

Standards Committee

Minutes of the meeting held on Thursday, 2 November 2023

Present:

Nicolé Jackson, Independent Co-opted Member – In the Chair
Councillors Andrews, Connolly, Evans, Lanchbury and Simcock
Councillor O'Donovan, Ringway Parish Council

Apologies: Councillor Good, Geoff Linnell, Independent Co-opted Member, Alan Eastwood, Independent Person

ST/23/41. Minutes

Decision

To approve the minutes of the meeting held on 15 June 2023 as a correct record.

ST/23/42. Member Code of Conduct

Consideration was given to the report of the City Solicitor that asked the Committee whether to support the adoption of the LGA Model Code of Conduct for Members or retention of the Council's current code, both of which were appended to the cover report. Members noted the Monitoring Officer's views regarding adoption of the LGA Code.

Members commented that the Manchester Code of Conduct for Members was more robust than the LGA Code. The Chair noted that whilst the LGA Code specifically referenced bullying and harassment, the Manchester Code did refer to 'respect' and the Committee commented that they were satisfied that the inclusion of the word respect would cover any allegation of harassment.

The Chair commented that she was of the opinion that the format of LGA Model Code of Conduct for Members was slightly confusing to the reader, adding that this was not the case with the Manchester Code of Conduct for Members.

Decision

To recommend to full Council that the Council retain its current Code of Conduct for Members.

ST/23/43. Update report on the Disclosure and Barring Service (DBS) checks for Elected Members

The Committee considered the report of the Strategic Head of Human Resources that provided an update on the process for elected members to complete Disclosure and Barring Service (DBS) checks and the follow-up work that had been carried out by the Human Resources Organisational Development and Transformation (HROD&T) Compliance Team to ensure completion of the checks. This followed the

decision made by full Council in 2018 that a criminal record check should be carried out for all elected and co-opted members who undertake “saved” regulated activities in line with the Council’s Corporate Parenting Responsibilities in safeguarding children, young people, and adults.

The report listed the proposals to make the process as straightforward as possible for elected members to complete any outstanding DBS checks.

The Committee noted that there were five Members who had not yet completed a DBS check. Members acknowledged that Officers had done as much as was possible to support Councillors to complete the required checks. The Committee therefore supported the recommendation proposed by a Member to refer the outstanding cases to the relevant Group Officer/ Leader to ensure that the checks were completed.

In response to a question asked regarding potential sanctions for any Councillor failing to complete a DBS checks, the Assistant Director of Legal Service: Governance stated that whilst DBS checks were voluntary and there were no formal sanctions as such, it was important to note that it had been agreed by the Council in 2018 that DBS checks be carried out for all members. She indicated that ultimately it was a matter for the relevant political group as to the consequences for a member who fails to comply with a decision of full Council.

The Chair of the Committee stated that if any Member had a concern about completing a DBS check they should discuss this with the Monitoring Officer at the earliest opportunity.

In response to a question, the Head of HR Operations advised the Committee that a DBS check was valid for three years and was carried out on a rolling basis as and when the checks expired.

The Committee requested that an update report be submitted to the Standards Committee meeting of 14 March 2024.

Decision

The Committee

1. Support the proposals set out in Section 5 of this report in order to make the process as straightforward as possible for elected members and assist with the completion of the outstanding checks.
2. Recommend that the outstanding five DBS cases be referred to the relevant Group Officer/ Leader to assist in ensuring the completion of the outstanding DBS checks.
3. Recommend that an update report be submitted to the Standards Committee meeting of 14 March 2024.

ST/23/44. Process for Dispensations

The Committee considered the report of the City Solicitor and Monitoring Officer that discussed the operation and efficacy of the process for granting dispensations in relation to Members' Interests, noting that the Committee last received a specific report regarding dispensations at its meeting on 16 June 2022. The Annual Report received by the Committee on 16 March 2023 also provided a brief update on the grant of dispensations.

The report described that it was the Monitoring Officer's view that the requests for dispensations that had been made had been sought in appropriate circumstances and that the level of requests for dispensations did not give rise to concern.

Decision

To note the report.

ST/23/45. Register of Members Interests

The Committee considered the report of the City Solicitor and Monitoring Officer that discussed the operation and efficacy of the Register of Members' Interests, noting that the Committee last received a specific report on this issue at its meeting on 16 June 2022. The Annual Standards Report considered by the Committee at its meeting on 16 March 2023 had also contained a short update on the Register of Members' Interests.

The report described that the Monitoring Officer was of the view that Register of Interests requirements are understood by Members but would, as a matter of good practice, continue to issue specific guidance to all Members regarding declaration of interests at meetings.

Decision

To note the report

ST/23/46. Review of the Operation and Efficacy including a proposed amendment of the Arrangements for dealing with Code of Conduct complaints against Members

The Committee considered the report of the City Solicitor and Monitoring Officer that provided an update on the operation and efficacy of the Arrangements for dealing with Code of Conduct complaints against Members ('the Arrangements') and to set out the Monitoring Officer's proposal for an amendment to the Arrangements.

A copy of the Arrangements was provided as an Appendix to the report with the proposed amendments to paragraphs 2.1 and 2.2 shown as tracked changes and any proposed additional wording in bold. The proposed amendments related to the need for any complaint to be in writing, with appropriate reasonable adjustments for complainants who were not able to do so.

Other than the proposed amendments to paragraphs 2.1 and 2.2 of the Arrangements it was noted that the Monitoring Officer was satisfied that the Arrangements remained fit for purpose and was not aware of any issues arising from their operation.

Decision

The Standards Committee:

1. Note the Monitoring Officer's information on the operation and efficacy of the Arrangements for dealing with Code of Conduct complaints against Members.
2. Recommend to full Council the Arrangements as amended.

ST/23/47. Work Programme

Consideration was given to the report of the Governance and Scrutiny Support Unit that presented the Work Programme for the Committee. The Committee were invited to approve or amend the Work Programme as appropriate.

The Chair noted that under discussion of a previous agenda item it had been agreed to include a report on the Disclosure and Barring Service (DBS) checks for Elected Members for the meeting scheduled for 14 March 2024.

Decision

The Committee note and approve the Work Programme, subject to the above additional item for the meeting of 14 March 2024.