attended Official Visit to Castelo Branco, Portugal - Meeting with the British community of Castello Branco	White porcelain 'tart tray' with blue and yellow decorative pattern, produced by Vista Alegre 1824	£70.00	Awaiting Assessment	Jenna Prevost
44	20/03/23	Mayor of the Municipality of Castelo Branco, Portugal	Lord Mayor attended Official Visit to Castelo Branco, Portugal - Official Ceremony marking the Agreement on Establishment of Friendly and Cooperative Relations between Manchester and Castelo Branco	Embroidered frontal cloth	£75.00	Awaiting Assessment	Jenna Prevost
45	27/03/23	Federation of Chinese Associations of Manchester (FCAM)	Lord Mayor invited to speak at The Third China-Europe Cross-Border E-Commerce Forum at Manchester Central Convention Complex	Conference delegate pack: water bottle, note book, pens x 3, balancing desk ornament	Approx £10.00 in total	Awaiting Assessment	Donna Willis
46	10/05/23	Communities For All	Lord Mayor received volunteers from Communities for All in Lord Mayor's Suite	Bouquet of flowers	£10.00	Lord Mayor (perishable items)	Lesley Domnitz
47	13/05/23	Manchester Dialogue Society	Lord Mayor received members of the Manchester Dialogue Society in Lord Mayor's Suite	Framed A3 photograph of the Lord Mayor	Approx £20.00	Awaiting Assessment	Lesley Domnitz

#### ASSESSMENT OF GIFTS

\*Meg McHugh, Curatorial Manager, Our Town Hall Project or Nerys Rudder, Collections Officer, Our Town Hall Project will assess gifts every 3-6 months to decide which gifts should be retained for Town Hall Collection. The remaining gifts will either be donated to Libraries (eg books), donated to the We Love MCR Charity (eg alcohol) or given to the Lord Mayor to keep. Any perishable gifts (eg flowers) will be given direct to the Lord Mayor.

14/12/2022 - Nerys Rudder assessed gifts numbered 1 to 29. Nerys identified 4 gifts to be added to the Town Hall Collection, Nos. 8, 17, 18 and 21 (highlighted)

\*\*May 2023 - Assessment of gifts numbered 30-46 to be arranged w/c 22 May 2023.

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**Manchester City Council  
Report for Information**

**Report to:** Standards Committee – 15 June 2023

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

**Report of:** City Solicitor

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**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

1. The position set out in the report regarding the operation and efficacy of the Member/Officer Relations Protocol
  2. That the Protocol will be reviewed in the event that full Council adopts a revised Code of Conduct for Members.
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**Wards Affected:** All

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**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 last reviewed by the Council in November 2022 no changes were deemed necessary in respect of the Protocol other than to change the review date to annual review. 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. As indicated in the March 2022 report to this Committee this is reflected in the report relating to the LGA Corporate Peer Challenge in November - December 2021 which indicated:

*‘Officer and member relationships are good at MCC. They work collaboratively, there is clarity of role and a strong sense of joint purpose. We found an unshakable commitment to the city by the council’s members, staff and all the partners; this joint sense of purpose is a massive strength. As one stakeholder told us ‘Everyone is on the same page-we want the best for Manchester’*

- 2.2 The Member Induction Programme includes a session dealing with conduct and ethical standards issues, which includes a section on the Protocol. As indicated in the report on member development considered by the Committee at its last meeting the Member /Officer Relations Protocol was also covered in the bespoke ‘induction’ session for Executive members held, for the first-time

last year. 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, should a revised Code of Conduct for Members be adopted by full Council a full review of the Protocol will be undertaken to ensure the Protocol aligns with the revised Code.

### **3.0 Recommendation**

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

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**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.

### 2. REVIEW OF PROTOCOL

- 13.1 This protocol was last reviewed in **2023** and shall be reviewed every **year** thereafter, or earlier where there is a change in the applicable law or circumstances warranting an earlier review.

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**Manchester City Council  
Report for Resolution**

**Report to:** Standards Committee – 15 June 2023  
**Subject:** Work Programme for the Standards Committee  
**Report of:** Governance and Scrutiny Support Unit

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**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.

