



Standards Committee

Date: Thursday, 1 November 2018

Time: 10.30 am

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

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

Filming and broadcast of the meeting

Meetings of the Standards Committee are 'webcast'. These meetings are filmed and broadcast live on the Internet. If you attend this meeting you should be aware that you might be filmed and included in that transmission.

Membership of the Standards Committee

Councillors - Andrews, Connolly, Cooley, Evans, Kilpatrick and Lanchbury.

Councillor O'Donovan (Ringway Parish Council)

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

Independent Person

Ms S Beswick

Agenda

- 1. Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.
- 2. Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Minutes** 5 - 8
To approve as a correct record the minutes of the meeting held on 14 June 2018.
- 5. Draft Code of Corporate Governance** 9 - 36
The report of the Deputy Chief Executive is attached.
- 6. Members' Update on Ethical Governance** 37 - 44
The report of the City Solicitor is attached.
- 7. Planning Protocol** 45 - 50
The report of the City Solicitor is attached.
- 8. Standards Committee Annual Report** 51 - 62
The report of the City Solicitor is attached.
- 9. Whistleblowing Policy** 63 - 94
The report of the City Solicitor is attached.
- 10. Consideration of the introduction of DBS checks for all Members**
The report of the City Solicitor will follow.
- 11. Work Programme** 95 - 100
The report of the Governance and Scrutiny Support Unit is attached.

Information about the Committee

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

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

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

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

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
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Further Information

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

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This agenda was issued on **Wednesday, 24 October 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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Standards Committee

Minutes of the meeting held on 14 June 2018

Present

Independent Co-opted Member: N Jackson – In the Chair
Councillors Andrews, Connolly, and Evans
Ringway Parish Council: Councillor C O'Donovan

Apologies

Councillors Cooley, Kilpatrick and Lanchbury
Independent Person: A Eastwood
Independent Person: S Beswick
Independent Co-opted Member: G Linnell

ST/18/11 Minutes

Decision

To approve the minutes of the meeting held on 15 March 2018 as a correct record with the correction of some typographical errors.

ST/18/12 Member Development

The Committee received the report of the City Solicitor which reported on the induction programme delivered to new Councillors in May 2018, the training provided to Councillors over the last 12 months and set out the proposed Member Development strategy for new and existing Councillors.

There were 15 new Councillors elected at the May 2018 election, and all have now undergone induction training. The 2018 programme was divided into two sessions. The first session focused on legal and constitutional matters, including code of conduct for members, gifts and hospitality guidance, data protection, member / officer relations, access to information/need to know, use of Council resources guidance, Social Media guidance and governance and decision making. There was also an interactive session where members worked through a case study.

The second session, held three weeks later, focused on key information, including 'Our Manchester', listening in action events and an invitation to attend the 'Our Manchester Experience', Budget and key strategies, Equality, Health and Safety. Training for Councillors covered the Strengths and Development needs audit for Councillors (see below) and e-learning opportunities. There was also a presentation on casework. The first part was delivered by a neighbourhood team strategic leader focusing on their service and how they can support members. The second part was delivered by an experienced Councillor and focused on practical advice and tips.

Officers told the Committee that a training needs analysis has been produced by HROD which will feed back to the Member Development Working Group (MDWG). The analysis has been designed to assist with the development of a more focussed

and proactive approach to member development, and while this is an encouraging start the end result should be a documented programme with very clear reporting and responsibility streams. Officers explained that there will be a further detailed report to the November meeting to include findings of the current exercise, Terms of Reference and an explanation of the resources available.

The Committee were also told that another experienced member will join the MDWG, and while the Committee welcomed the addition questioned whether this should be another group officer, or a member who did not hold a group office? Officers agreed to feedback this comment to the MDWG for their consideration.

The Committee broadly welcomed the improvements in the development and training programme, but added that some of the development training should be open to all members, particularly that around Budget and Key Strategies. In addition, the Committee commented that there should be alternatives to e-learning packages where the learning was currently exclusively presented in this way, as this could be a barrier to some members accessing training if they were uncomfortable with this method of delivery.

The Committee also requested that the detailed report in November include information regarding the steps that are or could be taken if members do not attend training and whether there are any sanctions available. They also requested that information be clearly delineated between the number of members who expressed an interest in training and those who ultimately registered to attend the training, as in some cases members could express an interest and later realise that they were unavailable to attend the arranged session so did not finally enrol.

The Committee did comment that the volume of training that had been offered over the year, as shown in the Appendix did seem to be limited given the size of the authority.

Decision

1. To note the report.
2. To provide further feedback on the detailed report to be received in November.

ST/18/13 Standards Committee - Annual Report

The Committee received the report of the City Solicitor which reported on the work undertaken by the Council's Monitoring Officer and the Standards Committee since November 2016 in relation to the matters within the remit of the Committee.

The Committee agreed at its March 2016 meeting to move the scheduled date of its annual report from November 2017 to March 2018 to better inform the Council's Annual Governance Statement (AGS) by collating at the most appropriate time the assurances provided by the Committee based on its work during the municipal year. For this reason the date of the Standards Committee Annual report was moved from November 2017 to March 2018.

The Committee commented that the table of complaints received was in a new and more helpful format. Officers explained that an emerging theme of complaints seemed to be around bullying and aggressive conduct, but that as complainants are encouraged to self identify the type of complaint this was not always the most appropriate fit for the description of the behaviour complained of.

The Committee commented that while they agreed that member training did include the more serious aspects of aggressive behaviour and bullying, there might be a need for some softer skill training in areas such as conflict management and dealing with difficult situations.

Officers confirmed that the outcomes to complaints at all stages were always in conjunction and agreement with the Independent Person, and agreed that the table heading should clearly reflect this. Officers confirmed that they will amend the column heading accordingly.

Decision

1. To note the work done in the last year by this Committee and by the Council's Monitoring Officer to promote and maintain high standards of conduct by Councillors.
2. To agree that the report should be forwarded to full Council for assurance on standards issues.
3. To note that the next report will be in November to continue to synchronise with the Annual Governance Statement.

ST/18/14 Standards Committee – Work Programme

The Committee received the report of the Governance and Scrutiny Support Unit which allowed the Committee to consider and revise its work programme for future meetings.

Officers explained that there was a section for unscheduled items, and that some of these would most appropriately be included in other reports, for example, the review of the operation and efficacy of the process for granting dispensations.

However, the Committee also decided that they wanted a separate report on the operation and efficacy of the process for updating the Register of Members Interests as the current process relied on members being proactive in reporting changes, which might not always occur to them. The Committee suggested that there be a schedule of reminding members that it was important that their entry in the register of Members Interests was up to date at all material times.

Officers confirmed that a review was being undertaken regarding processes and procedures that supported the Register of Members Interests, and that the review outcomes would be reported back to the Committee in March 2019. Officers agreed that this issue would be considered as part of the review.

Decision

To note the report.

Manchester City Council Report for Information

Report to: Standards Committee – 1 November 2018

Subject: Draft Code of Corporate Governance

Report of: Deputy Chief Executive

Summary

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

Recommendations

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

The Code will subsequently be submitted to Audit Committee, and then to Council for approval within the Constitution.

Wards Affected: All

Contact Officers:

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1. Introduction and Context

- 1.1 The Accounts and Audit Regulations 2015 require local authorities to conduct at least annually a review of the effectiveness of their governance framework including their systems of internal control. This review must be documented in an Annual Governance Statement (AGS) and published as part of the Council's Annual Accounts. The Statement must be prepared in accordance with proper practices, including those set out in CIPFA and IFAC's¹ *"Delivering Good Governance in Local Government: Framework (2016)"*.
- 1.2 The Framework has applied to Annual Governance Statements prepared for the financial year 2016/17 onwards. The AGS involves an assessment of the extent to which the Council has adhered to the governance standards set out in its Code of Corporate Governance (the Code).
- 1.3 In 2016 the Council's Code was fully updated in accordance with the revised Framework. Alongside the CIPFA principles, the vision and values of the organisation – the Our Manchester principles - are at the heart of the Council's approach to governance. Our Manchester was therefore also integral to the way the standards in the Code were defined when it was reviewed.
- 1.4 It is necessary to keep the Code under review to ensure the contents remain accurate, up to date, and that they reflect all applicable relevant legislation. While substantial changes are not proposed for this update of the document, some amendments are required. Changes include:
 - Inclusion of GDPR (General Data Protection Regulation) and DPA (Data Protection Act) 2018.
 - Wording to reflect updated policies, such as the Capital Strategy and GMCA (Greater Manchester Combined Authority) policies.
 - Additional wording to note the Council's commitments in relation to delivering sustainable economic, social and environmental benefits which strengthens the links between the Code and the evidence base included in the AGS.
 - An expanded explanation of how the Council achieves intended outcomes, for example by considering Social Value through procurement.
- 1.3 The Code sets out the governance standards for the Council but deliberately does not include details of how these standards will be achieved. This will be described in the next Annual Governance Statement which will set out evidence of compliance for each different aspect of the Code. Standards Committee is invited to review the draft Code and comment on the extent to which it feels the governance standards described are the right ones for the Council.

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

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

2. Next Steps

- 2.1 The Code will be submitted to Audit Committee on 10 December 2018. The Code forms part of the Council's Constitution and will therefore then be submitted to Council for adoption and inclusion within a revised Constitution at its meeting in January 2019.

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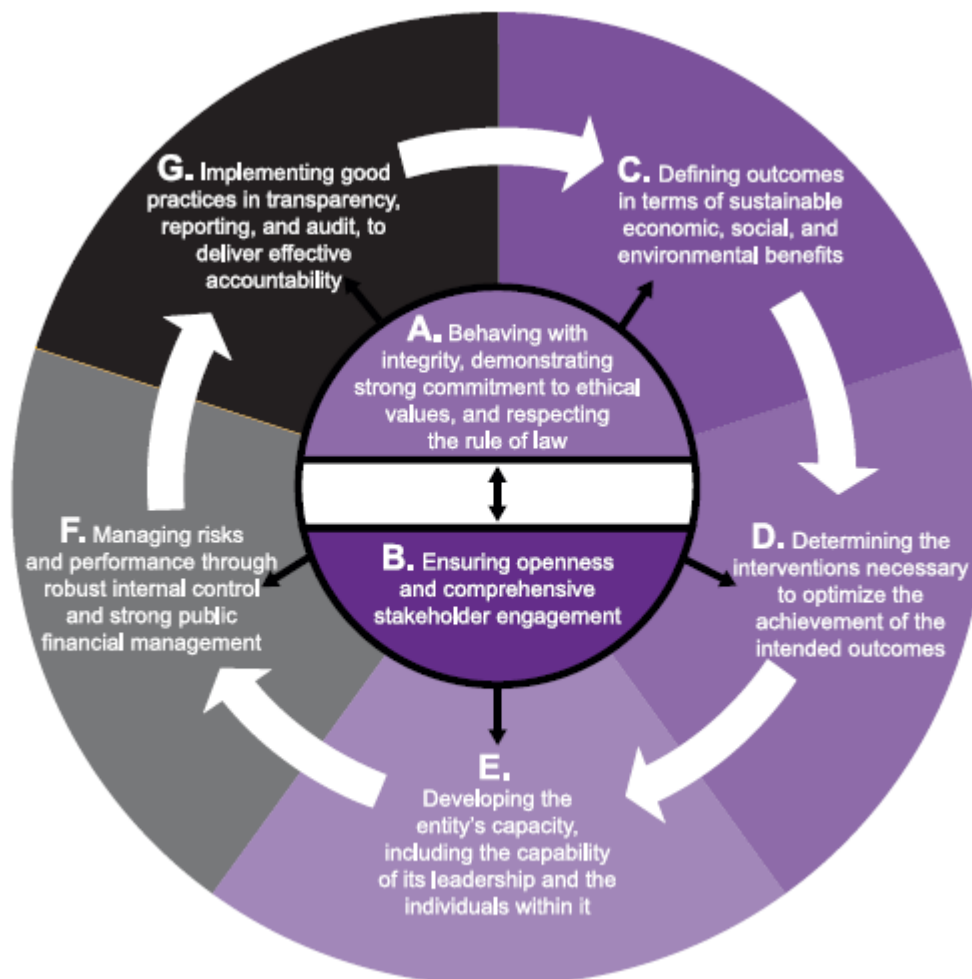
SECTION G

MANCHESTER CITY COUNCIL

CODE OF CORPORATE GOVERNANCE

Introduction

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



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

The International Framework describes governance as follows:

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

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

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

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

Principles of Governance in the Greater Manchester Combined Authority

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

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

The Council's Corporate Governance Principles

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

Behaving with Integrity

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

The Council has adopted a new approach ('Our Manchester') which includes four central principles that underpin everything the Council does, including how it works with partners, how it makes decisions and how it serves local communities:

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

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

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

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

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

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

Demonstrating Strong Commitment to Ethical Values

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

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

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

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

Respecting the Rule of Law

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

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

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

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

unlawful and financially imprudent decision making. These duties are detailed at, respectively, Article 12.3(b) and Article 12.4(a) of the Council's Constitution.

