

STANDARDS COMMITTEE Regulatory Committee
04/09/2024 at 6.00 pm

Present: Councillors J. Hussain, Harrison (Chair), Adams,
Marland, Hobin and Rustidge

Also Present: Alex Bougatef - Group Solicitor
In Attendance: Paul Entwistle - Borough Solicitor
Karen Williams - Independent Person
Gillian McCarthy - Independent Person
Rhys Attwell - Constitutional Services

Note:

1 **APOLOGIES FOR ABSENCE**

There were apologies for absence received from Mark Reynolds and Lee Navesey.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 30th November 2023 be approved as a correct record.

6 **COMPOSITION OF STANDARDS SUB-COMMITTEE**

The Committee received a report from the Director of Legal Services regarding the composition of the Standards sub-committee. The report advised that the Standards sub-committee dealt with the determination of referred complaints from the Monitoring Officer and any hearings required.

It was noted that the Standards sub-committee consisted of five Oldham Council members, in addition there would also be an Independent Person who would also attend a sub-committee meetings. It was also noted that if the matter related to a Parish/Town Council member, the sub-committee would include at least one Parish /Town Council member.

Members heard that the sub-committee would be politically balanced and consist of two Labour Group members and one member from the Liberal Democrat Group, the Conservative Group, and the Oldham Group.

RESOLVED:

- 1.) That the Committee confirmed the composition of the sub-committee.

7

REVIEW OF MEMBER CODE OF CONDUCT MATTERS

The Director of Legal Services introduced a report to consider and review various matters relevant to the Members Code of Conduct and related matters. The report asked the Committee to review the Member Code of Conduct and arrangements for dealing with complaints under the Code, and to consider a review of the last 12 months.

Members were informed that the Council had in September 2021 adopted a model Code of Conduct which had been developed by the Local Government Association. The Code was last reviewed in June 2023, with an update in November 2023. Members were advised that it was good practice for the Council to review the code of conduct and consider any recommended amendments.

Members were informed by the Director of Legal Services that Independent Persons would work within the complaints process. It was noted that in an event of allegations of breaches of the code of conduct, the Director of Legal Services and one independent person would initially assess the decision over whether or not the complaint progressed to the next stage, if it did indeed progress to the next stage a second independent person would speak with the Member in question, and finally a third independent person would be present at a hearing.

The Director of Legal Services informed members that there was a vacancy for a fourth independent person.

There was a discussion over the time frame the complaints process would take, with the Director of Legal Services noting that every complaint was different, with some complaints being straightforward and others being more complex. It was further explained that Members would be kept updated at each stage of the complaints process.

Members and Officers discussed complaints the Council had received over the last year. It was noted that there had been 15 formal complaints received from individuals that had been investigated within the last year. Of the 15 complaints, 3 were dismissed, 3 were concluded with an informal resolution, 4 were referred for investigation and 5 were at the moment of the meeting being assessed.

RESOLVED:

That the Committee consider any amendments required to the Members Code and Arrangements, grant the general dispensations to members to participate and vote on setting the Council tax or a precept under the Local Government Finance Act 1992 (as amended from time to time and any superceding

legislation) and on matters directly related to such decisions such as budget calculations and council tax reduction and discount schemes (where the interest may arise from being a property owner or responsibility to pay the council tax) and allowances and indemnities given to members (where the interest may arise as recipient of the allowance and indemnity) as appropriate to do so under section 33 of the Localism Act 2011 for a period of 3 years and to grant dispensations to members to participate and vote on setting the council tax or precept or matters relating to such decisions such as budget calculations and council tax reduction and discount schemes where members have an other registrable interest arising from appointment by the Council to a body.

The meeting started at 6.00pm and ended at 6:22pm.