

STANDARDS COMMITTEE

7 November 2023

Commenced: 4.00 pm

Terminated: 4.20 pm

Present: Mirriam Lawton (Independent Person & Chair), Councillors Kitchen, Lane, McNally and Ricci

In Attendance: Sandra Stewart Chief Executive
Robert Landon Head of Democratic Services

Apologies for Absence: Councillors Costello, S Homer, and Parish Councillor Travis

8. DECLARATIONS OF INTEREST

There were no declarations of interest.

9. MINUTES

RESOLVED

The Minutes of the Standards Committee meeting held on the 5 September 2023 were approved as a correct record.

10. REVIEW OF COUNCIL CONSTITUTION

Consideration was given to a report of the Chief Executive that informed the Standards Committee of the overall review of the Council Constitution and sought the views of the Committee on the contents of Part 5: Standards of Conduct and Ethics.

The Committee was told that The Local Government Act 2000, as amended, required a local authority, which was operating executive arrangements, to prepare and keep up-to-date a Constitution. Although specific elements of the Constitution had been reviewed and amended, the Constitution as a whole had not been comprehensively reviewed for a number of years. The Committee was advised that an overall review of the Council Constitution would be considered by Council on 5 December 2023

It was reported that a significant part of the Constitution was Part 5: Standards of Conduct and Ethics, which fell within the remit of the Standards Committee. This Part of the Constitution contained a number of codes, protocols and policies, which set the framework within which both Members and Officers were expected to act. The following documents formed Part 5 of the Constitution:

5a	Members Code of Conduct
5b	Whistleblowing Policy
5c	Anti-Fraud, Bribery and Corruption Strategy
5d	Members Planning Code
5e	Monitoring Officer Protocol
5f	Section 151 Officer Protocol
5g	Member/Officer Protocol

In relation to 5a, Members Code of Conduct, the Committee were advised that this had been reviewed and amended by Council on 12 January 2021 following recommendations of the Standards Committee. The Whistleblowing Policy, 5b, applied to everyone with a concern about wrongdoing in the Council's activities, whether they were a Councillor, a council employee, a

contractor, an associated party or a concerned member of the public, and had been examined in recent years.

A summary was provided with regards to Anti-Fraud, Bribery and Corruption Strategy, Members Planning Code, which had recently been reviewed, Monitoring Officer Protocol, Section 151 Officer Protocol and Member/Officer Protocol.

The Committee were notified that the updated protocols and policies would be shared on a digital basis and Members requested that a printed version be made available in the Members Lounge at Tameside One and also at any relevant training sessions.

RESOLVED

That the Standards Committee endorsed the current contents of Part 5 a – g of the Council Constitution.

11. FLAG FLYING PROTOCOL

Consideration was given to a report of the Chief Executive that set out the current arrangements for flag flying on civic occasions and the arrangements for flying flags at half-mast. The current Flag Flying Protocol was appended to the report, and included details of when flags on Council buildings should be flown at half-mast.

The Committee were informed that it had been suggested that the current protocol, which had been in place since 2009, be amended to reflect changed circumstances and changing practices and that the requirement to fly flags on Council buildings in the event of the death of a former Chief Officer of the Council should be removed. An assessment of other local authority flag flying protocols showed that the inclusion of this requirement was rare and in practice difficult to apply.

RESOLVED

That the Standards Committee:

- (i) Agree that the protocol be amended to remove the requirement to fly flags on Council buildings at half-mast in the event of the death of a former Chief Officer of the Council; and**
- (ii) Note that the protocol would also be amended to reflect that the only Town Hall with a working flagpole was Dukinfield Town Hall in light of recent requirements to working at heights.**

12. REGISTER OF INTERESTS AND GIFTS AND HOSPITALITY

Members were advised that the Register of Interests and Register of Gifts and Hospitality were available online for inspection and that there had been no recent declarations of gifts and hospitality received by Members.

13. DISCUSSION PERIOD FOR MEMBERS TO RAISE ISSUES (IF ANY)

No issues were raised.

14. URGENT ITEMS

The Chair advised the Standards Committee that the Monitoring Officer was a statutory appointment under Section 5 of the Local Government and Housing Act 1989 and the current responsibilities of the Monitoring Officer role under the constitution rested with the role of Borough Solicitor (otherwise known as or referred to as the Assistant Director of Legal Services). The

Committee were informed that the Interim Assistant Director of Legal had left the authority and the Deputy Monitoring Officer was currently unavailable for a prolonged period. An appointment to the role of Assistant Director of Legal Services would be made at the next full Council meeting, scheduled for 5 December 2023, and any issues for consideration by the Monitoring Officer, would be held in abeyance up until this point.

15. DATE OF NEXT MEETING

RESOLVED

That the date of the next meeting of the Standards Committee was scheduled to take place on 26 March 2024.

CHAIR