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

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

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

B. Ensuring openness and comprehensive stakeholder engagement

Openness

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

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

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

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

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

Engaging Comprehensively with Institutional Stakeholders

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

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

In support of its application of the framework, the Council maintains a [Register of Significant Partnerships](#) listing all the Council's key partnership arrangements and

assessing the strength of their governance arrangements. The Council will ensure Members and Officers are clear about their roles and responsibilities, both individually and collectively, in relation to the partnerships they are involved in and to the authority.

Engaging with Individual Citizens and Service Users Effectively

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

As part of its Our Manchester approach the Council focuses on ‘strengths based’ conversations with residents and communities, to draw out and start from what the positive assets of people and places are. This could be said to be using the principle of a conversation that is centred on “what’s strong” rather than “what’s wrong”.

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

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

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

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

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

The Council takes account of the impact of decisions on future generations of tax payers and service users, its commitment to doing so is matched by the commitment of the members of its Youth Council, which acts to ensure young people have a stronger voice enabling them to make their views heard and to be involved in

decision making in the city. The Council also uses relevant communication channels that younger people are more likely to engage with.

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

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

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

Defining Outcomes

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

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

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

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

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

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

The city's role in delivering Our Manchester will provide a key element of support for the linked objectives of the Greater Manchester Combined Authority (GMCA), as set out in the Strategy launched in October 2017; ["The Greater Manchester Strategy – Our People, Our Place"](#).

Sustainable Economic, Social and Environmental Benefits

The Council is committed to considering the full combined economic, social and environmental implications of its decisions through thorough data analysis and

consultation with affected parties so that its decisions advance the achievement of the city's vision. The Our Manchester Strategy is an integral part of the Council's decision making process. The Council will set out in reports recommending a decision, the impact the decision will have on the five broad objectives in the Our Manchester Strategy.

The Council's budget and business planning process involves equality action planning. Under this process the Council sets out how it will work towards its agreed [Equality Objectives](#) and where Equality Impact Assessments are required to assess the impact of proposals which may have an impact on different communities of interest across the City. The Council strives to ensure fair access to services, which services monitor individually, and the extent to which this is occurring corporately is shown through the biennial ['Communities of Interest'](#) publication (future publications will be called 'Communities of Identity').

The Council is committed to working with partners to play its part in delivery of the pledge in the Our Manchester Strategy that *'Manchester will play its full part in limiting the impacts of climate change and by 2025 will be on a path to being a zero carbon city by 2050'*.

The Council works to deliver 'Inclusive Growth', i.e. growth which is of benefit to all the people who live in the city. Programmes are explicitly designed in ways which seek to ensure that local people benefit from the wider growth in the city's economy.

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

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

Determining Interventions

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

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

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

Planning Interventions

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

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

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

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

Optimising Achievement of Intended Outcomes

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

government funding arrangements that are planned or forecast to arise during the planning period. The context and documents which support the overall strategy are set out in the [Efficiency Plan](#), published on the Council's website as required by Government for a four year financial settlement.

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

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

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

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

Developing the Organisation's Capacity

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

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

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

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

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

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

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

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

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

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

The Council is committed to developing the capability of people with governance responsibilities, evaluating their performance and ensuring that all staff understand the importance of governance within their role. As part of this, the Council provides an effective induction and training programme for Members and Officers tailored to individual needs and provides regular opportunities for them to learn about new developments key to their role as well as effective training and guidance for Members and Officers to understand their governance responsibilities. The corporate induction approach is currently being reviewed to further strengthen this area.

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

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

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

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

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

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

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

Managing Risk

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

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

Managing Performance

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

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

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

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

Effective Overview and Scrutiny

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

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

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

Robust Internal Control

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

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

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

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

Managing Data

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

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

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

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

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

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

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

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

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

The Council will ensure that:

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

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

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

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

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

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

Strong Public Financial Management

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

The Chief Finance Officer, the 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 City Treasurer ensures well developed financial management is integrated at all levels of planning and control including management of financial risks and controls.

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

Implementing Good Practice in Transparency

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

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

Implementing Good Practices in Reporting

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

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

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

Assurance and Effective Accountability

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

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

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

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

Monitoring and Review

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

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

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

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

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

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

The Annual Governance Statement

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

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

where improvements need to be made. Actions to address significant governance issues are identified and recorded in an action plan. The Annual Governance Statement is audited by the Council's external auditors as part of the audit of the annual accounts.

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Manchester City Council Report for Resolution

Report to: Standards Committee – 1 November 2018

Subject: Members' Update on Ethical Governance

Report of: City Solicitor

Purpose of the Report

To seek the Standards Committee's comments on and approval of the draft Members' Update for November 2018.

Recommendation

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

Wards Affected: All

Financial Consequences for Revenue Budget None directly

Financial Consequences for Capital Budget: None directly

Implications for:

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

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Background documents (available for public inspection):

None

1.0 Background

- 1.1 The Council's Annual Governance Statement includes reference to the Members' Update on Ethical Governance ('the Members' Update') within its governance framework section. The Members' Update is used as an example of how the Council develops the capability of people with governance responsibilities and the organisations understanding of governance.
- 1.2 The last Members' Update was disseminated in March 2018. At its meeting on 3 November 2016 the Standards Committee agreed that going forward updates would be produced on a six monthly basis providing there is sufficient newsworthy items upon which Members' need to be briefed. The Members Update now forms part of the Standards Committee Work Programme.
- 1.3 A draft of the Members' Update for November 2018 is set out in the Appendix to this report. Members are asked to provide comments on the draft and to approve its content for circulation to all members by e-mail. A paper copy will be available on request.

2.0 Recommendation

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

Ethical Update – November 2018

'Helping to promote high standards of conduct'

Welcome to the November 2018 issue of Manchester City Council's Ethical Governance Update

This newsletter contains details of the following:

- Standards in Public Life address
- Freedom of Information Tribunal decision –complaints and councillors personal data
- Councillor cleared of Freedom of Information Act offence
- Councillor pleads guilty to posting offensive messages on social media
- Gifts and Hospitality
- Members Interests

To save paper this newsletter is distributed via e-mail, if you would like a hard copy or want further information about any of the issues raised please contact the Democratic Legal Services team.

Committee on Standards in Public Life review of local government ethical standards.

In June 2018, Dr Jane Martin CBE addressed the Lawyers in Local Government Annual Monitoring Officers' conference on the progress of the Committee's review into local government ethical standards. As part of her address, Dr Martin spoke about the current standards framework and some of the views of the current system.

It was felt that the current sanctions are not enough, and that Councils cannot deal with serious and persistent misconduct. As a result of this, the Committee will be looking at the evidence it has received, the wider legal issues involved and what sanctions would be appropriate for Councils to have available.

Dr Martin referred to codes of conduct for local authorities and spoke about the variation in quality, as some codes rely on broad provisions which are difficult to adjudicate on and could easily cause disputes over interpretation. The Committee will,

therefore, be looking at best practice in this area, and any guidance that could be given to councils drawing up codes of conduct, particularly where councillors sit on multiple bodies with different codes.

The Committee will consider whether the role of the Independent Person should be strengthened, and put on a more formal footing, as well providing increased support and protection for Monitoring Officers from undue pressure. The role and influence of political groups will also be examined, and the Committee is gathering evidence on the workings of political groups, the relationship between national parties and local parties, and their role in the standards framework.

As regards councillors declaration of interests, the Committee heard that the current requirements don't match the public's expectations and don't work for councillors either. The evidence gathered by the Committee suggests that greater clarity and tightening up of the system is needed so that councillors and officers are aware of the boundaries and rules around interests, and also to protect the public interest by preventing undue influence.

Dr Martin stated that the focus of the consultation is the behaviour and conduct of councillors; their professional relations with officers and the public, and their decision making when they have executive responsibilities or are serving on a committee.

In her conclusion, Dr Martin highlighted the importance of getting standards right in order to protect an organisation and the individuals within it from conflicts of interest, reputational risks, or legal challenge. Ethical standards should be embedded into the ordinary, day to day interactions which includes maintaining professional conduct and respect for others; standing up against bullying and harassment. Ethical standards are also about having a culture of openness, scrutiny and objective decision making which has the public interest at the centre of a local authorities actions and values.

The transcript of Dr Martin's speech can be accessed here via the web link below:

<https://www.gov.uk/government/speeches/dr-jane-martin-cbe-speech-to-lawyers-in-local-government-annual-monitoring-officers-conference>

Freedom of Information Tribunal decision; Code of Conduct matter

The Appellant made a complaint of misconduct against a local authority councillor in relation to their handling of a planning matter. That complaint was not upheld by the Council.

The Appellant subsequently made a Freedom of Information request to the Council for disclosure of the handling of the complaint including the advice provided by the Independent Officer to the Monitoring Officer in relation to that misconduct complaint.

The Council provided the Appellant with some of the information held within scope of the request, but withheld the advice received from the Independent Person. This included the councillor's comments on the complaint. The Council relied upon the following exemptions under the Freedom of Information Act 2000 (FOIA) to withhold the information:

- third party personal data
- inhibition of free and frank advice
- prejudice to the effective conduct of public affairs.

The Appellant appealed to the Information Commissioner who issued a Decision Notice dismissing the Appellant's complaint. The Information Commissioner concluded that the disclosure of the advice would inhibit the future provision of advice to the Council, which would prejudice the effective conduct of public affairs going forward. The Information Commissioner also stated that the Independent Person had a reasonable expectation under the terms of their employment that the advice would not be disclosed widely. The public interest in the particular information was not significant. The Information Commissioner did not go on to consider the issue of third party personal data.

The Appellant's appeal to the Tribunal relied on grounds related to principles of transparency, accountability and public confidence in the conduct of local government. The Tribunal considered whether the public interest favoured withholding or disclosing the advice of the Independent Person, and whether the information should be withheld from disclosure as it contains the personal data of the councillor who was the subject of the complaint, and also the personal data of the Independent Person, and whether they would both have a legitimate expectation that the Council would treat the withheld information as confidential where the complaint against the councillor had been found to be unsubstantiated. Disclosure of this information would have breached the Data Protection Act's requirement for fair and lawful processing.

