Notice of Motion for Full Council

Under Paragraph 12 of the Council Procedure Rules

The following Motion to be submitted to Council on the date indicated below:-

Strengthening Standards and Conduct in Oldham

This Council notes that it owes a duty of care to its employees, residents, service users, volunteers and all those who interact with the authority, and that this duty must be upheld consistently, fairly and without exception, with the safety and wellbeing of individuals being the paramount consideration in decision-making.

This Council further notes that elected members hold positions of public trust and carry significant responsibilities and democratic legitimacy, but the status of elected office must never override the Council's wider obligation to safeguard staff, residents and the public. Holding office should not provide immunity from reasonable safeguarding measures where legitimate concerns arise.

This Council notes that at its meeting in December 2025 it welcomed the Government's proposals to strengthen the standards and conduct framework. In its response of 11 November 2025, the Government committed to legislate for a mandatory minimum code of conduct, a formal standards committee in every authority, a power of suspension, a new disqualification category for gross misconduct and repeated breaches, and a national appeals mechanism. Suspensions would be capable of lasting up to six months, with disqualification following a second maximum suspension within five years, and interim suspension of up to three months would be available in serious cases involving external investigation; including extension and review periods subject to statutory review. The Government also stated that the outcomes of investigations should be published, including where a councillor stands down during an investigation.

This Council regrets that no legislation to deliver these reforms was included in the King's Speech of May 2026, despite calls from the Local Government Association and the Ethics and Integrity Commission to find parliamentary time. The Government has since said that reform will come as soon as parliamentary time allows. Until it does, the sanctions available to councils remain those the Committee on Standards in Public Life found to be insufficient in 2019, and there is no provision in current legislation for suspension as a sanction for a councillor found to have breached the code.

This Council further notes that a Member of Parliament who is suspended by the House can face a recall petition and believes that residents are entitled to expect the same seriousness of consequence for those who hold office locally. Where a Member of Parliament resigns from the House to try and end a standards investigation, then returns to public office, these investigations are restarted as a matter of course.

This Council believes that public confidence in local democracy is strengthened, not weakened, when robust standards and safeguarding arrangements are applied equally to all, regardless of position or status. It further believes that a member who steps down during an investigation should not thereby escape accountability, leave complainants without an answer, or return to seek public office as if the matter had never arisen, and that where a serious breach may also be a crime, officers must act without hesitation.

This Council resolves to:

1. Reaffirm that safeguarding considerations must take precedence when balancing the rights and responsibilities of elected office holders against the Council's duty to protect residents, staff and the wider public.

2. Support the principle that elected members should be subject to safeguarding measures, risk-management arrangements and restrictions equivalent to those that would reasonably be applied to employees in comparable circumstances and ask the Monitoring Officer to report to the Standards Committee within three months on what can lawfully be done to give effect to this principle under the current framework.

3. Ensure that no individual is exempt from appropriate safeguarding arrangements solely by virtue of the office they hold.

4. Ask the Standards Committee and the Monitoring Officer to ensure that, to the fullest extent permitted by law, where a member resigns or steps down during an investigation, the investigation is concluded to a finding where practicable and its outcome is published, and that, should that person subsequently seek election or co-option to this Council, the complaint is re-examined by the Standards Committee and the outcome made public.

5. Reaffirm the expectation that officers will pursue every credible allegation of a serious breach of standards vigorously without fear or favour and will refer matters to the police or other relevant authorities at the earliest opportunity where a breach may amount to criminal conduct and ask the Chief Executive to report annually to the Standards Committee on the operation of these referral arrangements.

6. Ask the Chief Executive to write to the Secretary of State for Housing, Communities and Local Government, urging the Government to bring forward standards legislation as a matter of urgency, to strengthen it further so that complaints can be reopened where a member stood down to avoid accountability, and to ensure that the standards regime for councillors is as robust as that which applies in Parliament.

This council further resolves to:

1. Ask the Chief Executive to write to the borough's Members of Parliament seeking their support for the above, and to the Local Government Association asking it to continue pressing for early legislation.

2. Ask the Standards Committee to report back to Full Council on progress against these resolutions within six months.

3. That with the permission of each councillor, the council will publish the status of each elected member’s enhanced DBS check according to its records.

Date of Council meeting: 18th November 2026	
Notice submitted from (must be received no later than noon, seven working days before the meeting e.g. the Monday before the meeting on Wednesday) The submission must be signed by at least one Member	
Councillor Proposing: Cllr Elaine Taylor	Signature: E. Taylor

Councillor Seconding: Cllr Graham Shuttleworth	Signature: G. Shuttleworth
On completion of the above please submit your motion to constitutional.services@oldham.gov.uk	