

Standards Committee

Minutes of the meeting held on 17 June 2021

Present

Independent Co-opted Member: N Jackson – In the Chair

Councillors Andrews, Connolly, Lanchbury and A. Simcock

Ringway Parish Council: Councillor O'Donovan

Independent Co-opted Member: G Linnell

Apologies:

Councillor Evans

ST/21/08 Minutes

The minutes of the meeting held 18 March 2021 were submitted for approval.

Decision

To approve the minutes of the meeting held on 18 March 2021 as a correct record.

ST/21/09 Draft Annual Governance Statement 2020/21

The Committee considered the report of the Deputy Chief Executive and City Treasurer presenting the draft 2020/21 Annual Governance Statement (AGS). The AGS has been produced following completion of the annual review of the Council's governance arrangements and systems of internal control. The Directorate Lead - Corporate Planning and Governance introduced the report and informed the Committee that work had been undertaken to streamline the report following an exercise with peer authorities to look at examples of good practice and to adapt those to improve the layout and content of the statement. The statement has been made more concise and now focuses on important strategic information.

The Committee was reminded that the AGS is reported to both Audit Committee and Standards Committee. The Annual Report of Standards Committee informs the AGS as a source of assurance and it was proposed that for 2021/22 and subsequent years that instead of the AGS itself being brought to Standards Committee and Audit Committee, that would instead be submitted to Audit Committee only. This amendment would improve the efficiency of the process due to the timing of the usual Committee schedule which holds the meeting of the Standards Committee in March before Audit Committee. This will allow the draft version of the AGS to be in a more complete year-end position when reported to Audit Committee, therefore reducing officer resources required to update and produce the document. A recommendation would be required for the Council to consider and decide whether to amend article 9 of the Council Constitution accordingly. In addition, the Committee was requested to agree that the Code of Corporate Governance (CCG) be removed

from the remit of the Standards Committee and be considered by the Audit Committee.

The Chair invited the Committee to ask questions and comment on the report.

Members of the Committee questioned the reasons for the removal of the AGS from consideration by Standards Committee in particular the reference to officer time. Members also considered the involvement of the Committee to be relevant and important. A change of date of the Standards Committee was suggested to address the matter.

The Committee was informed that a change of date to bring the report later would address the matter.

The Chair advised the Committee that the change of timings in the accounting regulations had impacted on the production of the AGS. Also, the Standards Committee had only limited terms of reference in relation to the AGS and CCG. The Committee's ability to inform the AGS is through the production of the Annual Standards Report as it provides the Standards Committee overview of how the Council is operating and provides the Council with that assurance. It would also be difficult to advise on what the Committee could add to the CCG through the limited standards related focus it has, unless changes were made by CIPFA to the key principles relating to matters of conduct.

A member questioned what compromise could be made if a change was made to the CIPFA principles to allow to allow the Committee to assess if input was required into the any new principles.

The Committee was advised that any changes to the CIPFA principles would be reported to the Committee for consideration.

Following discussion, members were in agreement that the Committee should retain its current responsibility for parts of the AGS and CCG relating to Standards matters. In addressing the issue of the scheduling of meetings, it was suggested that the Chair agree to call an additional meeting of the Standards Committee to deal with those matters as and when they arise.

The Chair noted that the Committee was aware of the need for flexibility in considering the Annual Governance Statement and preferred to retain the current responsibilities as part of its terms of reference, as detailed in the Council Constitution. To ensure the schedule for the production of the AGS is met, the Committee would meet to consider the AGS at an additional ordinary meeting at a time to complement its submission to the Audit Committee.

Decisions

1. The Committee noted the contents and the comments on the draft version of the Council's 2020/21 Annual Governance Statement (AGS).

2. The Committee agreed to retain its responsibility to consider the Annual Governance Statement and Code of Corporate Governance in relation to member standards matters.
3. The Committee agreed that an additional ordinary meeting of the Standards Committee be arranged, in consultation with the Chair, to consider the AGS, to complement the submission of the AGS to the Audit Committee if needed.

ST/21/10 Review of the Operation and Efficacy of the Arrangements for dealing with Code of Conduct complaints against Members

The Committee considered the report of City Solicitor and Monitoring Officer that provided an update on the operation and efficacy of the arrangements for dealing with Code of Conduct complaints against Members.

The report was introduced by the Head of Governance, Legal Services.

