

**AGENDA FOR
STANDARDS COMMITTEE**



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To: All Members of Standards Committee

Councillors : K Hussain (Chair), A Booth, R Gold,
D Green, M Hayes, J Hook, D Quinn, T Rafiq and D Vernon

Dear Member/Colleague

Standards Committee

You are invited to attend a meeting of the Standards Committee which will be held as follows:-

| | |
|-----------------------------|---|
| Date: | Thursday, 19 September 2024 |
| Place: | Committee Rooms A & B, Town Hall |
| Time: | 6.00 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

1 WELCOME AND APOLOGIES

2 DECLARATIONS OF INTEREST

Members of the Standards Committee are asked to consider whether they have an interest in any matter on the agenda, and, if so, to formally declare that interest.

3 MINUTES OF THE LAST MEETING & ANY MATTERS ARISING (Pages 5 - 8)

Minutes of the meeting held on 3rd April 2024 are attached.

4 UPDATE ON TWO YEAR TERM OF OFFICE FOR INDEPENDENT PERSONS AND RECRUITMENT

Verbal update.

5 WORK PROGRAMME 2024-25 (Pages 9 - 12)

To discuss the Work Programme for 2024-25 and identify topics for subsequent meetings.

6 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REVIEW LETTER 2023-24

Report attached at Item 12 to be discussed after exclusion of Press and Public.

7 MEMBER ATTENDANCE STATISTICS (Pages 13 - 16)

8 COMPLAINTS UPDATE

Report to follow.

9 URGENT BUSINESS

10 DATE OF NEXT MEETING

The next meeting of the Standards Committee will be held on Wednesday 27th November at 6pm.

11 EXCLUSION OF THE PRESS AND PUBLIC

To consider passing the appropriate resolution under Section 100(A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following items of business since they involve the likely disclosure of the exempt information stated.

12 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REVIEW LETTER 2023-24 (Pages 17 - 24)

Appendices to follow.

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Minutes of: STANDARDS COMMITTEE

Date of Meeting: 3 April 2024

Present: Councillor S Walmsley (in the Chair)
Councillors A Booth, M Hayes, T Rafiq, D Vernon, M Whitby,
R Bernstein and M Rubinstein

Also in attendance: Jacqui Dennis, Council Monitoring Officer.
Julie Gallagher, Head of Democratic Services.
Craig Ainsworth, Independent Person.

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

Apologies for Absence: Councillor D Green and Councillor K Hussain

9 DECLARATIONS OF INTEREST

There were no declarations of interest.

10 MINUTES OF THE LAST MEETING & ANY MATTERS ARISING

It was agreed that:

The minutes of the meeting held on the 13th February 2024 were approved as a correct record.

11 GUIDE TO THE CODE OF CONDUCT

Jacqui Dennis, the Council Monitoring Officer presented to Members draft guidance produced to support the recently approved Code of Conduct.

The Monitoring Officer reported that the document provides a quick guide as to some example behaviours which have been considered against the Member Code of Conduct.

The code of conduct is not a stand alone document and should be read in conjunction with the Member, Officer protocol and also the Social Media guidance issued to elected members and officers.

Members reviewed the guidance and the following issues were raised:

Members would like further clarification as to when they are acting in their role as a Councillor and when as a member of the public.

The Monitoring Officer reported with regards to the issue of a Councillor and an Officer having a Personal relationship, both Officers and Councillors are advised to seek guidance from the MO in these instances.

Following discussion at the Standards Committee, the new code of conduct includes the bullying definition, as defined by ACAS.

Officers should not engage with Elected members on social media.

It was agreed:

The guide will be reviewed annually by the Standards Committee.

An all member “new” code of conduct training session will be arranged in the new municipal year.

Additional narrative will be added to the document to provide further context to the separate areas of the code.

12 MEMBER INDUCTION

The Head of Democratic Services provided Members present with an overview of the Member Induction programme.