The Tribunal's view was that normally the public interest favoured disclosure of the advice given by the Independent Person which was different to the position taken by the Information Commissioner. The Tribunal did however agree with the Council that details of unsubstantiated complaints against councillors ought not generally to be disclosed to the world at large under the provisions of the FOIA. Disclosure of the councillor's name and opinions expressed about them would breach the data protection principles. The personal data exemption did not apply to the name of the Independent Person as their names are already in the public domain, and their views are disclosed if there is a public hearing.

Councillor cleared of Freedom of Information Act offence

A councillor at Thanet District Council has been cleared of offences under the Freedom of Information Act 2000 (FOIA). The Information Commissioner's Office had brought the case against the councillor over alleged offences under section 77 of the FOIA, which makes it an offence for any person to deliberately destroy, alter or conceal a record after it has been requested with the intention of preventing its disclosure.

Councillor pleads guilty to posting offensive messages on social media

A councillor at Rutland County Council has pleaded guilty to posting malicious content on social media. Richard Alderman appeared at Birmingham Magistrates Court at pleaded guilty to four counts of sending by public communication network an offensive, indecent, obscene, menacing message or matter, and is due to be sentenced.

The court heard that Alderman posted a number of comments on Facebook between June and July this year which were reported to the police as being racist and malicious. Rutland County Council said “Councillor Alderman has admitted his wrongdoing and pleaded guilty to all four charges brought against him. Criminal conduct of this kind is totally unacceptable.” It added that, following sentencing, Councillor Alderman’s actions will be the subject of a further investigation by its standards committee and reviewed against the council’s Code of Conduct.

Gifts and Hospitality

Councillors are reminded that Manchester City Council’s Code of Conduct for Members requires members to notify the Monitoring Officer in writing of a personal interest in any business of the Council where the member has received a gift or hospitality with an estimated value of £100 or more.

The Council also requires members to notify the Monitoring Officer of any gifts or hospitality accepted by either themselves or their partner/spouse 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. Cash or monetary gifts should always be refused without exception, and the Monitoring Officer should be notified. It is recommended that if a member refuses any other gift, or hospitality, offered to them or their partner, the member should notify the Monitoring Officer of the refusal as reasonably practicable.

Members also are reminded that it is a breach of the Code of Conduct for members 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. Guidance on gifts and hospitality for members, including examples of when to register or accept a gift or hospitality, can be found at Part 6 Section D of the Council’s Constitution.

The Council’s Constitution can be found at https://secure.manchester.gov.uk/info/100004/the_council_and_democracy/2446/our_constitution/1

Declaration and Registration of Interests

Members are required to notify the Monitoring Officer of any disclosable pecuniary (financial) or personal interests that apply to them or apply to their partner/spouse. The Monitoring Officer must be notified within 28 days of the member being elected. Members are also reminded that it is a criminal offence to fail to notify the Monitoring Officer, within 28 days, a pecuniary interest which has been declared at a meeting which is not on the register of members interests. This includes participating in any discussion or vote on a matter in which you have a disclosable pecuniary interest which has not been declared; knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting. The criminal penalties available to a court are to impose an unlimited fine and disqualification from being a councillor for up to 5 years.

If a member considers that the disclosure of the details of a disclosable pecuniary interest or personal interest could lead to violence or intimidation against them, or to a person connected with them, and the Monitoring Officer agrees, the details of the disclosable interest will be withheld from the public register under section 32(2) of the Localism Act 2011. The public register will simply state that the member has a disclosable pecuniary interest.

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

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

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

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Manchester City Council Report for Information

Report to: Standards Committee - 1 November 2018

Subject: Planning Protocol

Report of: City Solicitor

Purpose of the Report

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

Recommendation

1. To note the position regarding the operation/efficacy of the Planning Protocol
-

Wards Affected: All

Financial Consequences for the Revenue Budget: None directly

Financial Consequences for the Capital Budget: None directly

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Backgrounds documents (available for public inspection):

None

1. Introduction

- 1.1. At the meeting of Committee on 2 November 2017, the City Solicitor presented a report which provided an overview on the operation and efficacy of the Council's Planning Protocol. The report included a proposal to revise the current Planning Protocol regarding the process for determining a site visit by the relevant Committee of the Council in the discharge of its statutory planning function. At that time the relevant Committees were both the Planning and Highways Committee and the Wythenshawe Area Committee.
- 1.2. Members will recall being advised that the Planning Protocol is included within the Council's Constitution and is accordingly reviewed annually. The report, in addition to explaining a revision being proposed to the protocol, advised Committee that training was being arranged for Members on the protocol and other planning matters. The training would be open to all Members.
- 1.3. The purpose of revising the Protocol in 2017 was to provide clarity to Members, officers and members of the public with regard to the process relating to site visits.
- 1.4. The Committee commented that, in view of the quasi-judicial nature of the Committee's business, it was important that all Members of the Committee receive ongoing training on the planning protocol and any subsequent changes made. Members were of the view that ongoing training should also apply to Committees and Panels dealing with licensing matters.
- 1.5. The Committee recommended that the Planning Protocol be amended to require Planning and Highways Committee and Wythenshawe Area Committee members to attend ongoing training on planning matters.
- 1.6. The Committee resolved:
 1. To note the position regarding the operation and efficacy of the Council's Planning Protocol.
 2. To endorse the proposed changes to the Planning Protocol as detailed in the report submitted, subject to the inclusion of a mandatory requirement for members of Planning and Highways Committee and Wythenshawe Area Committee to attend ongoing training on planning matters.
 3. To recommend that an explanatory note which makes reference to the protocol for site visits be included on the agenda in respect of every Planning and Highways Committee and Wythenshawe Area Committee.
 4. To recommend that a briefing note be produced for all Councillors which sets out the changes made to the Planning Protocol and the Protocol for Site Visits.

- 1.7. This current report provides a further review of the operation and efficacy of the Planning Protocol.

2. The Protocol

- 2.1. Following Standards Committee in November 2017, the revised Protocol on site visits was issued to Members of the Planning and Highways Committee and to the Chair of Wythenshawe Area Committee to be used with immediate effect, in advance of being formally embedded into the Constitution.
- 2.2. Members of the Planning and Highways Committee have since that time considered a number of requests for site visits, resolving to carry out a visit in relation to 5 separate planning applications. (There have been circa 80 planning applications for determination by the Committee over the same period).
- 2.3. There were no site visits undertaken by the Wythenshawe Area Committee.
- 2.4. On each occasion, either the Chair or Head of Service reminded members that clear planning reasons must be considered and given for a site visit. Additionally, the reason(s) were incorporated into the minutes.
- 2.5. A recommendation from this Committee was for a note on the Protocol to be included in the agenda for Planning and Highways. The revised Protocol was incorporated into the Constitution in May 2018.
- 2.6. The following has now been incorporated into the papers for the Planning Highways Committee:

"The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at https://secure.manchester.gov.uk/downloads/download/4030/the_constitution."

3. Training

- 3.1. Following the elections in May 2018, the composition of the Planning and Highways Committee changed; 7 new Members were subsequently selected to sit on the Committee. Wythenshawe Area Committee was disestablished in May 2018.
- 3.2. Training for the Committee was arranged for the morning of the first meeting following the elections. This covered key areas to allow Members to take part in the meeting. This included:
- the decision making process,
 - the role of members and officers,
 - codes of conduct and training,

- interests and bias,
- lobbying,
- the committee process itself which included site visits; and,
- material considerations.

3.3. The opportunity was also taken to brief members on the statutory planning framework which includes the timescales for determining applications, how local planning authorities are judged by Government and S106 legal agreements. All of these carry inherent risks to the Council if we are found to be performing poorly or not following due process.

3.4. It has also recently been agreed that training would be provided to all Members of the Council on S106 legal agreements as this is a subject currently receiving significant attention. This will further include a briefing on how viability is dealt with as part of the planning process.

3.5. In the report to Standards Committee last year, members were advised that a training session open to all members was being arranged for the end of November 2017. This would have covered largely the same matters provided to the Planning and Highways Committee in May of this year and would have been used to advice of the revisions to Protocol regarding site visits.

3.6. The session was postponed as take up was particularly low. The intention is to rearrange this for early 2019.

3.7. In the meantime, officers have agreed with the Chair of the Planning and Highways Committee, given the significant number of new members, that there is merit in providing a mid-year training session to review any procedural issues the Committee Members would like to discuss, or in respect of which they would like further clarification at this time.

4. Effectiveness of the Protocol

4.1. It remains the case, as Committee were advised last year, that the Protocol is considered to be effective. There are very few occasions when it has to be referred to. Those occasions 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.

4.2. The fact that members have known to seek advice in such situations, and that there have been no complaints arising from alleged breaches of the protocol would suggest that the Protocol is effective in achieving its purpose.

5. Conclusion

- 5.1. 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. The Protocol is reviewed annually and periodically changes are made having regard to legislative changes or to ensure best practice continues to be followed.

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**Manchester City Council
Report for Information**

Report to: Standards Committee – 1 November 2018

Subject: Standards Committee – Annual Report

Report of: City Solicitor

Summary

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

Recommendations:

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

Wards Affected: All

Manchester Strategy outcomes	Summary of the contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Not directly applicable
A highly skilled city: world class and home grown talent sustaining the city's economic success	Not directly applicable
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	<p>This annual report provides an overview of the work undertaken by the Standards Committee from March 2018 to October 2018. This contributes towards promoting and maintaining high standards of conduct among members.</p> <p>The report sets out the procedure for complaints against members and lists the complaints received over the above time period. This contributes towards promoting fairness by members in their conduct towards members of the public and other Members. This also</p>

	contributes to fairness, transparency and accountability when allegations are made that a member's behaviour has fallen below the expected standard.
A liveable and low carbon city: a destination of choice to live, visit, work	Not directly applicable
A connected city: world class infrastructure and connectivity to drive growth	Not directly applicable

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue None directly

Financial Consequences – Capital None directly

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Background documents (available for public inspection):

None.

1.0 Introduction

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

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

- 2.1 The role and functions of the Standards Committee and the Council's Monitoring Officer are set out in the Council's Constitution and reproduced for ease of reference in Appendix 1 to this Report. The Standards Committee meets 3 times a year, in March, June and November.