Reference was made to the suggestion that the Chief Legal Officers in Greater Manchester consider the wording of the Arrangements as part of their discussions on the new Local Government Association Model Code of Conduct for Members. The report also provided the timeframes within the Council's Arrangements for dealing with complaints. The Committee was also advised that for the period 1 February to 31 May 2021, four complaints against Members were received by the Monitoring Officer and in respect of all four complaints the timeframes were complied with.

The Chair invited the Committee to ask questions and comment on the report.

A member asked when the Chief Legal Officers would consider the New Model Code.

The Committee was informed that a meeting to consider the Code would take place within the next two months and the outcome would be reported to the next meeting of the Standards Committee in November.

Decisions

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.

ST/21/11 Review of the Operation and Efficacy of the Use of Resources Guidance for Members

The Committee considered the report of the City Solicitor that provided an update on the operation and efficacy of the Use of Resources Guidance for Members.

The Head of Governance, Legal Services introduced the report and informed the Committee that the changes made to the Guidance as part of the review of the Constitution had been agreed by Council in February 2021 and these are highlighted in the report.

Decisions

1. To note the Monitoring Officer's views on the operation and efficacy of the Use of Resources Guidance for Members.
2. To recirculate the Use of Resources Guidance for Members to all members of Council for information.

ST/21/12 Membership of the Standards (Hearing) Sub-Committee

The Committee considered the report of City Solicitor to assist the Committee in reviewing the membership of the Standards (Hearing) Sub-Committee, considering recent changes to the membership of the Standards Committee.

Decisions

1. To appoint the membership of the Standards (Hearing) Sub-Committee as follows:

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 Andrew	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	

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.

ST/21/13 Review of Procedure for the Hearing of Allegations of Breaches of the Council's Code of Conduct for Members

The Committee considered the report of the City Solicitor seeking the views of the Committee on the proposed revisions to the Procedure for the Hearing of Allegations of Breaches to the Council's Code of Conduct for Members.

Decision

The Committee noted the proposed revised Procedure for the Hearing of Allegations of Breaches of the Council's Code of Conduct for Members ('the Procedure') and approved, the revised Procedure, as detailed in the Appendix of the report submitted.

ST/21/14 Terms of Office of the Independent Members of the Standards Committee and the Council's Independent Persons

The Committee considered the report of the City Solicitor and Monitoring Officer that sought the views of the Committee in relation to the terms of office of the two independent co-opted members of the Standards Committee and the Council's two Independent Persons.

The Head of Governance, Legal Services introduced the report. Reference was made to the extension of the terms of office of the current two Independent members and the two Independent Persons for one further year. The Committee for Standards in Public Life have recommended that Independent Person appointments should be for a fixed term of 2 years, renewable once. The Government's response to the recommendations is still awaited.

It was reported that contact with each of the Independent members Persons on the Standards Committee would take place outside of the meeting to confirm whether each person wishes to continue in the role. A report would then be submitted to Constitutional and Nomination Committee before submission to Council to approve the extension of one year from November 2021 to November 2022.

The Chair invited questions from the Committee.

A member asked if there is a recruitment process in place, in the event that any of the independent persons did not wish to continue in the role. Officers were also asked if it would be possible to extend the term of office beyond November 2022 and asked that the Committee be notified of the outcome of the contact with the Independent Persons and Independent Members

The Committee was informed that a recruitment process is in place and sufficient time is available to recruit if required. The extension beyond the current proposal is possible however, the recommended term of office is four years to prevent any possibility of their independence being compromised by a long period of involvement with particular Council

Decisions

1. That Nicolé Jackson & Geoff Linnell (the two independent co-opted members of the Standards Committee) and Alan Eastwood & Sarah Beswick (the Council's two Independent Persons) be contacted to ask whether they are agreeable to the extension of their terms of their office for a period of one year from 18 November 2021.
2. That the matter then be referred to the Constitutional and Nominations Committee and Council for a decision to be taken regarding the potential extensions of their terms of office.

(The Committee was advised that following advice from the City Solicitor, the Co-opted members named within the report (Nicolé Jackson and Geoff Linnell), who were present at the meeting, would not be required to declare an interest for the reason that the report sought agreement to contact co-opted committee members to ask if they are agreeable to the extension of the terms of their office for a period of one year from 18 November 2021.)

ST/21/15 Work Programme for the Standards Committee

The Committee considered the report of the Governance and Scrutiny Support Unit that invited the members of the Standards Committee to consider its work programme for future meetings and make any revisions.

Decision

To note the report and agree the Work Programme.