

## Standards Committee

Thursday 30 June 2022

Meeting started: 3:00pm

Meeting ended: 4:30pm

### Present

Jonathan Storey (Independent Chair) and Councillors Bellamy, Boshell, R Garrido and Lewis.

### 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 Persons Caroline Wolfenden and Donna Allen and Councillors Dickman, Pevitt and Twells.

### 2. Declarations of Interest

There were no declarations of interest.

### 3. Minutes of the Meeting held on 24 March 2022

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

### 4. The Government Response to the Committee on Standards in Public Life's Review of Local Government Ethical Standards.

This report advised the Standards Committee of the Government's response to the report of the Committee on Standards in Public Life's Review of Local Government Ethical Standards (2019).

The following documents disclosed important facts on which the report was based and have been relied upon in preparing the report:

- a) The Committee on Standards in Public Life (CSPL) report on Local Government Ethical Standards is available at:  
<https://www.gov.uk/government/publications/local-government-ethical-standards-report>;
- b) The Government's response to the CSPL recommendations is available at:  
<https://www.gov.uk/government/publications/local-government-ethical-standards-government-response-to-the-committee-on-standards-in-public-life-report/government-response-to-the-committee-on-standards-in-public-life-review-of-local-government-ethical-standards>;
- c) The Local Government Association Model Councillor Code of Conduct is available at: <https://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020>

The Committee on Standards in Public Life (“the CSPL”) advises the Prime Minister on ethical standards across the whole of public life in England and monitors and reports on issues relating to the standards of conduct of all public office holders.

The CSPL has undertaken a review of local government ethical standards. The terms of reference for the review were to:

- Examine the structures, processes and practices in local government in England for:
  - a. Maintaining codes of conduct for local councillors.
  - b. Investigating alleged breaches fairly and with due process.
  - c. Enforcing codes and imposing sanctions for misconduct.
  - d. Declaring interests and managing conflicts of interest; and
  - e. Whistleblowing.
- Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government.
- Make any recommendations for how they can be improved; and
- Note any evidence of intimidation of councillors and make recommendations for any measures that could be put in place to prevent and address such intimidation.

Following the completion of its review the CSPL published a report on 30 January 2019. A copy of the CSPL report (“the CSPL report”) is available at: <https://www.gov.uk/government/publications/local-government-ethicalstandards-report>.

In its report the CSPL made 24 recommendations to the government to improve ethical standards in local government.

On 18 March 2022 the Government published its response to the CSPL recommendations. A copy of the Government response is available at: <https://www.gov.uk/government/publications/local-government-ethicalstandards-government-response-to-the-committee-on-standards-inpublic-life-report/government-response-to-the-committee-on-standardsin-public-life-review-of-local-government-ethical-standards>

The Monitoring Officer provided an overview of the government response to the CSPL recommendations. In response to this, the Committee highlighted several queries in respect to some of the recommendations, for example:

- Recommendation 6 – whereby members thought that the value for declaring the registration of gifts and hospitality should be reviewed alongside the council’s updated model code of conduct, for they considered that the same implications and concerns existed whether the value was £20 or £50.
- Recommendation 14 and 16 – whereby members thought overall that investigating and deciding upon an allegation of a code of conduct breach by a councillor and powers to suspend councillors are more appropriately sanctioned if by group peers than any external body/ organisation.

The existing SCC Code of Conduct for Members conforms to the 7 ‘Nolan’ principles of standards in public life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. The merits of adopting the LGA updated model code of conduct will be considered as part of a wider review of the Council’s constitution that is to be undertaken by the Monitoring Officer over the next 18

months. Recommendations regarding the LGA model code of conduct will be reported to the Standards Committee at the appropriate time during this review.

RESOLVED, THAT: The Committee

1. noted the Government's response to the report of the Committee on Standards in Public Life.
2. that the City Solicitor and Monitoring Officer submit a report to a future meeting of the Standards Committee with recommendations regarding the Local Government Association updated model code of conduct.
3. that the City Solicitor and Monitoring Officer submit a report to a future meeting of the Standards Committee with an update regarding the best practice recommendations of the CSPL that it recommended be adopted by local authorities.

### **5. Revision of the Arrangements for Dealing with Allegations of Breaches of the Code of Conduct for Members.**

This report asked the Standards Committee to consider revised arrangements for dealing with allegations of failure to comply with the City Council's Code of Conduct for Members.

Under section 28 of The Localism Act 2011 the City Council must have in place Arrangements under which allegations that an elected or co-opted Member of the Council has failed to comply with the Council's Code of Conduct for Members ('the Code') can be considered and decisions made on such allegations.

It is for the City Council to decide the details of those Arrangements, but the City Council must appoint at least one Independent Person whose views are to be taken into account before making a decision on a complaint that it has decided to investigate.

Under the Council's Constitution the Standards Committee is delegated with the role of advising the Council on the adoption, revision or replacement of the Arrangements as well as monitoring their operation. The Committee last considered the content of the Arrangements at its meeting on 5 April 2018.

The main changes are aimed at making the procedure clear and ensuring it is up to date with current legislation and include the following specific points:

- ensure that the Independent Person should be consulted where it is appropriate and beneficial to do so throughout the entire procedure.
- insert provision for a public interest test to be carried out to determine whether referring a complaint for investigation is a proportionate use of resources and/or will give rise to an overriding public benefit.
- adding an Appendix setting out the factors which will be taken into account when the public interest test mentioned above is carried out.
- provide clearer information about the role of the Monitoring Officer.
- amend section 13 of the Arrangements to delete the delegation to the Chair of the Hearings Panel.

In response to the overview by the Monitoring Officer, it was agreed following a dialogue of issues that a 'safeguarding' reference would be added under the Criminal Convictions section.

RESOLVED, THAT: The Committee

considered the revised arrangements for dealing with complaints that the City Mayor and Members have failed to comply with the Council's Code of Conduct for Members and requested that Full Council approves, with or without modifications, the revised arrangements set out in the Appendix to the report.

## **6. 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 (March 2022) and of complaints that have been received since then.

In response to the overview by the Monitoring Officer, it was agreed following a dialogue of issues that a schedule of complaints against members would be created and issued to accompany future updates, including 'duration' as a data field (i.e. start and end dates).

RESOLVED, THAT: The Committee noted the update.

## **7. Draft Work Programme.**

This report summarised a draft work programme for 2022/23 for consideration.

In response to the overview by the Monitoring Officer, it was agreed that:

- an annual report, including a section on Allegations of Breaches of the Code of Conduct by Members would be added to work programme.
- that our review of the Committee on Standards in Public Life Best Practice Recommendations would be kickstarted alongside our Model Code of Conduct for Members.

RESOLVED, THAT: The Committee noted the update.

## **8. 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 29th September 2022, 3:30-5:30pm, Salford Suite,
- Thursday 8th December 2022, 3.30-5:30pm, Salford Suite, and
- Thursday 23rd March 2023, 3.30-5:30pm Salford Suite.