

STANDARDS COMMITTEE

25 SEPTEMBER 2019

PRESENT

Councillor K. Procter (in the Chair).

Councillors C.H. Churchill (Vice-Chair), Miss L. Blackburn, Dr. S. Carr, G. Coggins, B. Hartley, D. Jarman, M. Minnis, P. Myers, L. Walsh and D. Western.

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

Independent Person Mr. M. Whiting

In attendance

Jane Le Fevre

Monitoring Officer

Alexander Murray

Governance Officer

APOLOGIES

Apologies for absence were received from Mr R. Brown and Mrs N. Jackson

1. STANDARDS COMMITTEE MEMBERSHIP FOR THE 2019/20 MUNICIPAL YEAR

RESOLVED: That the Membership of the Committee be noted.

2. STANDARDS COMMITTEE TERMS OF REFERENCE FOR THE 2019/20 MUNICIPAL YEAR

RESOLVED: That the Committee's Terms of Reference be noted.

3. MINUTES

RESOLVED: That the minutes of the meeting held 6 March 2019 be agreed as an accurate record and signed by the Chair.

4. DECLARATIONS OF INTEREST

The Chair noted that all Members of the Committee, with the exception of Independent Members and Independent Persons, had a pecuniary interest in item seven but that this was unavoidable and would not prevent the Committee from discussing it. No other additional declarations were made.

5. CONSTITUTIONAL REVIEW: RECRUITMENT AND EMPLOYMENT PROCEDURES

The Monitoring Officer informed the Committee that the reason the changes were being made stemmed from the recruitment of senior officer roles after the resignation of the previous Chief Executive and a Corporate Director in 2018. The Monitoring Officer informed the Committee that the Council had hired an external law firm to review the procedures and while there were no major changes a number of minor adjustments had been recommended.

After the Monitoring Officer's Overview the Committee were given the opportunity to ask questions. One Member drew the Committee's attention to paragraph 3.13 of the report which related the removal of the role of the Leader in the decision of whether a formal investigation would be held following a dismissal. The Member

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wanted to know why the Leader was not to have a role in this decision. The monitoring officer clarified that the changes had been made to bring the Council's processes in line with the regulations of the Joint National Committee's (JNC) conditions of service, which made it clear that it was not for the Executive to decide if an investigation was warranted. The Executive's views would be taken into account but they would not decide whether to conduct an investigation and they would not sit on the investigatory committee.

An independent Member noted that there were a number of inconsistencies within the track changes. The Monitoring officer responded that if the main changes were agreed then any typos or inconsistencies would be corrected.

Following Members' questions the Committee agreed the recommendations of the report.

RESOLVED: That the Committee agreed the proposed amendments to the Council's recruitment and employment procedures.

6. MEMBERS ALLOWANCES

The Vice Chair raised a point of order around paragraph 2.7 of the report in relation to Part 4 Section 8.1 of the Council's Constitution. The report stated that Councillor Sean Anstee, as Leader of the Conservative group, was asked questions relating to this issue however, the Vice Chair held that no documentation proving that this had happened was provided within the report. This led to a discussion between Members as to whether such a conversation was had and whether the point of order was relevant to the Council's request that had been referred to the Committee for review. The Monitoring Officer highlighted to the Committee that at the bottom of the report it listed documents which had been used as part of the review which included relevant e-mail correspondence. The evidence that the Vice-Chair was requesting within the point of order was contained within those emails, which could be provided to Members after the meeting.

During the discussion of the point of order the Monitoring Officer explained that the review had been conducted by herself with the support of an Independent Person. The Monitoring Officer had gone through the course of events regarding the ceasing of the reduction in fees by Labour and Liberal Democrat Members. Both the Monitoring Officer and the Independent Person had agreed that none of the political parties had acted inappropriately although the Independent Person had noted that the process had not been as clear as it could have been. The proposal put forward in recommendation 6 of the report was to increase clarity around Member's allowances to avoid similar issues in the future.

Following the discussion the recommendations of the report were agreed by the Committee and the report was referred for consideration by Council.

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RESOLVED:

- 1) That the emails evidencing that Councillor Anstee had been asked about the voluntary reduction in Member's allowances be made available to Committee Members.
- 2) That the recommendations of the report be agreed and the report referred to Council.

7. MEMBER OFFICER PROTOCOL

The Chair introduced the item to the Board and stated that members of the Committee and the Deputy Monitoring Officer had met to discuss the protocol and the results of that meeting were captured within the report. The Monitoring Officer added that they felt the report was self-explanatory and asked the group to note the report prior to it going to Council for full sign off.

One Member stated that they had found the working group session very useful and they were happy with the document in its final form. Another Member noted that there was repeated use of the phrase "Senior Officers' range" but it did not state what this was and they asked that this be clarified. The Member also drew the Committee's attention to section 4.4 of the report and asked whether the change which added "within a reasonable period of time" was necessary. The Monitoring Officer agreed to add clarification within the report as to who "Senior Officers' Range" applied to. The monitoring officer added that "within a reasonable period of time" was necessary as the timeframes for response to Councillors were not laid out in other documents.

An Independent Member proposed that the phrase "other than Senior Officers" could be used rather than "Senior Officers' Range". The Independent Member also asked what covertly meant in relation to being drawn into political discussion and suggested that it be changed to improperly. Another Member of the Committee noted that in

8.3 (C) the Existing Provision was repeated and the Monitoring Officer agreed that this would be removed. Following the discussion the Committee agreed the amendments to the Protocol and referred it to Council.

RESOLVED:

- 1) That the phrase "Senior Officers Range" be clarified within the report.
- 2) That the repeated Existing Provision in section 8.3 (C) be removed.
- 3) That following the above changes the amendments to the protocol be agreed by the Committee and referred to Council.

8. MONITORING OFFICER'S REPORT

The Monitoring Officer informed the Committee that there had not been many referrals or complaints made. One complaint had been received but it was agreed that it did not raise issue with the code of conduct but did raise some issues around safety for members, which had been an ongoing in some areas. Since the rise of social media Councillors were much more open to being attacked in ways that had not previously been possible and the Monitoring Officer was considering further guidance and training for Members in this area. There were some resources available on the LGA website and the Monitoring Officer would send a

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link to those resources to all Councillors. In addition to looking at training in this area the Monitoring Officer was going to look at the training that is available to Members in a general and bring her findings back to the Committee. Another complaint had been received which related to a noise complaint and the Monitoring Officer was looking into whether constituted a breach of the Code of Conduct.

The Monitoring Officer had been working through her schedule of meetings to ensure that the Councils decision making was fit for purpose and had not yet identified any areas of concern. A Committee Member stated that they were not surprised that Trafford had not received many complaints against Councillors as Trafford had always performed well in this area. The Member then requested that the Monitoring Officer extend the guidance and training to include physical threats in person as they had received some threats while going door to door. The Monitoring Officer assured the Member that the Council were working with the police to develop guidance for members to help them to ensure that they are safe.

Another Member of the Committee asked whether social media pledge had been left on Councillors seats, as this was something that had been proposed at their last meetings. The Monitoring Officer responded that the pledge had not gotten to that stage yet as it was now being added as part of the Council's wider communications strategy, which was in development.

RESOLVED:

- 1) That the report be noted.
- 2) That a link to LGA resources on Councillor's safety be sent to all Councillors.
- 3) That the outcome of the Monitoring Officers review of training for Councillors be brought to the Committee.
- 4) That the guidance and training on Councillor's safety include physical threats of violence in person.

The meeting commenced at 18:30 and finished at 19:57