

STANDARDS COMMITTEE

6 MARCH 2019

PRESENT

Councillor A.M. Whyte (in the Chair).

Councillors Dr. K. Barclay (Vice-Chair), Miss L. Blackburn, R. Bowker, J. Coupe, Mrs. L. Evans, D. Jarman, P. Myers, L. Walsh, and D. Western.

Independent Members Mr. D. Goodman, and Mr R. Brown

Independent Person Mr M. Whiting.

In attendance

Jane Le Fevre

Monitoring Officer

Alexander Murray

Democratic and Scrutiny Officer

APOLOGIES

Apologies for absence were received from Councillors M. Freeman.

Apologies were also received from Mr A. Rudden (Independent Member) and Mrs N. Jackson (independent Person).

10. MINUTES

RESOLVED: That the minutes of the meeting held 17 October be agreed as an accurate record and signed by the Chair.

11. COMMITTEE ON STANDARDS IN PUBLIC LIFE - REVIEW INTO LOCAL GOVERNMENT ETHICAL STANDARDS

For this item Members had been sent a covering report, the full Committee on Standards in Public Life (CSPL) report, and a review of the full report written by the Association of Democratic Service Officers (ADSO). The Monitoring Officer gave a brief overview of the purpose of the review, which had looked at all areas of standards regimes across the country.

The Committee were told that the responses the CSPL had received showed that standards were generally high within Council's and policies, procedures, and practices were sufficient in most cases. However, the review had highlighted issues in some areas of practice including bullying and harassment, declarations of interest, declarations of gifts and hospitality, the increasing complexity of decision making, and transparency around decision making and complaints.

The report had a total of 26 recommendations which would impact upon a wide range of areas of Council procedures from the Code of conduct to the support offered to Parish Councils. The Monitoring officer informed the Committee that the majority of the recommendations required further action by central government for them to become legal requirements.

Within Trafford's response to the consultation the Committee's main concern had been the lack of sanctions available to the Council when a breach of the Code of Conduct occurred. The Monitoring Officer informed the Committee that

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Recommendation 16 gave Council's the power to suspend a Councillor for up to 6 months. Recommendation 17 asked the Government to clarify other sanctions regarding the access to the Council property and recommendations 10, 12, 13, and 14 covered elements of the process of sanctioning and measures that a councillor could use to make their case against such sanctions.

An Independent Member asked how the report changed the distinction between how Councillors acted in their official capacity and in their personal life. The Monitoring officer explained that as it stood it was the complainant who had to prove that a Councillor was acting in their official capacity. However, if the recommendations were to be agreed they would require the Councillor to prove that they were not acting in their official capacity at the time of the incident.

A Committee Member noted that the Council were already meeting a number of the recommendations and there was one recommendation regarding the disclosure of Councillors address which Trafford had not adopted. The Councillor then detailed their own experience, where they had received a threatening letter through the mail, and asked if the Council could implement the recommendation prior to government acceptance. The Monitoring Officer responded that if a Councillor had reason to believe that they were at risk by their address being publically available there was a process to remove those details from the Council website. However, this was not something that the Council could implement for all Councillors without changes to legislation. The Monitoring Officer advised that if any Councillors had received any threats or concerning communications through the post then they should inform both Council officers and the police.

Another Committee Member added that candidates no longer needed to have their address written on ballot papers. The monitoring officer confirmed that this was the case and that potential candidates could do this by filling in the part two section of the nomination papers. When this was done the ballot would simply state that the candidate was a resident of Trafford.

The Monitoring officer informed the Committee that there were a number of recommendations and areas of best practice which the Council were already undertaking. Officers were to look at the feasibility of implementing all of the areas of best practice within the report prior to the deadline in 2020. An action plan laying out the Councils plan for the implementation of the areas of best practice was to be brought back to the Committee in the next municipal year.

One Member spoke about how Trafford was generally an area of high Standards and noted that some of the recommendations could be done through Secondary legislation but the majority required changes to primary legislation. The Monitoring Officer responded that the next update would state which recommendations were primary and secondary legislation and what progress had been made regarding their implementation nationally and within the Council.

RESOLVED:

- 1) That the report be noted.

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- 2) That an action plan on how the Council will implement the 15 areas of best practice be brought to the Committee in the next municipal year.
- 3) That an update on the 26 Recommendations be provided to the committee.

12. CONSTITUTIONAL WORKING GROUP

The Monitoring Officer went through the action plan that had been circulated with the agenda. The Committee were informed of all the areas of work that had been completed. The e- bulletin, which was one of two remaining outstanding actions, was to be implemented within the new municipal year. The other item that was still to be completed was the adjustment to motions at full Council. The Monitoring Officer informed the Committee that an informal protocol was being written and that it would be in place for the new municipal year.

The webcasting of all Council Committee meetings, with the exception of those containing confidential information, was up and running, with each Committee having had at least one meeting broadcast. The Committee had been provided with a list of viewing figures for the webcasts up to the end of February which showed that the webcasts had received over 1600 views during the three months it had been running. The Committee were told that by webcasting the meetings the Council was going beyond their statutory obligations for transparency. This meant that when the Council did not webcast due to having part two information or when there were technical issues preventing a webcast the Council was not failing to meet their obligations.

A Committee Member asked whether the views were just hits on the website or actual views. The Democratic and Scrutiny Officer responded that the numbers which had been given to the Committee were just the number of hits that had been received. The Committee were informed that through the Council's YouTube Channel there were a full set of analytics available for each webcast including the total watch time and average view length which could be provided if the Committee wanted them.

RESOLVED: That the update be noted.

13. SOCIAL MEDIA PLEDGE

The Monitoring Officer informed the Committee that the social media pledge was to form part of the Council's communications strategy. A copy of the pledge was to be left on Councillors seats for the first meeting of the new municipal year to encourage them all to sign up. By making the pledge part of the communications strategy it ensure it would be read within the wider context rather than in isolation and so reduce ambiguity about what the pledge related to.

RESOLVED: That the update be noted.

14. MONITORING OFFICERS REPORT

The Monitoring Officer informed the Committee that she had attended and observed an instance of each Committee's meetings during the year apart from the licensing Committee and the Health and Wellbeing Board. The Monitoring Officer was satisfied that the Council's decision making process had performed

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well during the year and assured the Committee that Trafford had a robust process in place with no instances of non-compliant decisions being reported to Council. The overall standards within the Council had been excellent during the year. The Monitoring Officer spoke about the fortunate position that Trafford was in with regards to the excellent conduct of Trafford Councillors as shown by the minimal number of Complaints received. The constitutional changes had mainly been completed, as covered earlier in the meeting, although the Constitutional Working Group would be continuing into the new municipal year.

RESOLVED: That the update be noted.

The meeting commenced at 6.30 pm and finished at 7.08 pm