



TRAFFORD COUNCIL

AGENDA PAPERS MARKED 'TO FOLLOW' FOR STANDARDS COMMITTEE

Date: Wednesday, 4 March 2020

Time: 6.30 p.m.

Place: Committee Rooms 2 and 3, Trafford Town Hall, Talbot Road, Stretford,
M32 0TH

| AGENDA | PART I | Pages |
|------------|--------|-------|
| 2. MINUTES | | 1 - 4 |

To receive and, if so determined, to agree as a correct record the minutes of the meeting held on 22 January 2020.

SARA TODD
Chief Executive

Membership of the Committee

Councillors K. Procter (Chair), C.H. Churchill (Vice-Chair), Miss L. Blackburn, Dr. S. Carr, G. Coggins, B. Hartley, D. Jarman, M. Minnis, P. Myers, L. Walsh, D. Western, Mr. D. Goodman, Mr. C.E.J. Griffiths, Mr R. Brown, A. Rudden, N. Jackson and Mr M. Whiting.

Further Information

For help, advice and information about this meeting please contact:

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This agenda was issued on **Tuesday, 25 February 2020** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

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STANDARDS COMMITTEE

22 JANUARY 2020

PRESENT

Councillors C.H. Churchill (in the Chair), Miss L. Blackburn, Dr. S. Carr, G. Coggins, B. Hartley, P. Myers, L. Walsh, D. Western,

Independent Members Mr. D. Goodman, Mr. C.E.J. Griffiths, Mr R. Brown, and Mr A. Rudden.

In attendance

| | |
|------------------|--------------------|
| Jane Le Fevre | Monitoring Officer |
| Mr Whiting | Independent Person |
| Alexander Murray | Governance Officer |

APOLOGIES

Apologies for absence were received from Councillors K. Procter, D. Jarman, and M. Minnis.

9. MINUTES

A Committee Member asked whether the emails mentioned in Item 6 of the minutes had been circulated to Committee Members. The Governance Officer responded that an email had been sent to all Councillors but not to independent Members and that they would look to rectify this.

The Committee Member then noted that within the minutes the term Councillor and Member were used interchangeably and it was not clear whether it meant a Member of the Committee or a Member of the Council. The Committee Member then asked whether the distinction could be made clearer in the future. The Monitoring Officer confirmed that the distinction would be clear in the minutes going forward.

RESOLVED:

- 1) That the minutes be agreed as an accurate record and signed by the Chair.
- 2) That the email be sent to the Committee Members who were not Councillors.
- 3) That the minutes of Committee meetings make a clear distinction between Committee Members and Councillors.

10. TRAFFORD RESPONSE TO LOCAL GOVERNMENT ETHICAL STANDARDS AREAS OF BEST PRACTICE

The report from the Committee on Standards in Public Life had been considered by the Committee in March 2019 where they had agreed, in principal, to put all of the fifteen areas of best practice in place by June 2020. The report proposed how Council could implement those areas of best practice. Appendix one of the report was an action plan which detailed each area of best practice, whether the Council needed to take action, what action the Council could take, a proposed timeline for completion, and the senior responsible officer. The Monitoring officer went through

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each item of best practice, the proposed actions, and provided additional context in response to Committee Members questions.

Best Practice 1 and 2 required Councils to make changes to the Code of Conduct and 3 asked for Councils to go out to consultation with the public, parish Councils, community partners, and other local authorities. A Committee Member asked whether other councils' codes of conduct would impact Trafford's. The Monitoring Officer responded that it would be a benchmarking exercise with Trafford looking at other Codes of Conduct to see if there were any elements Trafford might want to adopt.

Another Committee Member noted that some of the deadlines were very close to the date that the Council needed to have adopted the areas of best practice by. The Committee Member then asked whether these deadlines could be brought forward. The Monitoring Officer stated that they would look at the proposed deadlines and see if there was a way to bring some of the later ones forward.

In relation to area of best practice 5 a Committee Member asked whether the value that needed to be declared was £25 and over. The Monitoring Officer responded that they believed that the amount had increased to £100 but that they would check and feed back to the Committee if it was different.

The Committee had a long discussion regarding Best Practice 15 which required Councils to publish a public interest test on their websites. The independent Person spoke about the difficulties in putting such a test down in writing and they expressed their surprise that it was listed as an area of best practice. A Committee Member stated that cost should not come into the Council's consideration when deciding whether to undertake a review. The Independent Person responded that cost had to be balanced against the necessity of completing an investigation given the potential impact and the level of public interest.

The Independent Person also raised concerns regarding the publishing of decision notices following a formal complaint as part of Best Practice 9. Their concerns related to gaining sufficient agreement from the Complainant and the Subject Councillor as to the wording of the notice.

One Committee Member asked whether there were a range of ways that people could complain. Officers informed the Committee that someone could complain by standard mail or via email but that the complaint had to be made in writing.

The Monitoring Officer informed the Committee that she would arrange meetings with each of the Parish Councils to discuss the Council's approach to Best Practice 11 and 12. The Monitoring Officer would also look to take the draft Council Code of Conduct to the meetings to get feedback from the Parishes in line with Best practice 3 in order to reduce the number of meetings that needed to be arranged.

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A Committee Member asked what would happen if a complaint was made against the Chair of the Parish. The Monitoring Officer responded that type of complaint would be picked up as part of the exceptional circumstances.

Another Committee Member asked whether, in response to Best Practice 14, the Council could make those bodies sign up to the Nolan Principles of Openness. The Monitoring Officer stated that this would be discussed with the bodies in question. The Independent Person then asked whether this change would mean that complaints about Board Members of those Bodies could come to the Committee for consideration. The Monitoring Officer responded that complaints would only come to this Committee if they related to the behaviour of a Councillor and if they were acting in their capacity as a Councillor at the time of the alleged complaint.

Committee Members discussed the roles of Councillors sitting on the Boards of these Bodies. The discussion centred around whether Councillors in such a position would ever not be acting as a Councillor and whether the role of Councillor would supersede the role of Board Member in terms of responsibilities. The Monitoring Officer reminded the Committee that the area of Best Practice only related to the openness and transparency with which the Boards of those Bodies conducted themselves and that adhering to this area of Best Practice would not impact upon complaints made against the Members of those Boards.

RESOLVED:

- 1) That the Action Plan be agreed
- 2) That Officers attempt to bring forward the deadlines for Best Practice 11 - 15.

11. MONITORING OFFICERS REPORT

The Monitoring Officer informed the Committee that there had been no new complaints raised against Councillors since the last Committee meeting.

A training course on Lone Working and Personal Safety had been identified and sessions had been scheduled for Councillors in February. The Monitoring Officer had been working with the Members Development Steering Group and would bring back the developments of this work to the Committee's next meeting.

The Monitoring Officer noted the mainly excellent behaviour of Trafford Councillors during the election.

The Committee were informed that a meeting with the Local Government Boundary Review Committee for England had been arranged for all Councillors prior to the Executive meeting in 24 February.

RESOLVED: That the update be noted.

The meeting commenced at 6.30 pm and finished at 7.26 pm

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