

**GREATER MANCHESTER COMBINED AUTHORITY
STANDARDS COMMITTEE****DATE: Friday, 13th December, 2024****TIME: 10.00 am****VENUE: Antechamber, Manchester Town Hall (Mount Street entrance)****AGENDA**

- 1. Apologies**
- 2. Chairs announcements and urgent business**
- 3. Declarations of interest** 1 - 4
To receive declarations of interest in any item for discussion at the meeting. A blank form for declaring interests has been circulated with the agenda; please ensure that this is returned to the Governance & Scrutiny Officer at the start of the meeting.
- 4. Terms of Reference** 5 - 10
To note the Terms of Reference for the GMCA Standards Committee, with one typographical change for ease of reference.
- 5. Minutes - 15 December 2023** 11 - 14
To consider the approval the minutes of the meeting held on the 15 December 2023.

BOLTON	MANCHESTER	ROCHDALE	STOCKPORT	TRAFFORD
BURY	OLDHAM	SALFORD	TAMESIDE	WIGAN

- 6. GMCA Standards Committee Work Programme** 15 - 18
Report of Nicola Ward, Deputy Head of Governance, GMCA.
- 7. GMCA Members Code of Conduct** 19 - 34
Report of Gillian Duckworth, Group Solicitor & Monitoring Officer.
- 8. Gifts & Hospitality** 35 - 44
Report of Gillian Duckworth, Group Solicitor & Monitoring Officer.
- 9. Future meetings**
Date and time of future meetings to be confirmed.

Name	Organisation	Political Party
Geoff Linnell		
Councillor Bev Craig	Manchester CC	Labour
Councillor Mark Hunter	Stockport	Liberal Democrats
Councillor Nicholas Peel	Bolton Council	Labour
Councillor Arooj Shah	Oldham Council	Labour

For copies of papers and further information on this meeting please refer to the website www.greatermanchester-ca.gov.uk. Alternatively, contact the following Governance & Scrutiny Officer: nicola.ward@greatermanchester-ca.gov.uk

This agenda was issued on 5 December 2024 on behalf of Julie Connor, Secretary to the Greater Manchester Combined Authority, Broadhurst House, 56 Oxford Street, Manchester M1 6EU

Declaration of Councillors' Interests in Items Appearing on the Agenda

Name and Date of Committee.....>

Agenda Item Number	Type of Interest - PERSONAL AND NON PREJUDICIAL Reason for declaration of interest	NON PREJUDICIAL Reason for declaration of interest Type of Interest – PREJUDICIAL Reason for declaration of interest	Type of Interest – DISCLOSABLE PECUNIARY INTEREST Reason for declaration of interest

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Please see overleaf for a quick guide to declaring interests at GMCA meetings.

Quick Guide to Declaring Interests at GMCA Meetings

Please Note: should you have a personal interest that is prejudicial in an item on the agenda, you should leave the meeting for the duration of the discussion and the voting thereon.

This is a summary of the rules around declaring interests at meetings. It does not replace the Member's Code of Conduct, the full description can be found in the GMCA's constitution Part 7A.

Your personal interests must be registered on the GMCA's Annual Register within 28 days of your appointment onto a GMCA committee and any changes to these interests must be notified within 28 days. Personal interests that should be on the register include:

1. Bodies to which you have been appointed by the GMCA
2. Your membership of bodies exercising functions of a public nature, including charities, societies, political parties or trade unions.

You are also legally bound to disclose the following information called Disclosable Personal Interests which includes:

1. You, and your partner's business interests (eg employment, trade, profession, contracts, or any company with which you are associated).
2. You and your partner's wider financial interests (eg trust funds, investments, and assets including land and property).
3. Any sponsorship you receive.

Failure to disclose this information is a criminal offence

Step One: Establish whether you have an interest in the business of the agenda

1. If the answer to that question is 'No' then that is the end of the matter.
2. If the answer is 'Yes' or 'Very Likely' then you must go on to consider if that personal interest can be construed as being a prejudicial interest.

