

**Minutes of: STANDARDS COMMITTEE**

**Date of Meeting:** 12 October 2020

**Present:** Councillor T Pickstone (in the Chair)  
Councillors P Cropper, K Leach, T Rafiq, M Whitby and  
Y Wright

**Also in  
attendance:**

**Public Attendance:** No members of the public were present at the meeting.

**Apologies for Absence:** Councillor T Cummings, Councillor J Harris and  
Councillor M Hayes

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**S.245 DECLARATIONS OF INTEREST**

Councillor Whitby declared a personal interest in respect of SC.248, Bury Constitution Review as the current Chair of the Audit Committee.

**S.246 MINUTES**

**It was agreed:**

That the minutes of the meeting held on the 1<sup>st</sup> July 2020 be approved.

**S.247 MATTERS ARISING - CODE OF CONDUCT**

The Acting Council Solicitor and Monitoring Officer reported that following discussions at the last meeting of the Standards Committee a response was submitted taking into account the comments raised by Members, welcoming the consultation outlined in the draft code. Following the consultation a revised Code of Conduct will be shared with Members.

**S.248 BURY CONSTITUTION REVIEW**

Marie Rosenthal, Strategic Advisor, Law and Governance reported at the last meeting on 1 July 2002, the Committee agreed the terms of reference, scope and time scale for the Constitution Review and that this would be led by the Democratic Arrangements Forum (DAF). The DAF has met over the summer and has carried out the review in 5 phases. This has included a Technical Review to ensure the Constitution was legally compliant with all relevant legislation.

The Report updates the Committee on the work of the review and the emerging recommendations to improve the Constitution in line with legislation and best practice.

The Strategic Advisor in presenting the report referred Members to specific areas of work including:

- The All Member Survey
- Council, Cabinet and Scrutiny Procedure Rules
- Access to information rules
- Budget and Policy Framework rules

- Public Participation and in particular the petition arrangements
- Changes to the Human Resource and Appeals Panel

In considering the report the following comments/issues were raised:

Councillor Whitby reported that she welcomed the approach to include an independent member on the Audit Committee, currently the GM Audit Committee has four independent members and as part of this review the Council may wish to consider more independent members. If the proposed merger of the audit and standards committee is agreed she would want to ensure continuity or membership as well as regular training sessions.

Members discussed the political proportionality rules, the Strategic Advisor reported if the Council wanted to deviate from these rules, this would need the agreement of Full Council and could only be agreed if no Members voted against the proposal.

Responding to a Member's question, the Strategic Advisor reported that a number of Council's have merged their Audit and Standards Committees as a means of ensuring finance probity and proper governance process are aligned in one place. Oversight of the Annual Governance statement is a delegated function of the Audit Committee, oversight of the Constitution is a function of the Standards committee. Therefore if you were to merge the committees this oversight would sit in one place.

**It was agreed:**

The report be noted and the Committee places on record its thanks to all the Officers that have been involved in undertaking the Constitutional review in particular Marie Rosenthal, Strategic Advisor.

**S.249 STANDARDS COMPLAINTS**

Janet Witkowski, Interim Monitoring Officer presented an annual review of Member Standards Complaints.

Based upon available records, this report provides details as to complaints received pursuant to the Code of Conduct for Councillors and Other Voting Representatives, including 'informal' queries regarding compliance with the Code and other matters, during the period 1 January 2019 to 30 September 2020.

The Table below sets out details of the numbers of complaints received over the period 1 January 2019 and 30 September 2020, based upon the records and information available.

<b>Complainant</b>	<b>2019</b>	<b>2020</b>	<b>Total</b>
Public	6	14	20
Council Officers	0	0	0
Bury Councillors	2	6	8
<b>Total</b>			28
<b>Action Taken</b>			
Formal Investigations			3

informal compliance queries			4
Finding of No Breach or resolved by agreement			18
Referred to Standards Committee			1
Complaint withdrawn			1
Pending			4

In considering the report the following comments/issues were raised:

Responding to a Member's question, the Interim Monitoring Officer reported that standards complaints are confidential. A Member may wish to receive advice and support from their Group. Members must understand if they share that information with for example their Group Leader they must understand too that this is confidential information and should not be shared.

In response to a Member's question, the Interim Monitoring Officer reported that there has been an increase in the number of complaints, this could be in part due to the increased visibility of member meetings due to Covid as well as the increased traffic on the website which includes information in respect of how to complain, but there is no data or trends in the type of complaints received to explain the increase in the number of complaints.

## **S.250 VIRTUAL MEETINGS PROTOCOL**

Janet Witkowski, Interim Monitoring Officer shared with members and updated virtual meetings protocol. The protocol provides information as to the current etiquette for virtual meetings in Bury and requests consideration of whether additional detail needs to be added to the current protocol.

It also asks the committee to endorse the protocol, agree that it is issued to Members on its behalf as the standard of conduct expected during such meetings and that it becomes part of the Bury Constitution.

Members discussed the protocol and asked if the following additional information could be included: cameras should be turned on when a member is speaking, further information and guidance re: sharing screens is included, include information re: telephone dial into the meeting. Also make Members aware that all information in the chat facility can be requested via Freedom of Information, therefore ensure that the facility is only used to indicate intention to speak.

It was agreed:

The Interim Monitoring Officer will amend the protocol taking into account the suggestions detailed above. Once amended the revised protocol will be shared with the Chair of the Standards Committee for final sign off.

## **S.251 MEMBER DEVELOPMENT UPDATE**

Councillor Rafiq Cabinet Member for Corporate Affairs and HR presented members of the Standards committee with an updated member development strategy. The new Strategy recognises this alongside other mandatory training in relation to

planning and licensing matters as well as recognising that the role of being a Councillor is demanding, difficult and that strong and effective leadership is a key to effective, accountable and responsive local government.

The Member Development Group is leading this work and carried out an all member survey during August 2020 to seek councillors' views on member development and this has been used to inform the Strategy and Training Plan for 2020/21 set out at Annexe 1. The training programme is based on a set of core requirements for all Members and additional requirements tailored to Councillors undertaking specific roles.

**It was agreed that:**

1. The contents of the report are noted.
2. That the Committee consider the Member Development Strategy set out at Appendix 1 and recommend its adoption by the Cabinet and Council

**COUNCILLOR T PICKSTONE**  
**Chair**

**(Note: The meeting started at 6.00 pm and ended at 6.40 pm)**