

Pat Jones Greenhalgh
Interim Chief Executive

Our Ref LW
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Date 12 July 2017
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Legal & Democratic Services
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TO: All Members of Council

Councillors : P Adams, N Bayley, I Bevan, J Black, S Briggs, R Caserta, R.Cathcart, M C Connolly, T Cummings, M D'Albert, J Daly, E Fitzgerald, I Gartside, J Grimshaw, D Gunther, M Hankey, S Haroon, J Harris, R Hodgkinson, T Holt, K Hussain, M James, D Jones, G Keeley, J Kelly, Kerrison, O Kersh, Leach, J Lewis, J Mallon, A McKay, S Nuttall, E O'Brien, T Pickstone, C Preston, A Quinn, Schofield, R Shori, D Silbiger, Simpson, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, J Walker, R Walker, S Walmsley, Whitby, S Wright and Y Wright

Dear Member/Colleague

Council

You are invited to attend an Extraordinary Meeting of the Council which will be held as follows:-

Date:	Thursday, 20 July 2017
Place:	Council Chamber - Town Hall
Time:	7.30 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

The Agenda for the meeting is attached.

Reports are enclosed only for those attending the meeting and for those without access to the Council's Intranet or Website.

Electronic service of legal documents accepted only at:
E-mail: legal.services@bury.gov.uk
Fax: 0161 253 5119

Town Hall
Knowsley Street
Bury BL9 0SW
www.bury.gov.uk

The Agenda and Reports are available on the Council's Intranet for Councillors and Officers and also on the Council's Website at www.bury.gov.uk – click on **Agendas, Minutes and Forward Plan**.

Copies of printed reports can also be obtained on request by contacting the Democratic Services Officer named above.

Yours sincerely

Pat Jones Greenhalgh

Interim Chief Executive

AGENDA

1 **DECLARATIONS OF INTEREST**

Members of the Council are requested to declare any interests which they have in any items or issues before the Council for determination.

2 **EXCLUSION OF PRESS AND PUBLIC**

To consider the exclusion of the press and public from the meeting, in accordance with the provisions of Section 100A, Schedule 12A of the Local Government Act 1972.

3 **REPORT OF THE HUMAN RESOURCES AND APPEALS PANEL** (Pages 1 - 138)

A report from the Interim Chief Executive is attached.

4 **NOTICES OF MOTION**

The following Notices of Motion have been received:-

1. The Council has received a report from the Human Resources and Appeals Panel from its meeting on 19th and 20th June 2017 and has noted the outcome of that process including the resignations without notice of the former Chief Executive and Executive Director for Children, Young People and Culture.

The Council further **Notes**: -

- (a) The report prepared by Malcolm Newsam CBE requested by the Leader of the Council, Councillor Rishi Shori into historic children safeguarding at Bury;
- (b) The content of the report dated 1 June 2017 prepared by Charles Bourne QC into disciplinary allegations;
- (c) The ongoing dialogue with the Department of Communities of Local Government, OFSTED and KPMG (the Council's External Auditors) who have raised **no** concerns about the management/leadership of the Council;
- (d) The exceptional work of the Interim Chief Executive and Interim Leadership Team during this difficult period.

The Council **resolves** to:-

- (i) Invite Charles Bourne QC to extend the scope of his independent investigation into the conduct of elected members in relation to the issues highlighted in the *Newsam report* with the scope of the said investigation to be agreed by the Chair of the Council's Standards Committee in consultation with the Leaders of the three

political groups with the investigation to report back to the Standards Committee by no later than 30 October 2017.

- (ii) Implement the outstanding recommendations detailed in the Newsam Report (as set out within the attached action plan) with progress of implementation to be monitored by the Council's Overview & Scrutiny Committee as a standing agenda item until the completion of all actions.
- (iii) To refer the content of the Newsam report to the Chair of the Bury Safeguarding Children's Board for review and recommendations (where required).

In the names of Councillors Shori, Simpson, Briggs, Kelly, O'Brien, Quinn and Tariq

2. "The Council has noted with immense concern the contents of the report of Malcolm Newsam CBE, Commissioner for Children's Services at the Department for Education, following his investigation into the actions of both Members and Officers of this Council surrounding safeguarding issues.

This Council instructs the Interim Chief Executive and Monitoring Officer to:

1. Authorise the Executive Director of Children, Young People and Culture to implement any outstanding recommendations of Malcolm Newsam CBE in relation to safeguarding and adoption procedures and report back to Full Council in September 2017.
2. Invite the Office for Standards in Education, Children's Services and Skills (Ofsted) to review and comment upon the findings of Malcolm Newsam CBE.
3. Appoint an independent investigator from outside the Council [whose name shall be agreed by the three Political Group Leaders] who shall consider any breaches by any Member or Officer of this Council of the adopted codes of conduct for both members and officers and any allegations of illegality, maladministration, impropriety, breach of statutory code, Nolan Principles, or any action which has brought this Council and their office into disrepute, and report back to Council within three calendar months the findings of such investigations and any recommendations."

In the names of Councillors I Bevan, J Daly, M Hankey, K Hussain, G Keeley and R Walker

3. Council Notes:

- 1 The investigatory process which has been undertaken during 2017

concerning serious events in 2015 which has resulted in the resignation of two senior officers.

2 The professional manner in which officers have stepped-up into acting roles and responsibilities during this period.

Council Resolves:

1 To undertake an all-Party piece of work, involving officers and with outside support as appropriate, to ensure that we have a culture of working at a senior level in the Authority which reflects the highest standards for public office and public service.

2 To ask the Acting Head of Paid Service to initiate an independent review into elected member involvement in this incident in 2015 and consider whether there were any breaches of the Member Code of Conduct and identify any recommended actions through our Standards procedures.

In the names of Councillors D'Albert, Pickstone and S Wright