Step Two: Determining if your interest is prejudicial

A personal interest becomes a prejudicial interest:

1. where the wellbeing, or financial position of you, your partner, members of your family, or people with whom you have a close association (people who are more than just an acquaintance) are likely to be affected by the business of the meeting more than it would affect most people in the area.
2. the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

For a non-prejudicial interest, you must:

1. Notify the governance officer for the meeting as soon as you realise you have an interest.
2. Inform the meeting that you have a personal interest and the nature of the interest.
3. Fill in the declarations of interest form.

To note:

1. You may remain in the room and speak and vote on the matter
If your interest relates to a body to which the GMCA has appointed you to, you only have to inform the meeting of that interest if you speak on the matter.

For prejudicial interests, you must:

1. Notify the governance officer for the meeting as soon as you realise you have a prejudicial interest (before or during the meeting).
2. Inform the meeting that you have a prejudicial interest and the nature of the interest.
3. Fill in the declarations of interest form.
4. Leave the meeting while that item of business is discussed.
5. Make sure the interest is recorded on your annual register of interests form if it relates to you or your partner's business or financial affairs. If it is not on the Register update it within 28 days of the interest becoming apparent.

You must not:

Participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business,
participate in any vote or further vote taken on the matter at the meeting.

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Terms of Reference -	GMCA Standards Committee
Function/Purpose	The GMCA has established a Standards Committee to deal with matters relating to member conduct and ethical standards.
Delegations	<p>The GMCA has delegated to the Standards Committee the following powers to deal with matters of conduct and ethical standards, and the GMCA's Standards Committee has the following role and functions:</p> <ul style="list-style-type: none"> (a) to promote and maintain high standards of conduct by GMCA Members and by co-opted members of the GMCA's committees; (b) to assist GMCA Members and co-opted members of the GMCA's committees to observe the GMCA's Code of Conduct for Members; (c) to advise the GMCA on the adoption, revision or replacement of the GMCA's Code of Conduct for Members and the GMCA's Arrangements for Dealing with Complaints that GMCA Members or voting co-opted members have failed to comply with the GMCA's Code of Conduct for Members ('the GMCA's Arrangements'); (d) to monitor the operation of the GMCA's Code of Conduct for Members and the GMCA's Arrangements; (e) to advise, train or arrange to train GMCA Members and co-opted members on matters relating to the GMCA's Code of Conduct for Members and other issues relating to standards and conduct;

(f) to determine in accordance with the GMCA's Arrangements whether a GMCA Member or voting co-opted member has failed to comply with the GMCA's Code of Conduct for Members and, if so, to determine what action (if any) to take;

(g) to take decisions in respect of a GMCA Member or voting co-opted member who is found on a hearing held in accordance with the GMCA's Arrangements to have failed to comply with the GMCA's Code of Conduct for Members ("the Subject Member"), such actions to include –

- publication of findings in respect of the Subject Member's conduct;
- reporting such findings to the GMCA for information;
- recommending to the GMCA that the Subject Member should be censured;
- instructing the GMCA's Monitoring Officer to arrange training for the Subject Member;
- recommending to the GMCA that the Subject Member should be removed from all appointments to which the Subject Member has been appointed or nominated by the GMCA;
- placing such restrictions on the Subject Member's access to staff, buildings or parts of buildings provided by, or for the use of, the GMCA as may be reasonable in the circumstances;

(h) to determine appeals against the GMCA Monitoring Officer's decision on the grant of dispensations;

(i) to deal with reports of the Monitoring Officer regarding breaches of the protocols/guidance to Members accompanying the GMCA's Code of Conduct for Members which do not in themselves constitute a breach of that Code;

(j) to report from time to time to the GMCA on ethical governance within the GMCA.

