

Standards Committee

Minutes of the meeting held on Thursday, 21 March 2019

Present: N Jackson – in the Chair

Councillors: Andrews, Connolly, Evans, Kilpatrick, and Lanchbury.

Ringway Parish Council: Councillor O'Donovan.

Apologies: Councillor Cooley, Ms S. Beswick, G Linnell and Mr A Eastwood.

Minutes

Decision

To approve as a correct record, the minutes of the meeting on 1 November 2018.

ST/19/2. Review of Local Government Ethical Standards - Committee on Standards in Public Life

A report submitted by the City Solicitor (Monitoring Officer) advised Members that the Committee on Standards in Public Life (CSPL), has completed its latest review of local government ethical standards and published its report on 30 January 2019. The CSPL advised the Prime Minister on ethical standards across the whole of public life in England and monitored and reported on issues relating to the standards of conduct of all public office holders.

The CSPL had made 26 recommendations to improve ethical standards in local government. Its recommendations had been made to the government, the Local Government Association, Parish Councils and to political parties. A list of the recommendations were attached to the report at appendix 2. It was noted that a response from government to the recommendations was yet to be received.

In addition, the CSPL had made 15 best practice recommendations for local authorities that should be considered as a benchmark of good ethical practice, which it expected that all local authorities could and should implement. A list of best practice recommendations to local authorities was attached at Appendix 3 of the report.

The Committee welcomed the report, but expressed some concern regarding the finding that there was clear evidence of misconduct by some councillors. Officers assured the Committee that the findings relate to national finding, and were not confined to Manchester councillors.

The Committee also welcomed the point that many of the recommendations of best practice were already being implemented by Manchester, both at a Greater Manchester level and a local level.

The City Solicitor advised that the best practice recommendations would be considered by the Chief Legal Officers across Greater Manchester to identify, where possible, a consistent approach and that a report would be brought to a future Committee meeting of the outcome.

The Committee noted the recommendation that Independent Persons have limited terms of office of no longer than 4 years. The Committee noted that the current terms of office for all Independent Persons and Co-opted members of this Committee expire on 17 November 2019. In order to allow for the offices of the two independent co-opted members of the Standards Committee and the two Independent Persons to be advertised with a view to appointing new membership with effect from 18 November 2021, the Committee agreed to request that Council extend the terms of office of Nicolē Jackson and Geoff Linnell (the two independent co-opted members of the Standards Committee) and Alan Eastwood and Sarah Beswick (the Council's two Independent Persons) for two years commencing on 18 November 2019.

Decision

The Committee:-

1. Notes the report;
2. Requests that the Monitoring Officer, in conjunction with colleagues in the other Greater Manchester authorities, undertake a review of the implications for the Council in following the best practice recommendations for local authorities, of the Committee on Standards in Public Life and that she report back to a future meeting of the Standards Committee; and
3. Requests that the Council extend the terms of office of Nicolē Jackson and Geoff Linnell (the two independent co-opted members of the Standards Committee) and Alan Eastwood and Sarah Beswick (the Council's two Independent Persons) for two years commencing on 18 November 2019.

ST/19/3. Social Media Guidance for Members update

A report submitted by the City Solicitor provided Members with an update on the operation/efficacy of the Social Media Guidance for Members ('the Guidance') as well as the provision of training for members on the Guidance.

The Committee was advised that in terms of the operation of the guidance, there had been no complaints against members regarding social media since November 2018 and no decision notices had been made in relation to social media complaints since November 2018. This compared with one complaint made in 2017 and six during the period October 2015 to October 2016. The view of the Council's Monitoring Officer was that complaints relating to social media use were not at a level that gave rise to

specific concerns in this area, however, as a refresher, the Social Media Guidance would be sent to all Members again.

It was also reported that Social Media Training was provided for all Members in December 2018 and although attendance had not been particularly high, the feedback that had been received from those who had attended had been very positive and the training provider had been very complimentary about the Council's Social Media Guidance which they commended to all members.

The Committee also concluded that the Social Media Guidance should be provided not just to members, but to all candidates in the forthcoming Elections, and officers agreed that this would be done.

Decision

The Committee:-

1. Notes the report.
2. Requests that the Social Media Guidance be provided to all candidates in forthcoming elections.

ST/19/4. Consultation outcome on Updating Disqualification Criteria for Local Authority Members

The Committee considered a report of the City Solicitor, which provided an overview of the responses to the consultation on updating disqualification criteria for local authority members including the Government's response.

The consultation posed six questions regarding Sexual offences, Anti- social behaviour and the Public Sector Equality Duties under the Equality Act 2010. Around 178 responses were generated from councils, membership organisations and individuals. A report on the consultation was brought to the Committee on 2 November 2017. The Committee commented in relation to the consultation questions and agreed that the Monitoring Officer, in consultation with the Chair, would produce a response to the consultation. A copy of the Council's response was included as an appendix to the report

It was reported that any changes to disqualification criteria for a member of a local authority, mayor of a combined authority, member of a London Assembly or London Mayor would require changes to primary legislation and it was anticipated that the Government would look to identify a suitable legislative opportunity when parliamentary time allowed.

Officers confirmed that they were waiting for primary legislation to be introduced to implement the recorded outcomes of the consultation.

Decision

The Committee notes the report and requests that a report be brought to a future meeting once the legislation has been introduced.

ST/19/5. Register of Members' Interests

The City Solicitor submitted a report on the operation and efficacy of the process for updating the Register of Members' Interests.