3.0 Matters considered by the Standards Committee since its last Annual Report

- 3.1 Members will recall that the Committee agreed at a previous meeting to move the date of the report relating to the review of its work from March to November each year to better inform the Council's Annual Governance Statement (AGS) by collating at the most appropriate time assurances from this committee on matters within its remit. The last report covered the period to March 2018 and this report therefore covers a shorter period than usual. Future reports will review the work undertaken by the committee and the Monitoring Officer for the year to November.
- 3.2 The role of the Standards Committee under the AGS is to promote high standards of ethical conduct, advising on the revision of the codes of corporate governance and conduct for members.
- 3.3 The matters dealt with by the Standards Committee since at its meeting March and June 2018 meetings are set out below. The Committee has:
- Considered initial proposals regarding changes to the new members induction programme for 2018
 - Considered a report in relation to a review by the Committee on Standards in Public Life about intimidation in public life
 - Reviewed the operation and efficacy of the Social Media Guidance for Members
 - Considered revisions to the Council's Member/ Officer Relations Protocol, Use of Resources Guidance for Members and the Gifts and Hospitality Guidance for Members as part of the annual review of the Council's Constitution.
 - Responded to a consultation carried out by the Committee on Standards in Public Life reviewing Local Government Ethical Standards
 - Considered the draft AGS
 - Considered a report on the induction programme delivered to new Councillors in May 2018, the training provided to Councillors over the

last 12 months and the proposed Member Development Strategy for new and existing Councillors

- Considered the Annual Report of this Committee
- Overseen the provision of an ethical guidance update for members which is produced every 6 months

4 . Operation of Codes and Guidance relating to Members

- 4.1 The Committee at its last meeting requested a separate report on the operation and efficacy of the process for updating the Register of Members Interests to its March 2019 meeting (which will be its next meeting). This report therefore sets out the position in brief.
- 4.2 Members will be aware that whilst officers do provide advice to Members, if asked, on Members' interests it is the responsibility of individual members to comply with the requirements of the Code of Conduct. Reminders to Members regarding updating their Register of Interests are contained in the Ethical Governance Update sent to all Members and given by specific email reminders to all Members. The last email reminder regarding revision of existing register entries was sent to all Councillors in July 2018. 8 Councillors updated their Register of Interests in response to this reminder. 9 Councillors had already updated their Register during the course of 2018. The Register of Interests requirements are covered in New Member Induction and all new Councillors have registered their interests. The Monitoring Officer is of the view that this requirement is understood by Members and that if they have queries Members do routinely seek advice in relation to declaration of Interests.
- 4.3 The Code of Conduct for Members also 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 of Conduct following Localism Act changes. The form for Registration of Interests make provision for gifts and hospitality to be noted if applicable. No such interests have been registered since March 2018. The view of the Monitoring Officer is that, given the threshold, this is unsurprising and that there is no indication that Members are unaware of this requirement.
- 4.4 The Code of Conduct for Members, Planning Protocol for Members, Use of Resources Guidance for Members, Gift and Hospitality Guidance for Members and the Member/Officer Relations Protocol are as indicated above contained in the Council's Constitution and are reviewed annually in March by this Committee as part of the annual review of the Council's constitution. The Monitoring Officer is of the view that these protocols and guidance are well understood by Members and is not aware of any queries or issues that have not been addressed through existing procedures. A report regarding the Planning Protocol forms a separate item on the Committee's agenda.
- 4.5 As requested by the Standards Committee the Social Media Guidance for Members was circulated again to all Members in June 2018. Social Media

Training arranged for September 2018 unfortunately has had to be rescheduled due to circumstances beyond the Council's control. It will be rescheduled as soon as possible.

- 4.6 Dispensations were issued by the Monitoring Officer this year to all Councillors in relation to participating and voting on the setting of the Council's Council Tax etc. and participating and voting on Members' Allowances on the basis that without the dispensation the number of Members prohibited from participating in this particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business at the Council's budget setting meeting. No other dispensations have been sought.

5. Complaints against Councillors

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

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

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

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

- 5.2 The Monitoring Officer has received 10 complaints about Manchester City Councillors between 1 April 2018 and 30 September 2018.
- 5.3 Two of these complaints are in the course of investigation. Two complaints were not pursued by the complainant. One complaint was withdrawn by the complainant. Five complaints have been concluded. All 5 were rejected at Stage 1 as set out in the table below.
- 5.4 Although 3 complaints relate to use of social media 2 of these largely related to postings made before the Member in question became a Councillor. Where they related to conduct in an official capacity the complaints were in connection with tweets made some considerable time before. It was considered in these circumstances unlikely that those involved would recollect the facts sufficiently clearly to warrant pursuing the matter further. 2 others related to actions undertaken when it was clear the Member was not acting in an official capacity and were rejected for this reason.

- 5.5 The Committee will recall that it approved revisions to the Procedure for dealing with Member Complaints ('The Arrangements') in March 2017. In terms of the efficacy of the procedure it is clear that persons who feel aggrieved are aware of the Procedure. The timeframes in the Arrangements are as follows:
- (a) The Monitoring Officer will acknowledge receipt of the complaint within 10 working days of all required information being provided and at the same time, the Monitoring Officer will write to the Subject Member with a copy of the complaint.
 - (b) The Subject Member may, within 10 working days of being provided with a copy of the complaint, make written representations to the Monitoring Officer.
 - (c) A decision regarding whether the complaint merits formal investigation or another course of action will normally be taken within 20 working days of either receipt of representations from the Subject Member or where no representations are submitted 20 working days of the expiry of the period mentioned in paragraph (b) above.

The majority of cases that have been dealt with at Stage 1 have been completed broadly in line with this timeframe and complainants have been kept informed of the position as needed.

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

Complaint No.	Provision of the code alleged to have been breached	Outcome
CCM2018.03	Bringing office into disrepute – historic posting on social media	Rejected at stage 1 following consultation with the Council's Independent Person (IP) - Part of complaint outside of the scope of the Code of Conduct –as it related to postings made before the Member became a Cllr in 2011. The remainder of the complaint related to tweets pre-dating November 2017 and it was considered in these circumstances that given the time that had elapsed between the event and the complaint there was little benefit in pursuing the matter. In addition the complaint was made in the Purdah period preceding local elections in 2018 and could be politically motivated. The subject

		member has now deleted their twitter account.
CCM2018.04	Bringing office into disrepute– historic posting on social media	Rejected at stage 1 following consultation with the IP - Part of complaint outside of the scope of the Code of Conduct –as at the time of these postings (before May 2011) the Subject Member was not a Cllr. Remainder of complaint regarding one tweet from 2015 was rejected as the tweet was over 3 years old. Not in the public interest to expend further resources on investigation.
CCM2018.05	Bringing office into disrepute – posting on social media	Rejected at stage 1 following consultation with IP - conduct complained of was not serious enough to warrant an investigation and not in the public interest to expend further resources on investigation.
CCM2018.06	Bringing office into disrepute – conflict of interest	Rejected at stage 1 following consultation with IP – conduct complained of did not breach the Code of Conduct as when attending the Committee in question the Subject Member made it clear they were attending as a representative of a Neighbourhood Forum and as such had acted in line with their duty to participate in local forums to represent their local communities. The Cllr was not a decision maker for the application in question. Wholly disproportionate and not in the public interest to expend further resources on investigation.
CCM2018.07	Yet to be confirmed	Ongoing. Complaint made by telephone to Member Services. Conduct complained of was Cllr not attending an appointment with a constituent and did not notify them of the cancellation. A letter was sent to the complainant, to request further clarification. There has been no response from the complainant to date.

CCM2018.08	Bullying/abusive behaviour & bringing office into disrepute – conduct at a public meeting	Rejected at Stage 1 following consultation with IP - conduct complained of did not breach the Code of Conduct as the Cllr was not acting as a councillor at the time of the complaint. The Cllr stated on attendance at a local meeting that they were not attending as a councillor, but as a resident of the area
CCM2018.09	Bullying/abusive behaviour & bringing office into disrepute – abusive conduct at a public event	Withdrawn.
CCM2018.10	Using position as a member improperly to confer on yourself an advantage	Complaint not pursued – an acknowledgement letter was sent to the complainant's address, as given on the online form for complaints that was submitted. The complainant responded to the acknowledgement letter to say that they had not made a complaint and someone must have used their identity to make the complaint.
CCM2018.11	Bringing office into disrepute	Complaint not pursued – no response from complainant to request for further information, despite initial letter and reminder being sent to them.
CCM2018.12	Bringing office into disrepute	Ongoing.

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

6. Recommendations

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

The role of the Standards Committee

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

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

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

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

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

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

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

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

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

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

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

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

To overview the Council's whistle blowing policy;

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

The Responsibilities of the Council's Monitoring Officer

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

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

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

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

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**Manchester City Council
Report for Information**

Report To: Standards Committee – 1 November 2018
Subject: Operation and Efficacy of Whistleblowing Policy
Report of: Head of Internal Audit and Risk Management

Summary

It is the role of the Standards Committee “to overview the Council’s whistleblowing policy”. This report provides a review of the operation and efficacy of the Whistleblowing Policy. It includes an update on changes made to the policy and procedures in the year and further developments planned in 2018/19.

Recommendations

Standards Committee are requested to note the report and changes to the Council’s Whistleblowing Policy.

Wards Affected:

All

Financial Consequences:

None

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Background Documents (available for public inspection):

Whistleblowing Policy Update Reports to Standards Committee 2 November 2017;
Audit Committee 6 March 2017; and Personnel Committee 4 November 2017.

1. Introduction

- 1.1. In accordance with Article 9 of Part 2 of the Council Constitution, Standards Committee has the role of overseeing the Whistleblowing Policy.
- 1.2. The Council is committed to providing effective whistleblowing arrangements and ensuring that there are adequate measures in place to receive, investigate and report on whistleblowing referrals.
- 1.3. The purpose of this report is to provide Members with an overview of the operation and efficacy of the whistleblowing policy and provide details of the amendments made to the Whistleblowing Policy since it was last presented to both Standards Committee and Audit Committee in 2017.

2. What is Whistleblowing?

- 2.1. Whistleblowing is the confidential disclosure by an individual or any concerns relating to a perceived wrongdoing involving any aspect of the Council's work or in respect of those who work for the Council. The whistleblowing process assists individuals, who believe they have discovered malpractice, impropriety or wrongdoing, to raise a concern, in order that this can be investigated and addressed.
- 2.2. The Public Interest Disclosure Act 1998 (PIDA) is known as the whistleblowing law and is designed to encourage and enable employees to "speak out" and report suspected wrongdoing at work. The legislation protects employees from suffering detriment from their employer or colleagues that arises as a result of making a protected disclosure.

3. Operation and Efficacy of the Whistleblowing Arrangements Overview

- 3.1. The Fraud Response Plan and Whistleblowing Policy (appendices A and B respectively) set out the process for the receipt, review, investigation and reporting of concerns. The following paragraphs summarise the key elements of the process and areas that have or are being developed further in 2018/19.

Receiving Concerns

- 3.2. Whistleblowing, both from staff and external parties, remains one of the key means of reporting suspected irregularity, wrongdoing or misconduct. Concerns can be raised either anonymously or by a named individual.
- 3.3. The Council's Whistleblowing Policy sets out how individuals can raise concerns; including a dedicated telephone line and email account maintained by officers within Internal Audit. In addition individuals may submit concerns in the post, or in person – these may be received by officers within Internal Audit, HROD or via line management within the relevant business area.

- 3.4. The Whistleblowing Policy is reviewed and refreshed regularly and is available on the Council's internet and intranet site.

Identifying Whistleblowing Concerns

- 3.5. As part of the Annual Internal Audit Plan 2018/19, Internal Audit committed to further develop the existing the Counter Fraud arrangements, in particular the operational processes with regard to whistleblowing. This includes training to ensure that officers assigned with handling and progressing whistleblowing concerns are proficient in the various stages within the process, including recognising and assessing whistleblowing concerns as well as legislative requirements to provide whistleblowers with protection from detriment (as a result of raising concerns).

Training

- 3.6. The charity Protect (formally Public Concern at Work - PCAW) are the UK's leading whistleblowing specialists with legally trained advisors providing support and guidance to both employers and employees regarding dangers, wrongdoing and serious risks that threaten public good.
- 3.7. In common with many public sector organisations, the Council has for a number of years made reference to the work of Protect (PCAW) within the Whistleblowing Policy. It was recognised that the procurement of specific services from Protect including a dedicated confidential independent advice line for Council staff and training for key officers regarding roles and legislative responsibilities would help further strengthen existing arrangements. This was taken forward by Internal Audit in 2018.
- 3.8. An independent telephone advice line was introduced during September 2018 and details are to be launched to all staff shortly so they are signposted to this new aspect of Council whistleblowing arrangements. Training for designated officers within Internal Audit, HROD and Legal Services who are most likely to handle whistleblowing referrals was delivered during October. Further work is being progressed with regard to a desk based review of the Whistleblowing Policy. These developments will help demonstrate and embed an open, transparent and constructive culture within the Council. These arrangements are replicated with colleagues in Bolton Council and the GM Combined Authority as part of a collaborative Audit and Risk Management approach under a shared Head of Service.
- 3.9. A counter fraud e-learning package, which incorporates whistleblowing, has been procured. The training, which will be mandatory for all staff, will be launched in 2018/19 and will help reinforce the Whistleblowing Policy and inform managers of how to recognise whistleblowing concerns.
- 3.10. Officers from Internal Audit are presently liaising with the Communications Team to establish a suitable plan for disseminating these key messages regarding policy and procedures to staff across the Council.