The additional roles of the Standards Committee are:

	<p>(a) to overview the GMCA's whistle blowing policy;</p> <p>(b) to consider the GMCA's Code of Corporate Governance.</p>
Accountability	<p>The Committee will appoint one of its elected Members for the purpose of answering questions at meetings of the GMCA on the discharge of the Committee's functions.</p> <p>The Standards Committee may appoint one or more sub-committees for the purpose of discharging any of the Committee's functions. Any such sub committee shall be chaired as determined by the Committee and shall have a quorum of three, except in relation to the matters referred to in paragraphs (f) – (i) above. In respect of those specified matters the quorum will be four, of whom at least one member must be the Co-opted Independent Member (provided that the Co-opted Independent Member is not prevented or restricted from participating by virtue of the GMCA's Code of Conduct)</p>
Statutory/Decision Making/Informal	Statutory
Membership	<p>The Standards Committee will be composed of:</p> <ul style="list-style-type: none"> • Five members of the GMCA (none of whom shall be the Mayor); and • One person appointed by the GMCA who is not a Member or officer of the GMCA or an elected member or officer of any of the Constituent Councils (the 'Co-opted Independent Member'). <p>In appointing members of the Standards Committee the GMCA will ensure it reflects the political balance of Greater Manchester as far as possible.</p>

	In appointing members of the Standards Committee the GMCA will act in accordance with Rule 15.3 of the GMCA Procedure Rules set out in Section A of Part 5 of this Constitution.
Appointment of Chair	The GMCA will appoint the Co-opted Independent Member as Chair of the Committee. In the absence of the appointed Chair, the Committee will be chaired as determined by the Committee.
Quoracy	The quorum for the Standards Committee is three, except in relation to the matters referred to in paragraphs (f) to (i) above. In respect of those specified matters the quorum is four, of whom at least one member must be the Co-opted Independent Member (provided that the Co-opted Independent Member is not prevented or restricted from participating by virtue of the GMCA's Code of Conduct).
Voting	The Co-opted Independent Member will not be entitled to vote at meetings of the Committee. Each member to have one vote, no member is to have a casting vote.
Meeting arrangements	At least once per year.
Lead contact	Nicola Ward GMCA Statutory Scrutiny Officer nicola.ward@greatermanchester-ca.gov.uk
Date TOR were approved	As part of the GMCA Constitution approval – June 2024

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MINUTES OF THE MEETING OF THE GMCA STANDARDS COMMITTEE HELD ON FRIDAY 15 DECEMBER 2023

Present:

Geoff Linnell	Independent Member
Councillor Nick Peel	Bolton
Councillor Bev Craig	Manchester
Councillor Arooj Shah	Oldham
Councillor Mark Hunter	Stockport

Also present:

Eamonn Boylan	Chief Executive Officer, GMCA
Melinda Edwards	Deputy Monitoring Officer, GMCA
Gwynne Williams	Deputy Monitoring Officer, GMCA
Nicola Ward	Statutory Scrutiny Officer, GMCA

GMSC/09/23 Apologies

RESOLVED/-

Apologies were received and noted from Councillor Ged Cooney (Tameside).

GMSC/10/23 Chairs Announcements and Urgent Business

RESOLVED/-

There were none.

GMSC/11/23 Declarations of Interest

RESOLVED/-

There were no declarations of interest.

GMSC/12/23 Terms of Reference

RESOLVED/-

That the Terms of Reference for the GMCA Standards Committee be noted.

GMSC/13/23 Minutes of the GMCA Standards Committee 10 February 2023

RESOLVED/-

That the minutes of the GMCA Standards Committee meeting held on 10 February 2023 be approved.

GMSC/14/21 Review of GMCA Complaints Procedure

Nicola Ward, GMCA Statutory Scrutiny Officer took members through a report which highlighted suggested amendments following an internal review of the GMCA Complaints Procedure.

The review had been undertaken in line with the latest guidance provided by the Local Government & Social Care Ombudsman on effective complaint handling to ensure that the GMCA's practices were as simple, accessible and effective as possible.