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**Wards Affected:** All

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**Financial Consequences for Revenue Budget** None

**Financial Consequences for the Capital Budget** None

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

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## Standards Committee Work Programme – 15 June 2023

### 15 June 2023

Annual Governance Statement (AGS)	To consider the AGS insofar as relates to matters within the remit of the Standards Committee	Sean Pratt/Liz Collier	Annual Governance Statement (AGS)
Planning Protocol	To review the operation and efficacy of the Protocol.	Robert Irvine / Julie Roscoe	Planning Protocol
Gifts and Hospitality Guidance for Members	To review the operation and efficacy of the Guidance.	Ian Mark	Gifts and Hospitality Guidance for Members
The Member/ Officer Relations Protocol	To review the operation and efficacy of the Protocol.	Poornima Karkera	The Member/ Officer Relations Protocol
The Use of Council Resources Guidance for Members	To review the operation and efficacy of the Guidance.	Steve Hollard	The Use of Council Resources Guidance for Members
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

### 2 November 2023

Code of Corporate Governance	To consider the draft Code of Corporate Governance	Sean Pratt	
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	
Members Disclosure and Barring Services (DBS) checks and completion	To receive an update report on the process for members to complete Disclosure and Barring Services (DBS) checks and the follow up work to ensure completion	Heather Graham (Strategic Head of Human Resources) and Leigh Page (Head of HR Operations)	
Dispensations	To review the operation and efficacy of the	Poornima Karkera	

## Standards Committee Work Programme – 15 June 2023

	process for granting dispensations.		
Adoption of Local Government Association (LGA) Model Code of Conduct for Members	To consider an updated Manchester City Council Code of Conduct for Members	Poornima Karkera/ Steve Hollard	
Register of Members Interests	To consider the operation of the Register of Members' Interests.	Poornima Karkera	
Operation and efficacy of the Arrangements for dealing Complaints made under the Members' Code of Conduct	Arrangements for Investigating Complaints made under the Members' Code of Conduct	Poornima Karkera	
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

### 14 March 2024

Annual Standards Report	To note and review the work done in the last year to promote and maintain high standards of conduct by members.	Poornima Karkera/ Peter Hassett	
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	

## Standards Committee Work Programme – 15 June 2023

Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	
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### June 2024 (TBC)

Annual Governance Statement (AGS)	To consider the AGS insofar as relates to matters within the remit of the Standards Committee	Sean Pratt/Liz Collier	Annual Governance Statement (AGS)
Planning Protocol	To review the operation and efficacy of the Protocol.	Robert Irvine / Julie Roscoe	Planning Protocol
Gifts and Hospitality Guidance for Members	To review the operation and efficacy of the Guidance.	Poornima Karkera	Gifts and Hospitality Guidance for Members
The Member/ Officer Relations Protocol	To review the operation and efficacy of the Protocol.	Poornima Karkera	The Member/ Officer Relations Protocol
The Use of Council Resources Guidance for Members	To review the operation and efficacy of the Guidance.	Poornima Karkera	The Use of Council Resources Guidance for Members
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

### Unscheduled Items

Procedure for the Local Hearing of Allegations of Misconduct by Members of the Council	After next hearing has taken place.
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### Documents/Procedures/Protocols – within the remit of the Committee

Document/Procedure/Protocol	Last Reviewed	Date Due for Review	Comments
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## Standards Committee Work Programme – 15 June 2023

The Code of Corporate Governance	November 2022	November 2023	Standards Committee to retain responsibility of CCG (June 2021)
The Annual Governance Statement	June 2022	June 2023	Standards Committee to retain responsibility of AGS (June 2021)
Members' Code of Conduct	Updated annually as needed as part of annual review of constitution. June 2022* (*Company Directorships)	June 2023	Under consideration by Monitoring Officer.
Arrangements for Investigating Complaints made under the Members' Code of Conduct	November 2022	November 2023	
Gifts and Hospitality Guidance for Members	By Full Council February 2023 By Standards Committee June 2022	June 2023 (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	By Council February 2023 By Standards Committee June 2022	June 2023 (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 Use of Council Resources Guidance for Members	By Standards Committee June 2022	June 2023 (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 2022	March 2024 (or earlier where there is a change in the law or circumstances warrant an earlier review)	

## Standards Committee Work Programme – 15 June 2023

The Planning Protocol for Members	June 2022	June 2023	Reviewed annually as part of the Council's Constitution
Member Development Strategy / Member Training	March 2023	March 2024	
Procedure for the Local Hearing of Allegations of Misconduct by Members of the Council	June 2021	After next Hearing has taken place.	
Register of Members Interests	June 2022	November 2023	

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