



REPORT OF: DIRECTOR OF HR & LEGAL SERVICES

TO: STANDARDS COMMITTEE

ON: 2 OCTOBER 2014

SUBJECT: Members Code of Conduct & Arrangements for dealing with Complaints about the Code of Conduct for Members

1. PURPOSE OF THE REPORT

A review of the Members Code of Conduct and the arrangements for dealing with complaints about the Code of Conduct for members.

2. RECOMMENDATIONS

The Standards Committee is asked:

- 1) To review the current Code of Conduct and arrangements for dealing with complaints about the code of conduct for members and make any recommendations for change for consideration by the Full Council.
- 2) To include a review of Constitution Part 5 - Section 3 Protocol on Member/Officer Relations, in the work programme for 2014/15 reviewing in particular any consequential issues arising from 1) above, making any recommendations for change for consideration by Full Council.

3. BACKGROUND

The current Code of Conduct and arrangements for dealing with complaints were approved by Council on 30th August 2012 and are set out in the Constitution of the Council. The Constitution is a key document setting out the governance framework of the Council. From time to time the Constitution is reviewed and must be regularly updated.

Following collaborative working with Monitoring Officers of the Combined Authorities Association of Greater Manchester Authorities, a general agreement was reached that, where possible, a common code would be adopted by all 10 authorities. The aim was to provide a consistent approach, with individual authorities making any necessary variations as a local choice. The current code reflects this arrangement.

On the above date Council also approved a recommendation that the standards arrangements would be reviewed after 12 months in operation and a further report be made to Council with any appropriate recommendation for approval.

To date there has been relatively low activity in relation to member conduct issues.

During 2013/14 there were no complaints which under the Policy warranted further investigation however given the commitment to review after 12 months operation it was agreed at the July

meeting of the Committee, to include in this year's Standards Committee work programme for 2014/15.

4. RATIONALE

At their meeting in June, the Standards Committee agreed their work programme for 2014/15 and determined that they would wish to review the 'Code of Conduct' and the 'Arrangements for dealing with complaints about the Code of Conduct for Members.'

The current arrangements have been in place since the enactment of the Localism Act 2011 and reflect the current legislative framework.

They are contained on pages 206-222 of the Council's Constitution (Appendix A refers).

The officers Code of Conduct is also included in the Council's Constitution on pages 223-232 (Appendix B refers - is included for information).

Part 5 - Section 3 of the Constitution is the Protocol on Member/Officer Relations. Members may also consider that following their review of the Members Code of Conduct and Complaints procedures that they may wish to review this protocol as part of the work programme for 2014/15.

5. POLICY IMPLICATIONS

Constitutions set out the governance framework for local authorities, which provide the foundations for any local authority that aspires to be effective, progressive and successful.

It is appropriate to review and update, where appropriate, various elements of Constitutions.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

The current arrangements have been in place since the enactment of the Localism Act 2011 and reflect the current legislation and DCLG Guidance on Openness and Transparency On Personal Interests: A Guide For Councillors. Essentially, this statutory framework places the Council under a duty to promote and maintain high standards of conduct for its members and co-opted members.

They are contained on pages 206-222 of the Council's Constitution (Appendix A refers).

Any changes recommended will need to remain in accordance with this legislative framework and will be subject to approval by full council

8. RESOURCE IMPLICATIONS

None

9. EQUALITY IMPLICATIONS

Any proposals for change will be assessed to establish any potential equality implications. Any final proposals are subject to agreement of the full Council for which an equality impact assessment report will be prepared, as required.

10. CONSULTATIONS

Chief Officer/Member

Contact Officer: David Fairclough

Date: 23 September 2014

Background Papers: Council Constitution as published.
Council Report-30th August 2012-the Localism Act 2011-New Code of
Conduct for Members and Arrangements to Deal With
Complaints