Review, Record and Assess

- 3.11. A central record of all referrals/concerns received within Internal Audit is maintained and used to confirm status and direct actions required. This is overseen by the Lead Auditor (Counter Fraud) and reviewed no less than monthly with the Audit Manager and Head of Audit and Risk Management.
- 3.12. Allegations are discussed as part of liaison between Internal Audit, HROD and Legal Services to understand if there are any other indications or reports of concern having been made; and enable any wider context to be considered in planning the risk assessment and investigation response. These are shared anonymously so that the anonymity and protections afforded to whistleblowers are maintained. Where allegations have a potential broader corporate impact or are deemed very high risk the key concerns are shared anonymously with the City Solicitor, City Treasurer and Director of HROD by the Head of Audit and Risk Management.
- 3.13. During 2018/19 a new web based counter fraud case management system has been introduced for use by the Internal Audit Counter Fraud Team. This development on previous arrangements helps further ensure a standardised and consistent approach to recording of all cases and improves the management oversight and reporting function. The system also helps to ensure compliance with the Criminal Proceeding and Investigation Act 1996 (namely that cases are prepared to criminal standard) should prosecution action be pursued.
- 3.14. All referrals raised with Internal Audit are formally risk assessed and triaged. This considers the exposure to risk and records the agreed strategy for examining the issues raised. Some of the concerns received are investigated by Internal Audit whilst others can be referred to colleagues in HROD (to be progressed via the Employee Dispute Resolution Policy), Corporate Complaints (to be investigated under the Corporate Complaints Process) or, where appropriate, concerns will be referred back to departments or school governors for action, with support from Internal Audit as necessary.
- 3.15. During 2017/18 the risk assessment process was further developed to incorporate a public interest test. This enables officers responsible for investigating concerns to consider the factors in favour of disclosing information received in relation to potential fraudulent activities involving third party organisations or individuals. This could include organisations which are funded or part funded by the Council or where there is a partnership working relationship or determined duty of care on the behalf of the Council. This helps to ensure that only appropriate data is shared, in line with GDPR requirements.
- 3.16. Internal audit received 64 referrals of potential corporate fraud, theft or other irregularity during 2017/18; 28 of these were raised by members of staff and as such were handled under the Council's Whistleblowing Policy and attracted the protections provided by the Public Interest Disclosure Act legislation.

	2017/18	2016/17	Change %
Corporate and Whistleblowing Referrals			
Total referrals to Internal Audit	64	80	-20%
Those classified as whistleblowing	28	25	+12%

3.17. Thus far during 2018/19 Internal Audit have received 36 referrals, of which 12 of these were considered whistleblowing allegations and handled under the Council's Whistleblowing Policy.

3.18. A summary of allegations by type for the previous financial year and current year to date is provided in the table below:

Type of Whistleblowing Allegations	2018/19	2017/18
Misconduct	3	9
False Identity	0	0
Abuse of Position	3	5
Procurement	0	4
Payroll and Contract Fulfilment	3	3
Economic and Third Sector Activity	0	1
Other	3	6
*For the period April to October 2018	12 *	28

Investigations and Reporting Outcomes

3.19. Whilst the nature, scale and complexity of whistleblowing referrals varies, there have been few actual detected or proven cases or quantifiable financial loss as result of employee related fraud. Many referrals relate to irregularity, non-compliance with procedure, staff behaviour, conduct issues and service delivery concerns.

3.20. A confidential summary report is produced for each whistleblowing investigation undertaken by Internal Audit. The reports are issued to the Chief Executive, City Solicitor, City Treasurer and Director of HROD and provide senior management with details on the outcome of the investigation and any recommendations for management action, including any key control issues.

This is to ensure lessons are learned and systems of control are revised as appropriate to minimise the risk of issues reoccurring.

- 3.21. Regular periodic meetings are held with officers from HROD to consider complex cases involving staff members which may also include elements relating to grievance and disciplinary.

Management Oversight and Reporting

- 3.22. Case management and development meetings are held with the Audit Manager and Head of Internal Audit and Risk Management on a monthly basis.
- 3.23. High risk cases are discussed as part of monthly strategy meetings comprising the Head of Audit and Risk Management, Director of Human Resources and Legal Services. Key issues arising are also focus of a regular meeting of the City Solicitor, City Treasurer and Director of HROD, also attended by the Head of Audit and Risk Management.
- 3.24. Quarterly Counter Fraud Investigation Reports are produced for the City Treasurer (S151 Officer). This provides an overview of activity in the period and key priorities.
- 3.25. An Annual Counter Fraud Report is issued to Audit Committee that summarises the key issues and actions arising from all counter fraud work, including whistleblowing. This is presented in private to the Committee as it describes matters that if made public could expose the Council to risks of theft or fraud. From 2017/18 a report is also issued to the Chief Executive and Senior Management Team that highlighted risks and issues identified in whistleblowing and wider Internal Audit counter fraud and irregularity work.
- 3.26. An overview of the Fraud Response Plan is provided at Appendix A. This diagram identifies the key stages and milestones in relation to whistleblowing investigations, details of which are provided in narrative below.

4. Policy Revisions

Whistleblowing Policy

- 4.1. The Whistleblowing Policy was last reviewed and approved by Audit Committee in March 2017 and was submitted to Standards Committee for oversight in November 2017.
- 4.2. At the November 2017 meeting Standards Committee discussed the respective roles and responsibilities of the Committee and of Audit Committee for approval and oversight of the whistleblowing policy. To aid clarity the draft Code of Corporate Governance has been amended to state that Standards Committee has oversight of the policy and Audit Committee is responsible for policy approval. The Committees' Terms of Reference will be amended accordingly.

- 4.3. The Council's Internal Audit Service regularly review the whistleblowing and counter fraud policies. Following the introduction of the GDPR, paragraph 8.6 of the Whistleblowing Policy has been amended as follows:

From

"The Council will ensure that our handling of concerns meets the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000"

To:

"When processing personal data as part of a whistleblowing investigation, the Council will take all necessary precautions to protect such data and not to share it more widely than is necessary as part of the investigation. The Council will apply the General Data Protection Regulation and the Data Protection Act 2018 in all aspects of any whistleblowing investigation."

Ethical Procurement Policy

- 4.4. The Council's Ethical Procurement Policy was updated in April 2018 to incorporate expectations of contractors and suppliers in respect of whistleblowing. This section includes the following statement: "Manchester City Council is committed to the highest possible standards of honesty, openness and accountability and will not tolerate malpractice or wrongdoing and expects that its suppliers, service providers and contractors are committed to and have in place a similar policy for its employees and subcontractors which seeks to protect those individuals who make certain disclosures with regard to any instance of malpractice or wrongdoing and to investigate them in the public interest".
- 4.5. To support implementation of this policy, Internal Audit undertook a review of processes in place for ensuring the Council's contractual suppliers had whistleblowing arrangements in place. This was finalised in September 2018. The audit identified areas for further development in officer awareness of whistleblowing and in arrangements to assure that contractor whistleblowing arrangements were operating effectively. A number of actions were agreed by management that include amendment of standard Council contract documents and guidance to include contract managers' responsibilities on whistleblowing; and whistleblowing to be covered in training organised by Integrated Commissioning. These actions were scheduled for completion between October and December 2018.

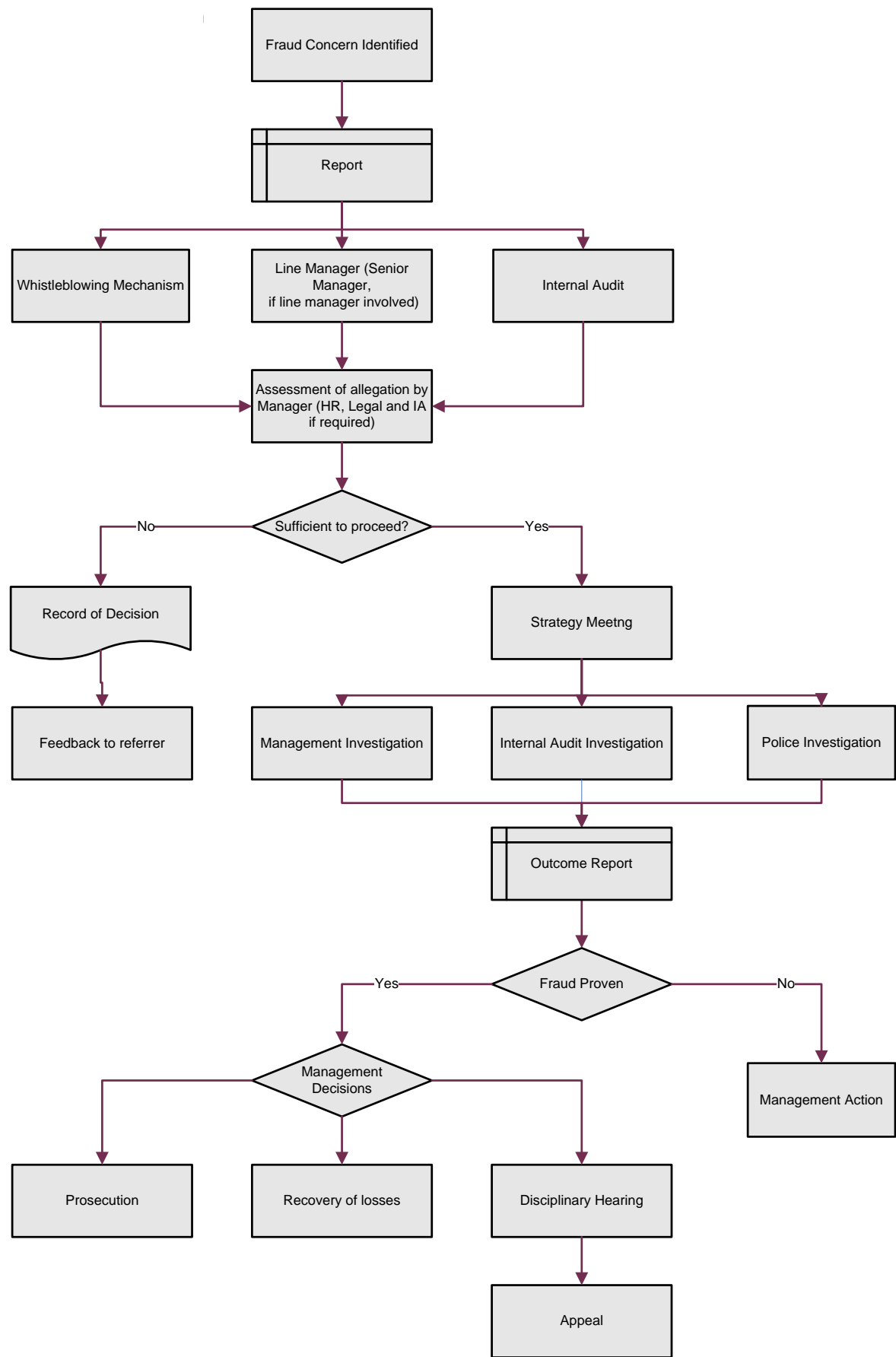
5. Actions/Next Steps

- 5.1. In line with the requirements of the Constitution, the attached Whistleblowing Policy is to be presented to Audit Committee and Personnel Committee for approval and oversight respectively.
- 5.2. Audit Committee will be updated on the progression of the training and communications programme, including key milestones and implementation dates as part of the quarterly Internal Audit Progress and Assurance Report.

