

Standards Committee

Minutes of the meeting held on 3 November 2022

Present:

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

Councillors Andrews, Connolly, Evans, Lanchbury, Nunney and Simcock
Ringway Parish Council: Councillor O'Donovan

Apologies: Independent Co-opted Member: G Linnell

ST/22/19 Minutes

The minutes of the meeting held 16 June 2022 were submitted for approval.

It was proposed that the wording relating to paragraph number 3 for item ST/22/10 'Review of the Operation and Efficacy of the Member/Officer Relations Protocol' be amended to the following:

To request the recirculation of the Member/Officer Relations Protocol to all elected Members, following its adoption by Council.

Decision

To approve the minutes of the meeting held on 16 June 2022 as a correct record subject to the above amendment.

ST/22/20 Draft Code of Corporate Governance

The Committee considered the report of the Deputy Chief Executive and City Treasurer that proposed both a revised draft of the Council's Code of Corporate Governance (the Code) which was in accordance with published guidance, and a revised process. Compliance with the Code was monitored on an annual basis through the Council's Annual Governance Statement.

The report provided an introduction and context, noting that a review of the Code had been carried out to improve the document and process. This had included a review of good practice across peer local authorities such as Core Cities (including Leeds, Bristol, and Birmingham), other Greater Manchester authorities and examples highlighted by Chartered Institute of Public Finance and Accountancy, including Lambeth and Westminster.

The report described that the Code would be submitted to Audit Committee on 29 November 2022. Once any comments from Standards and Audit Committees had been incorporated, subject to the views of those committees, it was proposed that a recommendation be made to full Council that, for agility, the Code be a standalone document rather than sit within the Council's Constitution and the responsibility for approval of the Code of Corporate Governance rest with Audit Committee by way of delegation by full Council to the Audit Committee. Once finalised, the updated Code

would be communicated to key stakeholders including Heads of Service, to support effective understanding and delivery of the Council's commitments to good governance across the organisation. Amendments to the Code of Corporate Governance would continue to be reported to Standards Committee and Audit Committee.

In response to comments from the Committee, Members were informed that this was an overarching document that set out the principles of Corporate Governance, and that the Annual Governance Statement to be considered at the June 2023 meeting would report specific areas of activity in greater detail. In response to a query from a Member, the Committee were also advised that a specific report on Member Training was scheduled to be considered at the March 2023 meeting of Standards Committee.

Decision

To note the report.

ST/22/21 Members' Update on Ethical Governance

The Committee considered the report of the City Solicitor that sought the Standards Committee's comments on, and approval of, the draft Members' Update on Ethical Governance for November 2022.

In response to comments from the Committee, Members were informed that reminders were sent to all Members regarding the need to ensure that their Register of Interest declarations were up to date, noting this activity was also reported to the Committee as part of the ongoing assurance process.

Decision

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

ST/22/22 Local Government (Disqualification) Act 2022

The Committee considered the report of the City Solicitor that informed the Standards Committee of the new grounds for disqualification from being elected to, or being a Member of, a local authority that have been introduced by the Local Government (Disqualification) Act 2022.

The report described that The Local Government (Disqualification) Act 2022 ("the 2022 Act"), which came into force on 28 June 2022, introduced new grounds on which a person was disqualified from being elected to, or holding, certain positions in local government in England, including the position of councillor.

The 2022 Act gives effect to the Government's commitment to legislate in this area. It expanded the new disqualification criteria beyond the offences consulted upon in 2017 to ensure that they were specific and comprehensive in disqualifying individuals subject to the relevant notification requirements or relevant orders imposed in respect

of sexual offences, and includes the territorial equivalents of such notification requirements and orders in the devolved nations (and the Isle of Man and Channel Islands) in the event that someone subject to such territorial equivalents subsequently stands for elected office in England.

The City Solicitor stated that she would confirm with the Head of Elections that the requirement for candidates to declare when standing that they were not disqualified under the newly inserted Section 81A of the Local Government Act 1972 was included on the nomination forms in advance of the May 2023 local elections.

Decision

To note the report.

ST/22/23 Local Government Association Model Code of Conduct for Members

The Committee considered the report of the City Solicitor that presented the Local Government Association (LGA) Model Code of Conduct for Members for comment.

The report described that the Greater Manchester (GM) Chief Legal Officers had met to discuss the LGA Model Councillor Code of Conduct in light of the central government's response to the Committee on Standards in Public Life report. They had not however made any recommendation as a group for the 10 GM local authorities. The view of the GM Chief Legal Officers is that individual Councils needed to consider their own position in relation to the LGA Model Code. As at the date of writing of the report 4 GM Councils had adopted the LGA Model Code; 6 had not.

The City Solicitor stated that a further report would be submitted to the June 2023 meeting with the updated Manchester City Council Code of Conduct for Members where the Committee would be asked to endorse the Code prior to its submission to Council for adoption.

Decision

That the City Solicitor submit an updated Manchester City Council Code of Conduct for Members to the June 2023 meeting.

ST/22/24 To propose amendments to the arrangements for dealing with complaints against Members

The Committee considered the report of the City Solicitor that set out the Monitoring Officer's proposals for amendments to the Arrangements. The Committee noted that the Council's Arrangements were last reviewed by the Standards Committee in June 2019.

A Member recommended that paragraph 2.9 of the Arrangements be amended to introduce a timeframe of 10 working days for the complainant to respond in relation to their preferred option for dealing with the situation where the Monitoring Officer

had refused a request for anonymity otherwise the complaint would be dismissed, noting that this would ensure consistency with prescribed time scales. This recommendation was agreed by the Committee.

A Member further recommended that reference in the Arrangements to 'He' or 'She' should be replaced with 'they'. This recommendation was agreed by the Committee.

Decision

The Standards Committee recommend that Council approve the Arrangements as amended subject to the above recommendations.

ST/21/25 Work Programme

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.

Members noted that during discussion of a previous agenda item it had been noted that the Annual Governance Statement would be considered at the June 2023 meeting.

The City Solicitor advised a Member who raised an issue regarding residents being advised that they should use the Council's complaints system as a mechanism to raise queries that she would discuss this outside of the meeting with relevant officers to ensure this would be picked up by the correct Committee for consideration as it was outside the remit of the Standards Committee.

Decision

To note the report and agree the Work Programme.