The update included the following information:

The Induction Day will be held on the 9th May 2024, all candidates will be advised of the date of the induction prior to the election, by letter and will be asked to save the date should they be successful. All serving Councillors will be invited to attend, should they wish to.

The day will begin with a meeting with the Chief Executive as well as updates in respect of: Casework system, Discretionary grants, development and training, Code of Conduct and Register of Interests.

The day will end with a Networking Lunch with Exec Directors , Leader, Mayor & Deputy Mayor.

All new Members will be provided with an Elected Members Handbook which contains information about Committees, Councillors, Council Structures, the Exec Team and links to strategies and policies.

The Member Development Programme will request that all newly elected Councillors complete the recommended training as soon as possible including GDPR.

Newly elected Councillors will be invited to attend the training provided specifically about being a new Councillor which is provided by North West Employers and resources available through the LGA

All Councillors will be invited to attend the meeting of Mock Council on the 18th June 2024.

Committee Training will be provided for all Members of Committees, prior to or at the first meeting.

It was agreed that:

The update be noted.

13 MEMBER COMPLAINTS UPDATE

Jacqui Dennis, Monitoring Officer reported that a Member complaints update Paper will be considered in the new municipal year. A number of complaints have been received since mid march, the Independent Person has been approached and a more detailed update will be available at the next meeting.

The Monitor Officer reported that one matter had been concluded, the complaint had been upheld and the Member was asked to, and has, issued a formal apology.

It was agreed that;

A member complaints report will be considered at the next meeting of the Standards Committee due to be held on the 2nd July 2024.

14 APPOINTMENT OF INDEPENDENT PERSONS

Jacqui Dennis, Monitoring Officer reported that the term of office for the current independent persons will expire imminently.

It was agreed that:

The existing appointed independent persons will be re-appointed for a two year term to be formally agreed as part of the annual appointments report, due to be considered at Annual Council.

The Council will seek to appoint a third independent person, for gender balance this will be a woman, recruitment will be commence immediately.

Note: the Independent Person present left the meeting for the consideration of this item.

15 URGENT BUSINESS - 6 MONTH RULE

Following agreement with the Chair, the Head of Democratic Services presented a report to Members present, in relation to the failure of a Member to attend a meeting for 6 months.

The Head of Democratic Services reported that:

Councillor Mason has not attended any council meeting since the 12th October 2024. There hasn't been any reasons given for his lack of attendance at meetings despite numerous contact being sent by the Democratic Services team.

There was a Council meeting on the 20th March 2024. Were Cllr Mason to have attended this meeting, there would not have been any failure to attend a council meeting throughout a period of six consecutive months within the meaning of s 85(1) of the Local Government Act 1972 ("LGA 1972").

Section.85 of the Local Government Act 1972 states that when a Council Member fails to attend any meeting for six consecutive months from the date of their last attendance, they cease to be a member of the authority, unless the Council accepts a reason for the failure to attend before the six months period expires.

Councillor Mason has not applied to Council for a dispensation prior to the expiry of the six month period.

If a Member once loses their office through failure to attend for the six months period, the disqualification cannot be overcome by the Member subsequently resuming attendance.

Councillor Mason is not currently a member of any committee, sub-committee, joint committee, joint board or other body (within the meaning of s 85(2) of the LGA 1972).

It follows from that as things stand Cllr Mason will fall foul of s 85(1) of the LGA 1972 on the 12th April 2024.

It was agreed that:

The Standards Committee notes that as of the 12th April 2024, 6 months will have passed since Councillor Mason last attended a meeting of the authority, at the time of writing, no request has been made for an extension of the 6 month rule, prior to the end of the six month period.