6. Recommendations

- 6.1. Standards Committee are requested to note the report and changes to the Council's Whistleblowing Policy.

Fraud Response Plan



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Whistleblowing Policy

Policy and Guidance for Whistleblowers

Audit and Risk Management

Draft October 2018

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Whistleblowing Policy

1. Introduction

- 1.1 Manchester City Council is committed to the highest possible standards of honesty, openness and accountability and will not tolerate malpractice or wrongdoing.
- 1.2 The Council's Whistleblowing Policy is a vital element of our governance arrangements and is designed to allow those employed by the Council and/or members of the public to come forward and raise both disclosures and serious allegations of wrongdoing involving the actions of the Council's employees, its Councillors, contractors or any aspect of the Council's activities.
- 1.3 As such the Council is committed to a policy which seeks to protect those individuals who make certain disclosures with regard to any instance of malpractice or wrongdoing and to investigate them in the public interest.
- 1.4 Whistleblowing is generally the term used when someone who is employed in an organisation reports a concern about suspected wrongdoing, malpractice, illegality or risk in the workplace.

This can include:

- criminal offences;
- failure to comply with a legal duty;
- miscarriages of justice;
- fraud or corruption;
- abuse of authority;
- serious breaches of Council policy or procedure;
 - unethical conduct and actions deemed unprofessional or inappropriate; this could include breaches of regulations requiring school governors to 'act with integrity, objectivity and honesty and in the best interests of the school' and breaches of the 'Nolan Principles' which are the basis of ethical standards expected of public office holders (Appendix B);
- the health and safety of any individual has been, or is likely to be, endangered;
 - the environment has been, is being or is likely to be, damaged (as a result of the City Council's actions or inactions); and
 - information about any of the above has been, is being, or is likely to be, deliberately concealed.
- 1.5 This policy seeks to set out how the Council will handle and respond to serious allegations of perceived wrongdoing irrespective of whether the individual raising the concern is employed by Manchester City Council or not.

Aims and Scope

- 1.6 Our whistleblowing policy seeks to cover all disclosures and allegations made by employees of Manchester City Council, including temporary and agency staff and those employed in community schools, community special schools, voluntary controlled schools and maintained nursery schools.
- 1.7 It also extends to any other individual who wants to raise an allegation of perceived wrongdoing. This could include consultants, contractors, sub contractors who are engaged in work for the Council or anyone who uses the Council's services or any member of the public.
- 1.8 This policy has specific sections to advise those employed by Manchester City Council, school based staff and members of the public of the process to be followed when raising a disclosure or allegation and how the Council will respond.
- 1.9 The policy seeks to:
 - provide for a culture of zero tolerance toward fraud and corruption and deter wrongdoing;
 - encourage employees and others with serious concerns about any aspect of the Council's work to feel confident to come forward and voice those concerns;
 - raise concerns at an early stage and in the right way ensuring that critical information gets to the people who need to know and who are able to take action;
 - provide safeguards to reassure those who raise concerns in the public interest and not maliciously or for personal gain, that they can do so without fear of reprisals or victimisation or disciplinary action, regardless of whether these are subsequently proven;
 - set out how the Council will respond to allegations made and enable them to get feedback on any action taken;
 - ensure that employees know what to do if they are not satisfied with actions taken.
- 1.10 The whistleblowing policy is not to be used where other more appropriate internal reporting procedures are available. There are existing Council procedures which enable employees to lodge a grievance relating to their conditions of employment, raise matters of harassment or to make a general complaint, which by contrast, generally have no additional public interest dimension.
- 1.11 This whistleblowing policy covers concerns that fall outside the scope of those existing internal procedures. Equally, any allegations made through the above procedures, which raise serious concerns over wrongdoing, the Council will investigate under the whistleblowing process.
- 1.12 Any individuals who are raising concerns relating to money laundering offences or Proceeds of Crime Act 2002 are required to report these concerns directly to the Money Laundering Reporting Officer (MLRO) in line with the Anti Money Laundering Policy.

2. What is Whistleblowing

- 2.1 Whistleblowing is the confidential disclosure by an individual of any concerns relating to a perceived wrongdoing involving any aspect of the Council's work or those who work for the Council. The whistleblowing process assists individuals, who believe they have discovered malpractice, impropriety or wrongdoing, to raise a concern, in order that this can be addressed.
- 2.2 The **Public Interest Disclosure Act 1998 (PIDA)** is known as the Whistleblowing law and is designed to encourage and enable employees to "speak out" and to report suspected wrongdoing at work. This is commonly known as "blowing the whistle".
- 2.3 PIDA legislation legally protects employees (including those employed in schools maintained by the Council, temporary workers and agency staff), from any detriment from their employer or colleagues that arises as a result of making a "protected disclosure" (a qualifying disclosure) in the public interest. This includes protection from harassment, victimisation or dismissal by their employer.
- 2.4 A qualifying disclosure means any disclosure of information made to the Council or other prescribed person, which in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show one or more of the following;
- (a) that a criminal offence has been committed, is being committed or is likely to be committed;
 - (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject;
 - (c) that a miscarriage of justice has occurred, is occurring or is likely to occur;
 - (d) that the health or safety of any individual has been, is being or is likely to be endangered;
 - (e) that the environment has been, is being or is likely to be damaged; or
 - (f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- 2.5 A disclosure of information is not a qualifying disclosure if the person making the disclosure commits an offence by making it.
- 2.6 A prescribed person is someone who is independent of the employee's organisation, but usually has an authoritative relationship with the organisation, such as a regulatory or legislative body (see 3.7).
- 2.7 Whilst protection under PIDA covers most workers it is not extended to partners, contractors, non executive directors, volunteers or the self employed. However, the principles outlined in this policy, as far as they can be, will be applied to whistleblowing allegations received from sources other than employees of the Council. As with internally reported cases, particular consideration needs to be given to matters of confidentiality.

3. Making a disclosure or raising a concern

- 3.1 Once an employee or other has decided to raise a concern, then wherever possible, it should be expressed either verbally or in writing. This should set out the background and history of the concern, giving names, dates and places where possible, and the reason why the individual is particularly concerned about the situation.
- 3.2 Although individuals raising concerns are not expected to have supporting evidence to prove the truth of an allegation before reporting, he or she must reasonably believe that the information is substantially true to enable the matter to be taken forward.
- 3.3 Details of all reports received by Managers should be logged and reported to Manchester City Council's Internal Audit Section to allow a central record of whistleblowing cases to be maintained.
- 3.4 Any notifications that are received in relation to Foundation and Voluntary Aided Schools, Academy Schools, Sixth Form Colleges and Free Schools will be logged and monitored by the Internal Audit Section.

Whistleblowing by employees

- 3.5 It is the hope and intention of the Council that any employee with a concern about any aspect of the Council's operations or its conduct, feels able to first raise those concerns internally with line management or with one or more of the officers listed below. This includes where an employee wants to make a protected disclosure to their manager.
 - Head of Internal Audit & Risk Management
 - The Chief Officer of the Directorate
 - The City Treasurer
 - The Chief Executive
 - The City Solicitor
- 3.6 However, under the terms of PIDA, if an employee does not feel comfortable making a disclosure internally within the Council they have the right to take their concerns outside the Council to certain 'prescribed regulators'.
- 3.7 Below is a list of other 'prescribed regulators' to whom you make a protected disclosure:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf
- 3.8 Before making a disclosure, an employee may first wish to discuss the concern on a confidential basis with a work colleague, trade union representative, solicitor or professional body and seek advice on how to proceed. These discussions may help assess how justified their concern is and, if they then wish to proceed, the most appropriate and effective way to report it. This is important because the report should be made so as to allow the most effective investigation, whilst affording the whistleblower protection under the PIDA

- 3.9 Additional information about PIDA law can be obtained from the Whistleblowing Charity [Protect \(formally Public Concern At Work \(PCaW\)\)](#) , which contributed to the formulation of the PIDA and is a legal advice centre designated as such by the Bar Council. For information visit [www.pcaw.org.uk or telephone the independent and confidential advice line 0800 1124408.](#)
- 3.10 Employees are protected when they make a disclosure. In making a protected disclosure the employee must:
- reasonably believe that the disclosure they are making is in the public interest;
 - reasonably believe that the information detailed and any allegation in it are substantially true; and
 - the matter disclosed must fall within the matters prescribed for that regulator.
- 3.11 The earlier an employee expresses a concern, the easier it will be to take action. Employees should raise a concern as soon they have a reasonable suspicion and are not expected to investigate the concern themselves to prove their suspicions are well-founded.

Whistleblowing by members of the public

- 3.12 If you are not a Council employee you can still contact the Council to report any concerns or disclosures over wrongdoing and these will be treated in the same way. Unlike disclosures made by employees, protection under PIDA law does not extend to disclosures made by members of the public.

Whistleblowing by individuals employed in Schools

- 3.13 Individuals employed in schools which fall under the Council's whistleblowing policy arrangements include those employed in schools maintained by the Council such as **community schools, community special schools, voluntary controlled or maintained nursery schools and pupil referral units**, where the Council is the legal employer.
- 3.14 Each of these schools should have their own whistleblowing policy and reporting arrangements which reflect the principles and requirements set out in the Council's policy. In most cases, school based staff are encouraged to raise their concerns in accordance with the schools own reporting procedures, rather than directly to the Council.
- 3.15 However, if the employee has a concern which they feel they cannot discuss with the management of the school or have good reason to believe that their complaint or disclosure will not be properly handled, then they may report their concerns directly to Manchester City Council or prescribed regulator using the Council's whistleblowing reporting procedures contained in Section 4 of the Council's policy.
- 3.16 **Safeguarding concerns** - if the concern raised relates to a child protection issue, these should be reported to the Local Authority Designated Officer (LADO) and in line with the specific guidelines outlined in the school's safeguarding policy.
- 3.17 The whistleblowing policy is not to be used where other more appropriate reporting procedures are available within school, for example, in relation to any grievance relating to employment matters or to make a general complaint in relation to the school.

