

Standards Committee

Thursday 24 March 2022

Meeting started: 2:30pm

Meeting ended: 3:15pm

Present

Councillors Barnes, Dawson (nominated Chair for this meeting), Pevitt, John Walsh and Independent Persons Donna Allen.

In Attendance

Iolanda Puzio (City Solicitor and Monitoring Officer) and Chris Howl (Democratic Services Advisor).

1. Apologies for Absence

Apologies for absence were submitted on behalf of Independent Chair Jonathan Storey, Independent Persons Caroline Wolfenden and Councillors Boshell, Dickman, K Garrido and Turner.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meeting held on 4 February 2021

The minutes of the meeting were approved as a correct record.

4. Annual Report of the Standards Committee

The Standards Committee last met on 4 February 2021. This report provided an update on work over the last year within the Committee's terms of reference, the work carried out by the Monitoring Officer and their staff to support the committee, including the ways in which the authority has fulfilled its statutory duty to promote and maintain high standards of conduct and a summary of work previously agreed and outstanding. It also asked the Committee to review and consider what work should be taken forward into the next municipal year.

It was confirmed that the current Terms of Reference for the Committee are right and proper, and no changes are recommended at this time.

The Committee was asked to note the appointments of the Independent Chair and two Independent Persons and their terms of office. The Committee also noted that the Independent Persons had attended a national conference for Independent Persons in March 2021.

The Committee discussed Member Development. The Council has a Member Development Group that meets quarterly to consider the overall training needs of members. A new Chair, Cllr Kelly, has recently been appointed and the Monitoring Officer will be offering to work alongside Cllr Kelly in this role. The Committee asked the Monitoring Officer to provide an update on the work of the Member Development Group, in particular in respect of training on the Member's Code of Conduct, to a future meeting.

The Local Government Association (LGA) issued a new Model Councillor Code of Conduct on the 23rd December 2020 and the Standards Committee received a report in respect of it on 4 February 2021. The Monitoring Officer gave an update of the work undertaken since that date. Specifically, the Committee had asked that the Monitoring Officer work with the other Greater Manchester authorities to see if a consensus on the Model Code could be agreed for the whole of Greater Manchester. The Monitoring Officer informed the Committee that she had sought an update of the work undertaken by the Greater Manchester Chief Legal Officers and it been confirmed that, following discussions, it was agreed that councils would take forward the model code on an individual basis as it was felt that limited benefit had been seen from aligning previous codes.

The Committee agreed that Salford City Council will now need to decide whether to adopt the LGA model councillor code of conduct either in its entirety or with some amendments. The Standards Committee is responsible for advising the council on the adoption, revision or replacement of the council's Code of Conduct for Members and the Monitoring Officer therefore asked to provide a report on the Code to the next meeting.

The Committee also discussed the possibility of reviewing the procedure for Code of Conduct Complaints against Members and the Monitoring Officer advise that it could benefit from some revisions such as the possible inclusion of a Public Interest Test.

It was noted that the Independent Chair, Jonathan Storey, had been unable to attend today's meeting and it was agreed that the Monitoring Officer would discuss with possible items for inclusion on the Committee's work programme for 2022/23. A draft work programme is to be added to the agenda for the next meeting.

RESOLVED, THAT: The Committee

- 1) noted and considered the annual report summarising the work undertaken by the Standards Committee and by the Council's Monitoring Officer and their staff to promote and maintain high standards of conduct by elected and co-opted members,
- 2) confirmed the Committees Terms of Reference, and
- 3) recommended items to be included in the Committee's work programme for 2022/23 specifically: an update on the work of the Member Development Group, in respect of training on the Member's Code of Conduct and on the 2020 Local Government Association Model Councillor Code of Conduct.

5. Monitoring Officer Update on Complaints Against Members

This report summarised the status of complaints against members of the Council that were open at the time of the last report to committee (July 2020 – at that time there were five open complaints, all of which have now been closed) and of complaints that have been received since then (seventeen, eleven of which have now been closed and six complaints which are currently open, but which will hopefully be resolved post-May 2022 local elections).

Members will recall that it is for the Monitoring Officer to carry out an initial assessment of all complaints against members. If the Monitoring Officer believes the information received merits consideration s/he will, after consultation with the Independent Person, take a decision as to whether it should be investigated, or

another course of action taken. As a matter of course, the Monitoring Officer discusses all complaints with the Independent Person.

If an investigation is deemed necessary, this will usually involve the commissioning of an external investigation. Alternatively other action may be taken. For example, if the member complained about (the subject member) is prepared to apologise for his/ her action and (if appropriate) undergo training then the case could be resolved this way.

If a full investigation is carried out and a report produced, then the member could be referred to a full hearing before a Hearings Panel (a sub-committee of the Standards Committee). In such circumstances, it would be for the panel to decide whether a breach of the Code of Conduct has taken place and what action should take place. Given how limited our powers of sanction are, if at all possible, we try to resolve complaints by the taking of other suitable action, such as asking the subject member to apologise to the complainant(s) or to undergo appropriate training.

RESOLVED, THAT: The Committee noted the Monitoring Officers Update on Complaints Against Members.

6. Provisional Dates for Future Meetings

RESOLVED, THAT: Based upon the quarterly frequency of this committee's meetings and corresponding dates from recent years, that the following provisional dates be agreed for 2022/23:

- Thursday 30th June 2022, 2.30pm, Salford Suite (tbc),
- Thursday 8th September 2022, 2.30pm, Salford Suite (tbc),
- Thursday 8th December 2022, 2.30pm, Salford Suite (tbc), and
- Thursday 23rd March 2023, 2.30pm Salford Suite (tbc).