Specifically, attention was drawn to the suggested two stage process that begins with a formal complaint and ends in a complaint review, removing the requirement for an informal complaint ahead of this process. This removed the need for the complaint process to be initiated through an enquiry, comment or suggestion. Instead, if a resident was unhappy about how an issue had been dealt with, a formal complaint would enable it to be escalated further through the complaints procedure.

The revised procedure also made it clear where there were exclusions to the policy, i.e. those complaints regarding data protection or in relation to the code of conduct, further improving the clarity as to where the procedure would apply.

Finally, assurances were provided that the procedure itself had been assessed against accessibility criteria to ensure that there were no physical or typographical barriers for readers.

RESOLVED/-

1. That the report be noted.
2. That officers apply the suggested amendments to the procedure.

GMSC/15/23 Review of the Code of Corporate Governance

Gwynne Williams, Deputy Monitoring Officer GMCA, introduced a report which presented the GMCA's Code of Corporate Governance for review in accordance with the Standards Committee's Terms of Reference.

Members attention was drawn to section 4 of the Code which had been updated to reflect the evolving governance of the GMCA in relation to transport functions and the Bee Network Committee and in relation to overview and scrutiny following the introduction of a single committee.

Section 4.10 was added to the Code following the review of the constitution this year and other suggested amendments are of a typographical nature.

RESOLVED/-

1. That the report be noted.
2. That the revised Code be recommended to the GMCA for adoption.

GMSC/16/23 Standards Committee Work Programme 2023/24

RESOLVED/-

That the GMCA Standards Committee Work Programme be noted.

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Greater Manchester Combined Authority

Standards Committee

Date: 13 December 2024

Subject: Work Programme

Report of: Nicola Ward, Deputy Head of Governance, GMCA

Purpose of Report

This report provides the Standards Committee an overview of their current work programme, policies within their remit and the last time they were reviewed.

Recommendations:

The GMCA Standards Committee is requested to consider their current work programme.

Contact Officers:

Nicola Ward, Deputy Head of Governance, GMCA.

1. Introduction/Background

The GMCA Standards Committee was established to deal with matters relating to member conduct and ethical standards, it also reviews certain GMCA policies in relation to the Code of Conduct, Code of Corporate Governance and Whistleblowing.

The Committee is comprised of five members of the GMCA (none of whom shall be the Mayor) and an Independent Member, who is also appointed as Chair.

Since 2019, the Committee have considered reports on the following areas –

- Code of Corporate Governance
- Code of Conduct
- Member / Officer relations
- GMCA Complaints Procedure
- Whistleblowing
- Dealing with complaints under the Code of Conduct
- Standards in Public Life

2. Work Programme 2024/25

The current work programme below is a working document and subject to change.

Meeting date	Item	Last reviewed by Standards	Notes
Late 2024	Terms of Reference	Dec 23	
	Code of Conduct	Feb 23	
	Gifts & Hospitality	-	
Early 2025	Register of Members Interest	Dec 21	

3. Policies which are within the remit of the GMCA Standards Committee

This table provides a list of all the policies which are within the remit of the GMCA Standards Committee, the last time they were reviewed and when they are next to be reviewed. This provides members with complete oversight of their functions and outcomes.

Policy	Review of any significant changes	Detailed review	Notes
The Code of Corporate Governance	As and when required following change in legislation	Every 3 years	Last reviewed December 2023
Members' Code of Conduct	As and when required following change in legislation	Every year	Last reviewed February 2023
Arrangements for dealing with a complaint in relation to the Code of Conduct	As and when required following change in legislation	Every 3 years in line with a review of the constitution	Last reviewed February 2023
Gifts and Hospitality	As and when required following change in legislation	Every 2 years	
The Member/Officer Relations Protocol	As and when required following change in legislation	Every 2 years in line with a review of the constitution	Last reviewed February 2023
Complaints and Whistleblowing Policy	As and when required following change in legislation	Every 2 years	Last reviewed February 2023
Register of Members Interests	As and when required following change in legislation	Every 3 years	Last reviewed December 2021
GMCA Complaints Procedure	As and when required following change in legislation	Every 3 years	Last reviewed December 2023