COUNCILLOR S WALMSLEY
Chair

(Note: The meeting started at 6.05pm and ended at 7.20pm)

Standards Committee Work Programme

For consideration by Members -

| Meeting date | Items | Comments |
|---------------------------|---|--|
| 27 th November | Review of Members allowances | Members to input in to the work of the Independent remuneration panel to review members allowances |
| 27 th November | Members update on governance | To update members on any national issues regarding ethical governance which may have an impact on the Council's arrangements |
| 27 th November | Arrangements for Investigating complaints under the Members code of conduct | Following the revised code of conduct, Members to review complaints arrangements |
| 13 th February | Gifts and hospitality guidance for Members | Updated guidance for Members |
| 13 th February | Public participation Guidance | A healthy democracy depends upon active citizenship. Residents are encouraged to make conscientious use of their roles as both voters and members of a wider community, and this guide gives an overview of the ways in which they can do that (i.e. attending meetings, asking questions, petitions, etc) |

| | | |
|---------------------------|------------------------------|--|
| 13 th February | Probity in planning guidance | This guidance regulates the performance of the Council's planning function, principally as it applies to applications for planning permission, but also to the other areas within the terms of reference of the Planning Control Committee pertaining to development control (e.g. enforcement, listed buildings, conservation areas, tree preservation orders, etc) |
| 3 rd April | Ethical governance review | Good governance relies on being ethical, accountable and effective. This review will look at policies in place which relate to values and ethical behaviours, processes, procedures, culture, ways of doing and being that ensure high standards of performance, economy, effectiveness, efficiency, quality, satisfaction |
| 3 rd April | Dispensations to Members | Report to consider dispensations to Members To grant dispensations under Section 33 (2) (b) (d) and (c) Localism Act 2011 or any subsequent amendment |

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| 3 rd April | Code of conduct | Review of new code Members to consider following implementation |

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| Classification | Item No. |
| Open / Closed | |

| | |
|--|---|
| Meeting: | Standards Committee |
| Meeting date: | 19 th September 2024 |
| Title of report: | Councillor Attendance |
| Report by: | Michael Cunliffe, Principal Democratic Services Officer |
| Decision Type: | N/A Report for information only |
| Ward(s) to which report relates | (Not applicable) |

Executive Summary:

This report sets out all Councillor attendance at public Committee meetings from the beginning of the municipal year (May 2024) until Friday the 6th September 2024.

This summary mainly includes public facing meetings as listed on the appendix spreadsheet. Attendance summaries for all meetings (including private meetings) are provided to Groups informally on a monthly basis.

Recommendation(s)

That Councillor attendance at meetings be noted.

Attendance Statistics

Please note-

That some of the most recent meetings held in early September are still to have their attendance details confirmed, therefore for some members the expected and present totals may not tally with the apology/absent section as the data is still to be compiled.