It was reported that all new Members received training as part of their induction on registration of interests and all new Members had registered their interests. Reminders to Members regarding updating their Register of Interests were contained in the Ethical Governance Update sent to all Members twice a year and were given by specific email reminders to all Members. Email reminders regarding revision of existing register entries was sent to all Councillors in July 2018 and November 2018. The Committee was reminded that whilst officers provided advice to Members, if asked, on Members' interests it was the responsibility of individual members to comply with the requirements of the Code of Conduct.

It was the view of the Monitoring Officer that the Register of Interests requirements were understood by Members but as a matter of good practice specific guidance would continue to be provided to Members regarding declaration of interests at meetings where necessary.

The Committee noted that 43 members had updated their declarations of interests since July 2018, and welcomed this evidence that Members understood their obligations with regard to the Register of Interests. The Monitoring Officer also confirmed that Members who did not want details of their home address in the public domain could apply to have this information redacted. The Monitoring Officer would assess the reasons for any request on a case by case basis.

Decision

The Committee note the report.

ST/19/6. Member Development Strategy

The Committee considered a report of the City Solicitor, which sought the views of the Committee on the proposed Member Development Strategy, provided an update on proposals for the induction programme for new Councillors for May 2019 and reported on training delivered in the current municipal year.

The Strategy set out a clear direction for delivering Member development as well as the roles of the Monitoring Officer, Standards Committee and Member Development Working Group (MDWG) in relation to Member development and training as well as setting out the role of individual Members and group officers for each Group. At the heart of the Strategy was the expectation that Members took responsibility for their own development and worked with Group Officers and the MDWG to ensure their needs were identified and discovered the most effective means of

delivering development opportunities.

The MDWG had also held a special meeting to discuss the Member induction programme for 2019. Taking into account positive feedback provided from 2018, it had been agreed that the format from 2018 had been successful and should therefore be repeated in 2019 and that newly elected and returning Councillors should be asked to attend.

A record of Member training delivered between May 2018 and February 2019, including attendance levels, was detailed at appendix B of the report.

The Committee requested that invitations to training and development opportunities should make it very clear as to whether the opportunity was for Members only, or a mix of Members and other people. Officers confirmed that this would be done.

The Committee also requested that induction training be open to all Members, not just new Members and officers confirmed that the induction training is available as a refresher and would be made available to new and returning members and more widely where possible.

The Committee commented that not all people learn in the same way, and that training should be available that was face to face as well as online. Officers confirmed that they were aware of different learning needs, and that the majority of the training that had been offered over the last 12 months had been face to face.

The Committee noted that the training provided by the LGA was consistently excellent, and would like to have more opportunities for members to attend. Officers confirmed that the training budget would allow for this, and that they had also identified alternative external training providers as part of a tender process. Officers also confirmed that they were investigating the provision of bespoke training that would more closely align with Our Manchester principles.

Decisions

The Committee:-

1. Notes the report; and
2. Requested that LGA training opportunities be increased.

ST/19/7. Annual review of Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol

A report by the City Solicitor outlined the proposed changes to the sections of the Council's Constitution relating to the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol and advised the Committee of amendments proposed in respect of these parts of the Constitution.

The report also considered the efficacy of both pieces of Guidance and the Protocol.

The Committee welcomed the report and noted that the data usage expectations had been updated. A Member raised that the use of social media on Council provided mobiles may impact on the data usage levels and officers advised that they would keep the data usage under review. Officers also told the Committee that they were conducting a review of the threshold for declaring gifts/hospitality, which in Manchester currently stands at £100. They explained that other local authorities across Greater Manchester had different thresholds, some of which were as low as £25. Officers said that there had been a suggestion that the threshold should be £50. Officers would consider the threshold as part of the overall response to the CSPL recommendations and which would be reported back to Committee.

The Committee noted the dual nature of the Lord Mayor's role, with regard to Gifts to the City and personal gifts.

Officers also told the Committee that HROD are conducting a review of the Member/Officer Protocol, and that a report would be brought back to the Committee when this was completed.

Decisions

The Committee:-

1. Endorses the Monitoring Officer's proposed amendments to the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol in the Council's Constitution; and
2. Notes the Monitoring Officer's views on the efficacy of the Use of Resources Guidance for Members, the Gifts and Hospitality Guidance for Members and the Member / Officer Relations Protocol.

ST/19/8. Annual Governance Statement 2018/19

The Committee considered a report of the Deputy Chief Executive and City Treasurer, which contained the draft 2018/19 Annual Governance Statement (AGS) which has been produced following completion of the annual review of the Council's governance arrangements and systems of internal control.

Local authorities had a legal responsibility to conduct, at least annually, a review of the effectiveness of their governance framework including their system of internal control. Following the review, an Annual Governance Statement (AGS) must be produced, approved and published. The Committee was asked to note the findings of the 2018/19 AGS and the actions proposed to further develop or strengthen elements of the Council's governance arrangements during 2019/20.

The Committee welcomed the report and noted the sections that applied to the work of the Committee. In addition, the Committee noted the governance challenges faced by the Council as a whole, and how these challenges are being met and addressed.

Decision

The Committee endorses the draft version of the Council's 2018/19 Annual Governance Statement.

ST/19/9. Work Programme

The Committee considered its work programme for its next three meetings, noting the items of business that were scheduled for each of the meetings.

The Committee agreed that the Member/Officer Protocol review should be added to the agenda for the June meeting. In addition, the review of the Planning Protocol should also be moved to the June meeting, so that the 2 items could be considered at the same time.

The Committee agreed to remove the item regarding Member Development from the October meeting agenda, as they were satisfied with the progress that has been made.

Decisions

1. To add the Member/Officer Protocol update to the agenda for the June meeting.
2. To move the Planning Protocol review update from the October meeting agenda to the June meeting agenda.
3. To remove the Member Development update from the October meeting agenda.