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Greater Manchester Combined Authority

Standards Committee

Date: 13 December 2024
Subject: GMCA Code of Conduct
Report of: Gillian Duckworth, Group Solicitor & Monitoring Officer

Purpose of Report

This report provides an opportunity for the GMCA Standards Committee to review the Code of Conduct for Members.

Recommendations:

The GMCA Standards Committee is requested to consider the current Code of Conduct for members, noting that it was last reviewed in February 2023 and there have been no substantial changes to guidance.

Contact Officers:

Nicola Ward, Deputy Head of Governance, GMCA.

1. Background

In February 2023, the GMCA Standards Committee resolved that the GMCA be recommended to adopt the LGA Model Code of Conduct.

2. Current Code of Conduct

Since then, there has been no change to guidance, or any substantial change made to the Code of Conduct, however in line with their work programme, members of the GMCA Standards Committee are invited to review the document annually to ensure that it is fit for purpose.

SECTION A. MEMBERS CODE OF CONDUCT

MEMBERS MODEL CODE OF CONDUCT

Definitions

General principles of member conduct

Application of the Code of Conduct

Standards of member conduct

General Conduct

1. Respect

2. Bullying, harassment and discrimination

3. Impartiality of officers of the GMCA

4. Confidentiality and access to information

5. Disrepute

6. Use of position

7. Use of GMCA resources and facilities

8. Complying with the Code of Conduct Protecting your reputation and the reputation
of the GMCA

9. Interests

10. Gifts and Hospitality

Appendix A – The Seven Principles of Public Life

Member Model Code of Conduct

Definitions

For the purposes of this Code of Conduct, a “member” means a member including the directly elected Mayor and substitute members, a co-opted member of the GMCA including councillors from Greater Manchester’s districts appointed to roles in which they act on behalf of the GMCA. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Mayor, or are appointed as a member and continues to apply to you until you cease to hold office/be a member of the GMCA.

This Code of Conduct applies to you when you are acting in your capacity as a member which may include when:

- you misuse your position as a member
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a member

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a member.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct.

Standards of Member Conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

General Conduct

The general conduct guidance follows below:

1. Respect

As a member:

1.1 I treat other members and members of the public with respect.

1.2 I treat GMCA employees, employees and representatives of partner

organisations and those volunteering for the GMCA with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a member, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in members/councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the GMCA, the relevant social media provider or the police. This also applies to fellow members, where action could then be taken under the Member Code of Conduct, and GMCA employees, where concerns should be raised in line with the GMCA's member - officer protocol.

2. Bullying, harassment and discrimination

As a member:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power

through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the GMCA's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the GMCA

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the GMCA

Officers work for the GMCA as a whole and must be politically neutral (unless they

are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a member:

4.1 I do not disclose information:

a. given to me in confidence by anyone

b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

i) I have received the consent of a person authorised to give it;

ii) ii. I am required by law to do so;

iii) iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

iv) the disclosure is:

1. reasonable and in the public interest; and

2. made in good faith and in compliance with the reasonable requirements of the GMCA, and

3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a member for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the GMCA must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other members and/or the GMCA and may lower the public's confidence in your or the GMCA's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the GMCA into disrepute.

You are able to hold the GMCA and fellow members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the GMCA whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a member:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the GMCA provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of GMCA resources and facilities

As a member:

7.1 I do not misuse GMCA resources.

7.2 I will, when using the resources of the GMCA or authorising their use by others:

- **a. act in accordance with the GMCA's requirements; and**
- **b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the GMCA or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the GMCA to assist you in carrying out your duties as a member.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- access and use of GMCA/local authority buildings and rooms.

