

**Manchester City Council
Report for Resolution**

Report to: Standards Committee – 17 June 2021

Subject: Membership of the Standards (Hearing) Sub-Committee

Report of: City Solicitor

Summary

The purpose of this report is to assist the Standards Committee in reviewing the membership of the Standards (Hearing) Sub-Committee, considering recent changes to the membership of the Standards Committee.

Recommendations

That the Standards Committee makes appointments to the Standards (Hearing) Sub-Committee so that the Sub-Committee's membership becomes as detailed at paragraphs 3.1 and 3.2 of this report.

Wards Affected: All

Financial Consequences – Revenue None

Financial Consequences – Capital None

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Background documents (available for public inspection): None

1.0 Background

- 1.1 At its meeting of 22 October 2015 the Committee established a Standards (Hearing) Sub-Committee to undertake the role of the Hearing Panel as described in the Council's arrangements for dealing with complaints that Council Members have failed to comply with the Code of Conduct for Members ("the Arrangements") and delegated to the Sub-Committee the functions of the Standards Committee set out at Articles 9.3(f) and 9.3(g) of the Council's Constitution (and reproduced in the Appendix to this report for information).
- 1.2 The Arrangements state that the membership of the Sub-Committee will comprise of at least one of the co-opted Independent Members of the Standards Committee along with three elected Members of the Standards Committee of whom one must be a member of the largest minority group (if any). Where the hearing concerns a complaint about a Member of Ringway Parish Council the co-opted Parish Council Member of the Standards Committee will also be included in the Sub-Committee.
- 1.3 The membership of the Sub-Committee was last reviewed at the 16 January 2020 meeting of the Standards Committee, at which it was also agreed that an annual review of the membership of the Sub-Committee would be added to the Standards Committee's work programme. Since then the membership of the Standards Committee has changed.
- 1.4 At the time of the last review of the membership of the Sub-Committee there was an opposition group on the Council. Consequently, the political balance rules applied so as to require an opposition member to be appointed to the Sub-Committee and the Arrangements similarly required one of the three elected members of the Sub-Committee to come from the largest minority group. Following the 6 May 2021 local elections there are currently no minority groups established on the Council, meaning that the abovementioned requirements do not currently apply.
- 1.5 In light of the above changes and the appointment of Councillor Julie Connolly to the Standards Committee the Committee will need to reconsider the membership of the Standards (Hearing) Sub-Committee.

2.0 Membership of the Standards (Hearing) Sub-Committee following the last review

- 2.1 When the membership of the Standards (Hearing) Sub-Committee was last reviewed its membership was designated as follows:

Members of the Sub-Committee	Substitute Members
The Independent Member who has been appointed as Chair of the Standards Committee, who would act as Chair of the Standards (Hearing) Sub-Committee – Nicolé Jackson	The other Independent Member of the Standards Committee, who would act as substitute Chair of the Standards (Hearing) Sub-Committee – Geoff Linnell

Councillor Andrews	Councillor Lanchbury
Councillor Evans	Councillor A Simcock
Councillor Kilpatrick	

2.2 It was also agreed that where the Standards (Hearing) Sub-Committee was considering a complaint against a member of Ringway Parish Council, the Parish Member of the Standards Committee (Parish Councillor O'Donovan) would also be a member of the Sub-Committee.

3.0 Proposed Membership of the Standards (Hearing) Sub-Committee

3.1 The recommended revised membership of the Standards (Hearing) Sub-Committee is as set out below:

Members of the Sub-Committee	Substitute Members
The Independent Member who has been appointed as Chair of the Standards Committee, who will act as Chair of the Standards (Hearing) Sub-Committee – currently Nicolé Jackson	The other Independent Member of the Standards Committee, who will act as substitute Chair of the Standards (Hearing) Sub-Committee – currently Geoff Linnell
Councillor Andrews	Councillor Simcock and Councillor Connolly shall, in that order of priority and subject to availability, act as substitute elected members in the event that one or more elected members of the Standards (Hearing) Sub-Committee is unable to attend a meeting of the Sub-Committee.
Councillor Evans	
Councillor Lanchbury	

3.2 Where the Standards (Hearing) Sub-Committee is considering a complaint against a member of Ringway Parish Council, the Parish Member of the Standards Committee (currently Parish Councillor O'Donovan) shall also be a member of the Sub-Committee.

4.0 Recommendations

4.1 Recommendations to the Committee are set out at the beginning of this report.

Appendix – Excerpt from Article 9.3 of the Council’s Constitution

9.3 Role and Functions

The Council has delegated to the Standards Committee the following powers to deal with matters of conduct and ethical standards, and the Council’s Standards Committee has the following role and functions:

[...]

- (f) To determine in accordance with the Council’s Arrangements whether a Council Member has failed to comply with the Council’s Code of Conduct for Members and, if so, to determine what action (if any) to take;
- (g) 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), such actions to include:–
 - (i) Publication of the findings of the Standards (Hearing) Sub-Committee in respect of the Subject Member’s conduct;
 - (ii) Reporting the findings of the Standards (Hearing) Sub-Committee to Council for information;
 - (iii) Recommendation to Council that the Subject Member should be censured;
 - (iv) Recommendation to the Subject Member’s Group Leader (or in the case of ungrouped Members to Council) that the Subject Member should be removed from any or all Committees or Sub-Committees of the Council;
 - (v) Recommendation to the Leader that the Subject Member should be removed from the Executive, or removed from their Portfolio responsibilities;
 - (vi) Instructing the Monitoring Officer (or recommending to Ringway Parish Council) to arrange training for the Subject Member;
 - (vii) Recommendation to Council (or to Ringway Parish Council) that the Subject Member should be removed from all outside appointments to which the Subject Member has been appointed or nominated by the Council (or by Ringway Parish Council);
 - (viii) Withdrawal of (or recommendation to Ringway Parish Council that it withdraws) facilities provided to the Subject Member by

the Council, such as a computer, website and/or e-mail and internet access; or

- (ix) Placing such restrictions on the Subject Member's access to Council staff, buildings or parts of buildings as may be reasonable in the circumstances.

[...]