- 3.18 Employees who wish to raise concerns over practices in other schools should report these directly to the Council.
- 3.19 The Council expects these schools to respond to a disclosure or allegation in the same way as the Council would respond. The Headteacher or Chair of Governors would be expected to seek advice as necessary from the Council.
- 3.20 Internal Audit can offer advice and support to schools on the approach to be taken to investigate whistleblowing allegations to ensure concerns are properly addressed.
- 3.21 The action taken by schools in response to allegations made will depend on the nature and seriousness of the concern. Where appropriate, the matters raised may be:
- investigated by school management, or Council's Internal Audit Service;
 - referred to the Police;
 - referred to the External Auditor;
 - subject of an independent enquiry.
- 3.22 For monitoring purposes the Headteacher or Chair of Governors must report at the earliest opportunity the details of all whistleblowing allegations or suspicions of fraud, theft or corruption made within school. These must be reported to the Council's Head of Internal Audit and Risk Management. Internal Audit will monitor the outcome of all cases, including action taken to reduce the risk of reoccurrence.
- 3.23 **Foundation and Voluntary Aided Schools.** This policy does not extend to staff employed in these schools as in these schools the governing body is the employer and not the Council. It is therefore the governing body who must decide how employees and workers may make a qualifying disclosure under PIDA or raise an allegation of wrongdoing.
- 3.24 The Council's ability to legally investigate disclosures of serious wrongdoing in foundation and voluntary aided schools is reduced unless the allegations relate to safeguarding matters, Special Educational Needs and/or financial mismanagement concerns. The Council should be notified of details of all concerns reported in relation to these matters.
- 3.25 As such each school should have their own whistleblowing policy and arrangements for reporting, logging and investigating concerns.
- 3.26 In respect of **Academy Schools, Sixth Form Colleges and Free Schools**, these institutions should adopt their own whistleblowing policy and procedures as the Council has no legal power to investigate, except for those concerns relating to safeguarding issues and Special Educational Needs.
- 3.27 If the Council receives any disclosures relating to these institutions, we will acknowledge these and seek to advise whistleblowers on an appropriate course of action on matters raised. If the disclosure relates to serious wrongdoing in respect of safeguarding issues involving Children or vulnerable adults the Council has a legal obligation to investigate and will do so irrespective of the status of the school.
- 3.28 In relation to schools that fall outside the scope of the Council's whistleblowing policy, Manchester City Council does have a process whereby any individual who has concerns of wrongdoing can contact the Council at the same time as making a whistleblowing allegation to the school. Manchester City Council may not be able to deal with the complaint as a whistleblowing under its own policy as this will have to be done by the school but logging this with Manchester City Council will enable us to monitor the progress and where possible deal with the concerns having regard to any legal obligations or duty of care in relation to the school.

- 3.29 The Council will work with the Regional School Commissioner and Department for Education to review any matter referred to them in relation to Schools in Manchester.
- 3.30 Employees who have major concerns about other schools or about other Council services can report these matters to Manchester City Council as a member of the public, see 3.12.
- 3.31 Where allegations are made against Internal Audit, in order to ensure impartiality and integrity of the investigation, these allegations will be immediately referred to the City Solicitor who will make appropriate arrangements for an independent investigation to take place. Where allegations are made which may relate to both Internal Audit and City Solicitors, those allegations will immediately be referred to the Chief Executive, who will make arrangements for an independent investigation to take place.
- 3.32 To ensure transparency where any allegations are made in respect of Internal Audit, it may be appropriate that the Chair of Audit Committee and External Audit are made aware, on a confidential bases, that such allegations have been made and the arrangements that have been put in place to investigate them.

4. How to report a Whistleblowing concern

- 4.1 Anybody who has a whistleblowing concern relating to the Council can use our whistleblowing reporting procedures. A person who wishes to report a concern or suspected serious wrongdoing (a disclosure) should contact the City Council in one of the following ways:
- E-mail your concerns to Internal Audit at:
Whistleblowing@manchester.gov.uk
 - Contact us by telephone: **Whistleblowing hotline on 0161 234 5280**
 - Use the Council's secure online Whistleblowing reporting form.
<https://secure.manchester.gov.uk/forms/form/606/en/whistleblowing>
 - Concerns can also be reported in writing to:
Head of Internal Audit and Risk Management,
Confidential
Manchester City Council,
Floor 5, Town Hall Extension, Mount Street Elevation
Manchester, M60 2LA
- 4.2 Council employees can report a concern through their manager if they feel confident to do so. The manager must follow the obligation of confidentiality and reporting procedures in accordance with Section 5.
- 4.3 For monitoring purposes, all whistleblowing cases referred to managers must be reported on receipt to Internal Audit (See section 9). This may be done by the Whistleblower, receiving manager or the senior manager investigating the allegations. Internal Audit will also offer advice and support to the appointed investigator.

- 4.4 Any person reporting a concern should provide as much information as possible, including:
- who the allegations are against;
 - full details on the nature of the alleged wrongdoing;
 - provide any evidence they have in support of the allegation;
 - state if the person making the disclosure is an employee of Manchester City Council;
 - If not, does the person work in a school
 - Whether the person a service user or member of the public
 - name and contact details (unless they wish to remain anonymous).
- 4.5 Any calls made to the Council's whistleblowing Hotline, Internal Audit will gather as much information as possible about the concerns raised. If contact details are provided we may get in touch to seek further information.
- 4.6 In the event that an employee does not feel comfortable in making a disclosure to the Council then you are entitled to make a protected disclosure to one of the prescribed organisations listed.
- https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf

5. How the Council will Respond

- 5.1 The Council will formally respond to you to acknowledge receipt of a disclosure within 2 working days of the concern being received.
- 5.2 A further acknowledgement will be sent within 10 working days to indicate:
- how the Council proposes to deal with the matter; and the policy under which it will be investigated;
 - whether the Council considers it to be a protected disclosure;
 - contact details for the officer handling the investigation;
 - arrangements for confidentiality;
 - an estimate of how long it will take to provide a response on the outcome;
 - any initial enquiries which may have been made;
 - if no action is planned, why not.

- 5.3 **All proposed action should be notified and agreed with Internal Audit on behalf of the City Treasurer and in consultation with the relevant Chief Officer.**
- 5.4 All allegations will be handled confidentially and discreetly by those managers who are directly involved in the investigating process. The ongoing point of contact for the whistleblower will be given in the acknowledgement letter.
- 5.5 If necessary, further information will be sought from the whistleblower. This will depend on the nature of the matters raised, the potential difficulties involved in conducting an investigation and the clarity of the information provided.
- 5.6 At any meeting arranged to discuss an employee's concerns the employee has the right, if they so wish, to be accompanied by their Trade Union representative or a friend who is not involved in the area to which the concern relates.
- 5.7 The Council will do what it lawfully can to minimise any difficulties that an employee may experience as a result of raising a concern. For example, if an employee is required to give evidence in criminal or disciplinary proceedings, the Council will advise you about the procedures in terms of what will happen and what will be expected of you.

Anonymous allegations

- 5.8 The Council recognise that there may be circumstances where individuals are worried about being identified when they report concerns about their employer. If you have come to us anonymously and not provided your contact details we will treat your allegations just as seriously. However, this policy encourages individuals to put their name to an allegation wherever possible as we believe that open or confidential whistleblowing is the best means of addressing the concerns and protecting individuals.
- 5.9 Concerns expressed anonymously are more difficult to investigate, and harder to substantiate, and further liaison with the whistleblower is not possible. Nevertheless, anonymous allegations will always be individually considered and action taken at the discretion of the responsible Chief Officer, Head of Internal Audit and/or manager depending upon:
- the seriousness of the issues raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegations from attributable sources.

6. Outcomes

- 6.1 The Council will, subject to legal constraints, seek to advise the whistleblower on the outcomes of the investigation in order to assure them that that the matter has been properly addressed. Some concerns raised may be resolved by agreed action, once the whistleblowers concerns have been explained, without the need for investigation.
- 6.2 Investigation reports will be required for all cases. These will usually be issued by the Investigating Officer to the Chief Officer of the department involved and to the City Treasurer and Chief Executive. Internal Audit will also require confirmation of the

outcome of the work and any system risk issues which arise from it. Internal Audit may carry out follow up work as a result of any identified areas of risk.

7. Safeguards

- 7.1 In order to ensure that allegations are investigated in the right spirit with the right outcome, the following safeguards or principles should be applied in all cases.

Confidentiality and Anonymity

- 7.2 The Council's Whistleblowing policy seeks to protect the identity of the individual making a disclosure, meaning that your name will not be revealed without your explicit consent, even if the disclosure is not considered to be a qualifying disclosure under the PIDA. Your name will initially be logged at the outset and will be visible at times when data monitoring is taking place.
- 7.3 However, in alleged cases of serious wrongdoing, it must be appreciated that the Council cannot guarantee that this will be maintained particularly if external legal action results from the disclosure. In some cases an employee's concern may require further action and they may have to act as a witness and/or provide evidence, for example serious criminal offences which are referred to the Police.
- 7.4 If your disclosure relates to a child at risk or abuse of a vulnerable adult then the Council is required to investigate this under separate procedures and this takes priority over any request for anonymity. If you have provided your contact details, the Council will of course advise you of the action being taking.

Harassment and Victimisation

- 7.5 The Council acknowledges that the decision to report a concern can be a difficult decision for an employee to take, not least because of the fear of reprisal from those responsible for the malpractice. Any employee who makes a 'qualifying disclosure' which meets the requirements of the PIDA is legally protected against victimisation or harassment for whistleblowing.
- 7.6 The Council will not tolerate harassment or victimisation against an employee who has raised a genuine concern under the whistleblowing policy. Any employee who victimises a whistleblower will be subject to a disciplinary action which may lead to dismissal.
- 7.7 Chief Officers and Heads of Service should monitor how whistleblowers are subsequently treated after raising a matter of concern. They should ensure that any harassment or victimisation is dealt with under disciplinary arrangements.
- 7.8 Any employee who believes they have been victimised as a result of making a disclosure or blowing the whistle should report their concerns to the City Solicitor.

False and malicious allegations

- 7.9 While encouraging employees to bring forward matters of concern, the Council must guard against claims which are untrue. This is because of the risk of claims made to

deliberately damage the reputation of other employees or the Council as a whole and not least because the cost of investigation is high.

- 7.10 If an employee makes an allegation, but it is not confirmed by the investigation, no action will be considered or taken against them. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary offence and disciplinary action will be taken. The PIDA only offers protection from dismissal or detriment if the worker reasonably believes their disclosure was made in the public interest.

Misuse of the policy

- 7.11 The Whistleblowing policy is designed to promote and encourage reporting genuine concerns. The policy is not designed to allow:
- individuals who have acted inappropriately to escape punishment by highlighting any malpractices they were involved in;
 - employment protection in relation a redundancy situation or pre-existing disciplinary issues as a result of reporting a wrongdoing;
 - an individual to raise a concern for some private motive and not to prevent or correct the wrongdoing.

8. Data Protection and FOI

- 8.1 The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities. As such the Council often receives requests for information under the Freedom of Information Act.
- 8.2 The Council has a legal obligation to provide the information unless it falls under one of the exemptions of the Act.
- 8.3 The Freedom of Information Act contains exemptions which may be applicable to permit the withholding of information identifying the whistleblower, including:
- Section 40 Personal Data;
 - Section 41 Information which, if disclosed, would give rise to an actionable breach of confidence.
- 8.4 Many people making a disclosure to the Council will wish to protect their identity and the Council will always seek to protect the identity of individuals during the course of progressing an investigation. If the Council receives a request for information identifying a whistleblower, the Council will contact the whistleblower to seek their views beforehand and will, wherever possible, seek to comply with those views.
- 8.5 The principle of maintaining confidentiality should also be applied to the identity of any individual who may be the subject of a disclosure.
- 8.6 When processing personal data as part of a whistleblowing investigation, the Council will take all necessary precautions to protect such data and not to share it more widely than is necessary as part of the investigation. The Council will apply the General Data Protection Regulation and the Data Protection Act 2018 in all aspects of any whistleblowing investigation.