| Councillor | Expected | Present | In attendance | Apologies sent | Absences |
|----------------------|----------|---------|---------------|----------------|----------|
| Ayesha Arif | 6 | 6 | 0 | 0 | 0 |
| Shahbaz Arif | 8 | 7 | 0 | 0 | 1 |
| Noel Bayley | 9 | 7 | 0 | 2 | 0 |
| Russell Bernstein | 11 | 10 | 2 | 1 | 0 |
| Donald Berry | 6 | 6 | 0 | 0 | 0 |
| Carol Birchmore | 6 | 6 | 0 | 0 | 0 |
| Ciaran Boles | 9 | 9 | 0 | 0 | 0 |
| Andrea Booth | 8 | 7 | 0 | 1 | 0 |
| Roger Brown | 7 | 5 | 0 | 1 | 1 |
| Clare Cummins | 8 | 6 | 0 | 2 | 0 |
| Des Duncalfe | 9 | 7 | 0 | 2 | 0 |
| Ummrana Farooq | 8 | 7 | 0 | 1 | 0 |
| Elizabeth FitzGerald | 5 | 5 | 0 | 0 | 0 |
| Nikki Frith | 5 | 1 | 0 | 3 | 1 |
| Iain Gartside | 4 | 2 | 0 | 2 | 0 |
| Richard Gold | 7 | 7 | 0 | 0 | 0 |
| Debra Green | 7 | 7 | 0 | 0 | 0 |
| Joan Grimshaw | 9 | 8 | 0 | 1 | 0 |
| Shaheena Haroon | 6 | 5 | 0 | 0 | 1 |
| Jackie Harris | 9 | 8 | 0 | 1 | 0 |
| Martin Hayes | 10 | 9 | 0 | 1 | 0 |
| Jodie Hook | 7 | 7 | 0 | 0 | 0 |
| Khalid Hussain | 3 | 3 | 0 | 0 | 0 |
| Babar Ibrahim | 11 | 11 | 0 | 0 | 0 |
| Jo Lancaster | 6 | 6 | 0 | 0 | 0 |
| Glyn Marsden | 15 | 15 | 0 | 0 | 0 |
| Luis McBriar | 5 | 4 | 0 | 1 | 0 |
| Gavin McGill | 16 | 16 | 0 | 0 | 0 |
| Charlotte Morris | 8 | 9 | 0 | 2 | 0 |
| Elliot Moss | 7 | 7 | 0 | 0 | 0 |
| Eamonn O'Brien | 14 | 12 | 0 | 0 | 0 |
| Tom Pilkington | 5 | 5 | 0 | 0 | 0 |
| Alan Quinn | 8 | 8 | 0 | 0 | 0 |
| Debbie Quinn | 12 | 9 | 0 | 3 | 0 |
| Tahir Rafiq | 10 | 10 | 0 | 0 | 0 |
| Miriam Rahimov | 4 | 4 | 0 | 0 | 0 |
| Imran Rizvi | 11 | 10 | 0 | 1 | 0 |
| Michael Rubinstein | 5 | 5 | 0 | 0 | 0 |
| Jack Rydeheard | 7 | 7 | 0 | 0 | 0 |
| Lynn Ryder | 8 | 8 | 0 | 0 | 0 |
| Ken Simpson | 3 | 3 | 0 | 0 | 0 |
| Lucy Smith | 13 | 10 | 0 | 1 | 0 |
| Mike Smith | 4 | 4 | 0 | 0 | 0 |

| Councillor | Expected | Present | In attendance | Apologies sent | Absences |
|------------------|----------|---------|---------------|----------------|----------|
| John Southwood | 5 | 5 | 0 | 0 | 0 |
| G Staples- Jones | 9 | 8 | 0 | 1 | 0 |
| Tamoor Tariq | 12 | 7 | 0 | 2 | 0 |
| Sean Thorpe | 9 | 8 | 0 | 0 | 0 |
| Dene Vernon | 5 | 5 | 0 | 0 | 0 |
| Sandra Walmsley | 6 | 6 | 0 | 1 | 0 |
| Mary Walsh | 9 | 8 | 0 | 1 | 0 |
| Yvonne Wright | 3 | 3 | 0 | 0 | 0 |

Explanation of the statistics counts

- **Expected** - The number of meetings that the councillor was expected to attend, whether in person or virtually, in their capacity as member of that committee.
- **Present** - The number of meetings that the councillor attended in their capacity as member of that committee.
- **In attendance** - The number of meetings that the councillor attended in a capacity other than committee member, for example a voluntary attendance out of personal interest for a topic being discussed.
- **Apologies sent** – Meetings not attended, where the Councillor is a member of the committee, where apologies were submitted.
- **Absent** - Meetings not attended, where the Councillor is a member of the committee, where apologies were not submitted.

Community impact/links with Community Strategy

Equality Impact and considerations:

An equalities analysis is not required.

Assessment of Risk:

Councillor non-attendance can result in inquorate meetings. Regular reporting of attendance statistics mitigates this risk by giving early notice to Councillors of possible concerns and allowing early resolution. The monitoring also highlights any Members who

may not have attended meetings for some time in advance of the 6 month attendance regulation.

Consultation:

N/A

Legal Implications:

There are no legal implications.

Financial Implications:

There are no financial implications.

Report Author and Contact Details:

Michael Cunliffe, Principal Democratic Services Officer
Democratic Services
m.cunliffe@bury.gov.uk

Background papers:

None.

Please include a glossary of terms, abbreviations and acronyms used in this report.

| Term | Meaning |
|------|---------|
| | |

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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