

**Manchester City Council
Report for Resolution**

Report to: Standards Committee – 17 June 2021

Subject: Review of the Operation and Efficacy of the Arrangements for dealing with Code of Conduct complaints against Members

Report of: City Solicitor and Monitoring Officer

Summary

To update the Standards Committee on the operation and efficacy of the Arrangements for dealing with Code of Conduct complaints against Members

Recommendations

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

Financial Consequences – Revenue None

Financial Consequences – Capital None

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Background documents (available for public inspection): None

1.0 Introduction

- 1.1 On 18 March 2021 this Committee considered, and approved for forwarding on to full Council, an annual report regarding the work done by the Council's Monitoring Officer, since the last annual report in October 2019 to 31 January 2021, to promote and maintain high standards of conduct by Members.
- 1.2 Members are reminded that the timeframes within 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 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.
- 1.3 A copy of the Arrangements are attached.
- 1.4 The annual standards report to the March 2021 meeting of this Committee informed Members that there had been an improvement in the timeliness of processing complaints. Between 1 October 2019 and 31 January 2021, 21 of 23 complaints were acknowledged and forwarded to the subject member within the 10 working day time frame and the other two only slightly exceeded the timeframe provided for in the Arrangements. The report also indicated that whilst 8 of the 23 exceeded the 20 working day timetable for initial assessment decision, following the response from the subject member, this reflected that 5 of which were passed on for investigation. It was further reported that it was expected that additional diarising and monitoring proposed to be undertaken would help further reduce any delays in responding to complaints against Members.
- 1.5 Members are advised that during the period 1 February to 31 May 2021 four complaints against Members have been received by the Monitoring Officer and in respect of all four complaints the above timeframes have been complied with.

2.0 Review of the Arrangements

- 2.1 Members will recall that, as reported to this Committee in March 2019, the Committee on Standards in Public Life (“the CSPL”) published a report on its review of local government ethical standards on 30 January 2019. One of the CSPL recommendations was that the Local Government Association (‘LGA’) should create an updated code of conduct in consultation with representative bodies of councillors and officers of all tiers of local government.
- 2.2 At its meeting in March 2021 this Committee agreed to the proposal that Chief Legal Officers in Greater Manchester be requested to discuss the adoption of the LGA model code (either as is or with minor amendments) throughout Greater Manchester and that the outcome of these discussions be reported to this Committee’s November meeting. The Chief Legal Officers have suggested that the Arrangements should form part of these discussions.
- 2.4 It is proposed that the outcome of these discussions be reported to a future meeting of this Committee.

3.0 Recommendation

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