9. Monitoring of Whistleblowing Complaints

- 9.1 Internal Audit will maintain a central record of all whistleblowing referrals made under this policy and monitor the outcome of these cases. The collection, monitoring, review and storage of these records will at all times be carried out within the safeguarding principles set out at part 7 of this policy.
- 9.2 As such, details of any allegation should be reported to Internal Audit by the receiving manager on receipt. Internal Audit will log and allocate each case a reference number whether or not Internal Audit are involved in the investigation work. The outcome of the investigation should be notified to Internal Audit by the Investigating officer.
- 9.3 The records held by Internal Audit will be used to analyse the impact and effectiveness of the arrangements in place in statistical terms and records held in HR sections may be subject to review. The detailed case records form part of the process of reporting back to Members on the effectiveness and outcomes of the Policy and form the record of actions taken in the case of any matters raised under the Public Interest Disclosure Act. This information will be referred to for monitoring purposes and periodic assurance reports provided to the Audit Committee by the Head of Internal Audit as part of this process.
- 9.4 The City Treasurer and the Chief Executive retain responsibility for monitoring the effectiveness of the Council's Whistleblowing policy and process. The Standards Committee has an overview of the Whistleblowing policy.
- 9.5 A Whistleblowing record sheet (Appendix A) should be used to record a summary for each case. A copy should be sent to Internal Audit and one retained with the investigation paperwork on completion.

10. Training and Awareness

- 10.1 Chief Officers and Heads of Service are responsible for ensuring that their employees are aware of the whistleblowing policy and process and that any training needs are addressed which may arise from the application of the policy. Raising awareness of the Council's Whistleblowing Policy should form part of the induction training for all employees and should be addressed as refresher training for all employees.
- 10.2 Employees have a responsibility to ensure that they are aware of and understand the Council's policy in relation to Whistleblowing.

11. Frequently Asked Questions

What is the difference between whistleblowing and making a complaint or a grievance?

In general terms, whistleblowing occurs when an employee raises a concern about danger or illegality that affects others and which has a public interest dimension to it. The person blowing the whistle is usually not directly, personally affected by the danger or illegality. Consequently, the whistleblower rarely has a personal interest in the outcome of any investigation into their concerns. As a result, the whistleblower should not be expected to prove their case; rather he or she raises the concern so others can address it.

A grievance or private complaint is, by contrast, a dispute about the employee's own employment position and has no additional public interest dimension. When someone complains, they are saying that they have personally been poorly treated. This poor treatment could involve a breach of their individual employment rights or bullying and the complainant is seeking redress or justice for themselves. The person making the complaint therefore has a vested interest in the outcome of the complaint, and, for this reason, is expected to be able to prove their case.

For example – bullying and discrimination issues should be dealt with under the respective policy or under grievance procedure

Can concerns be raised confidentially or anonymously?

The Council encourages whistleblowers to identify themselves and raise concerns openly. Openness makes it easier for the Council to assess the issue, work out how to investigate the matter, understand any motive and get more information. The effectiveness of any whistleblowing investigation may be limited where an individual chooses not to be identified.

An individual raises a concern confidentially if he or she gives his or her name on the condition that it is not revealed without their consent. An individual raises a concern anonymously if he or she does not give his or her name at all. Clearly, if the Council does not know who provided the information, it is not possible to reassure or protect them.

Does the Public Interest Disclosure Act (PIDA) require an employer to keep a whistleblower's identity secret?

The simple answer is no - PIDA contains no specific provision on confidentiality. The protections within the Act can be deemed to encourage employees to raise issues openly. A good whistleblowing policy will provide a confidential port of call for a worried employee and employers should respect any promise of confidentiality they make. However in some cases it will be impossible to take action on the concern without the open testimony of a whistleblower. Further it may later become necessary to waiver anonymity because of the course of the investigation for example if the matter has had to be referred to the police

Am I protected from dismissal if I blow the whistle?

A worker can not be dismissed because they blow the whistle. If they are, they can claim unfair dismissal - they'll be protected by PIDA law as long as certain criteria are met.

Types of whistleblowing eligible for protection. These are called 'qualifying disclosures'. They include when someone reports:

- that someone's health and safety is in danger
- damage to the environment
- a criminal offence
- that the company is not obeying the law (like not having the right insurance)
- that someone's covering up wrongdoing
- there has been or is likely to be a miscarriage of justice.

Who is protected?

The following people are protected:

- employees
- agency workers
- people that are training with an employer, but not employed
- self-employed workers, if supervised or working off-site

A worker will be eligible for protection if:

- they honestly think what they're reporting is true
- they are telling the right person
- they believe that their disclosure is in the public interest

Who is not protected?

- individuals who break the law when they report something, for example because they signed the Official Secrets Act
- they were part of the wrongdoing
- they found out about the wrongdoing when someone wanted legal advice ('legal professional privilege'), for example if they are a solicitor

Workers who are not employees cannot claim unfair dismissal because of whistleblowing, but they are protected and can claim 'detrimental treatment'.

What information should a whistleblower provide?

Supporting evidence for the allegations, if available, is clearly helpful. However, PIDA does not require individuals to have evidence before reporting the matter, but it does say that the individual must reasonably believe the information is substantially true. Individuals should report concerns to Line Management or other at the earliest opportunity rather than wait to collate any evidence.

Whistleblowers are encouraged to provide their contact details to allow the Council to seek further information, where necessary and advise on outcomes.

Where can I get independent advice?

Individuals can contact the independent charity Protect (formally Public Concern at Work) for free, independent and confidential advice, for example to find out what is protected by PIDA and how best to raise concerns. The charity has provided a specific confidential advice line for Manchester staff, telephone number: 0800 1124408 or visit their website www.pcaw.org.uk

Appendix A

CONFIDENTIAL MANCHESTER CITY COUNCIL WHISTLEBLOWING CASE RECORD

<p>The date the concern / allegation / disclosure was received in the Council</p> <p>Directorate Involved</p> <p>How the report was received (verbal or written)</p>	
<p>Details of who the concerns were raised with?</p> <p>Name and Job role</p>	
<p>Name and job role of employee making complaint/allegation: (unless anonymity was requested).</p>	
<p>Was confidentiality requested / explained or promised?</p>	
<p>A summary of the concern / allegation raised:</p>	
<p>Details of any feedback given and any response from the employee</p>	

<p>Matter reported to Head of Internal Audit (Yes/No)</p> <p>Date referred:</p>	
<p>Has formal acknowledgement provided to employee in line with the policy?</p> <p>(Acknowledgement of receipt within 2 working days)</p> <p>(Further acknowledgement on sent within 10 working days).</p>	
<p>Chief Officer and Officer handling the investigation:</p> <p>(Names)</p>	
<p>Summary outcome of investigation:</p> <p>(Proved not proved, action plans and recommendations)</p>	
<p>Date notification of outcome given to employee:</p>	
<p>Papers retained (location), responsible officer and review date:</p>	

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Appendix B

SEVEN NOLAN PRINCIPLES

The following are the Seven Nolan Principles underpinning standards for Public Life:

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public services. The principles also have application to all those in other sectors delivering public services.

1. Selflessness: Holders of public office should act solely in terms of the public interest..
2. Integrity: Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships..
3. Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias..
4. Accountability: Holders of public office are accountable to the public for their decisions and actions and must admit themselves to the scrutiny necessary to ensure this.
5. Openness: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing..
6. Honesty: Holders of public office should be truthful.
7. Leadership: Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Source: The Committees website is at <http://www.public-standards.gov.uk/>

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**Manchester City Council
Report for Resolution**

Report to: Standards Committee – 1 November 2018

Subject: Work Programme for the Committee

Report of: Governance and Scrutiny Support Unit

Summary

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

Recommendation

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

Wards Affected: All

Financial Consequences for Revenue Budget None directly

Financial Consequences for the Capital Budget None directly

Contact Officers:

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Name: Andrew Woods
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Background documents (available for public inspection):

None

Standards Committee Work Programme – 1 November 2018

Meeting – November 2018

Item	Purpose of the report	Report Author	Comments
Standing item if needed – Members Update on Ethical Governance	To update Members on any national issues regarding ethical governance which may impact on the Council's arrangements for ethical governance.	Poornima Karkera	Last reported March 2018
Member Development	To consider the draft Member Development Strategy.	Jonathan Kershner	Agreed in June 2018. Proposed to defer to March 2019 meeting
Code of Corporate Governance	To review the operation and efficacy of the Code.	Sean Pratt	Last reported June 2017
Planning Protocol	To review the operation and efficacy of the Protocol.	Robert Irvine / Julie Roscoe	
Whistleblowing Policy	To review the operation and efficacy of the Policy.	Tom Powell	
Annual standards committee report	To note and review the work done in the last year to promote and maintain high standards of conduct by members.	Poornima Karkera	Moved to allow time to feed in to AGS
Audit Committee as to whether a DBS check should be introduced for all members	To consider the introduction of DBS checks for all Members	Jonathan Broad	
Standing item - Work Programme	To review and (amend if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

Meeting – March 2019

Item	Purpose of the report	Report Author	Comments
Review of revisions proposed to and efficacy of the Gifts and Hospitality Guidance for Members , Member / Officer Relations Protocol and Use of Resources Guidance	To consider proposed revisions to and efficacy of the Gifts and Hospitality Guidance for Members, Member / Officer Relations Protocol and Use of Resources Guidance.	Poornima Karkera	Last reported March 2018 To feed in to annual review of constitution
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 revisions proposed to the guidance and the efficacy of the guidance.	Poornima Karkera	
Standing item - Work Programme	To review and amend (if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	
Register of Members Interests	To review the operation and efficacy of the process for updating the Register of Members Interests.	Poornima Karkera	

Meeting – June 2019

Item	Purpose of the report	Report Author	Comments
Arrangements for dealing with complaints against Members	To review the operation and efficacy of the current arrangements.	Poornima Karkera	
Dispensations	To review the operation and efficacy of the process for granting dispensations.	Poornima Karkera	

Meeting – October 2019

Item	Purpose of the report	Report Author	Comments
Standing item if needed – Members Update on Ethical Governance	To update Members on any national issues regarding ethical governance which may impact on the Council's arrangements for ethical governance.	Poornima Karkera	
Member Development	To consider the training and Member Development in relation to Code of Conduct and Standards matters	Jonathan Kershner	
Code of Corporate Governance	To review the operation and efficacy of the Code.	Sean Pratt	
Planning Protocol	To review the operation and efficacy of the Protocol.	Robert Irvine / Julie Roscoe	
Whistleblowing Policy	To review the operation and efficacy of the Policy.	Tom Powell	
Annual standards committee report	To note and review the work done in the last year to promote and maintain high standards of conduct by members.	Poornima Karkera	
Standing item - Work Programme	To review and (amend if necessary) items to be considered at future meetings of the Committee.	Andrew Woods	

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

Document/Procedure/Protocol	Last Reviewed	Date Due for Review	Comments
The Code of Corporate Governance	March 2018	November 2018	
The Annual Governance Statement	March 2018	March 2019	
Members' Code of Conduct	Updated annually as needed as part of annual review of constitution.	At next annual review of Constitution	AGMA wide review
Arrangements for Investigating Complaints made under the Members' Code of Conduct	March 2017	March 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	
Gifts and Hospitality Guidance for Members	March 2018	March 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	
The Member/ Officer Relations Protocol	March 2018	March 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	
The Use of Council Resources Guidance for Members	March 2018	March 2020 or earlier where there is a change in the law or circumstances warrant an earlier review	
Social Media Guidance for Members	March 2018	March 2020 or earlier where there is a change in the law or	

		circumstances warrant an earlier review.	
The Planning Protocol for Members	November 2017	November 2018	Reviewed 2 November 2017
Council's Whistleblowing Policy	November 2017	November 2018	Reviewed 2 November 2017
Procedure for the Local Hearing of Allegations of Misconduct by Members of the Council	Reviewed November 2017	March 2020 or earlier where there is a change in the law or circumstances warrant an earlier review.	Reviewed 2 November 2017
Register of Members Interests	Considered as part of annual report. Last considered March 2018.	March 2019	November 2018