These are given to you to help you carry out your role as a member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the GMCA's own policies regarding their use.

8. Complying with the Code of Conduct

As a member:

8.1 I undertake Code of Conduct training provided by the GMCA.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the GMCA or its governance. If you do not understand or are concerned about the GMCA's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a member:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, GMCA employees and fellow members know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises.

The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other members when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011. Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a member:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the GMCA or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an

estimated value of at least £100 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the GMCA, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a member. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a member. If you are unsure, do contact your Monitoring Officer for guidance.

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. Accountability Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

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Greater Manchester Combined Authority
Standards Committee

Date: 11 December 2024

Subject: Gifts & Hospitality

Report of: Gillian Duckworth, Group Solicitor & Monitoring Officer

Purpose of Report

This report provides the Standards Committee an opportunity to seek clarity on the current Constitutional rules for the declaration of gifts and hospitality and consider the suggested amendments.

Recommendations:

The GMCA Standards Committee is requested to

1. review and consider the GMCA Constitution's rules in relation to gifts and hospitality
2. endorse the proposed changes to paragraph 5.1, 5.2 and section 6 (appendix 2) in line with the protocol for recording gifts and hospitality.

Contact Officers:

Nicola Ward, Deputy Head of Governance, GMCA.

1. Introduction/Background

Part of the role of all GMCA elected members is to actively promote the city region amongst networks both locally, nationally and internationally.

The GMCA Constitution sets out rules in relation to the acceptance of gifts and hospitality. However, it is recognised that the application of these rules needs to ensure complete transparency whilst equally not hindering the promotion of Greater Manchester.

The protocol attached at appendix 1 has been written to define specific practices in line with constitutional rules that should be applied when an elected member of the GMCA (or its committees) is offered a gift or hospitality in their GM capacity.

2. General rules regarding gifts and hospitality

The Bribery Act 2010 provides that it is a criminal offence for a Member to request, agree to receive, promise, offer or give any gift, loan, fee, reward or advantage for doing anything or showing favour or disfavour to any person in their official capacity.

The GMCA Constitution advises that members *should treat with extreme caution any offer or gift, favour or hospitality that is made personally to them. The person or organisation making the offer may be doing business or seeking to do business with the GMCA or may be applying to the GMCA for some sort of decision in respect of which it is imperative that the member's independence should not be compromised.*

The Local Government Association Model Code of Conduct states that *in order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case, you could accept it but must ensure it is publicly registered.*

3. Gifts

With the GMCA's increasing public profile, it will continue to be the case that members of the public or organisations within and outside of Greater Manchester could send gifts to

members of the GMCA, therefore it is important that there is a clear protocol for the acceptance and refusal of gifts.

The GMCA Constitution states that *a member should refuse any gift offered to them or to an immediate relative of the member, by any person who has or may seek to have dealings with the GMCA. It is recommended that members should notify the Monitoring Officer of all such refusals as soon as reasonably practicable regardless of the value of the offered gift.*

Members are requested to notify to the Monitoring Officer all gifts and hospitality received of one hundred pounds or more in line with the Code of Conduct. Promotional gifts will usually be less than one hundred pounds in value so generally there will be no need to register but in cases of doubt members should err on the side of caution and register the gift. Cash or monetary gifts should always be refused without exception.

The Constitution goes on to say that *where the Monitoring Officer in consultation with the Chair of the Standards Committee determines that it would not be appropriate for a member to retain a gift, that gift will be returned, utilised by the GMCA or otherwise donated to an appropriate charitable organisation as determined appropriate by the Monitoring Officer and Chair of the Standards Committee.*

4. Hospitality

It is expected that members of the GMCA will attend public events, to build connections, take part in discussions and formally speak to audiences. Alongside these events, members are likely to be offered hospitality.

The GMCA Constitution states that *it is increasingly the case that private companies offer hospitality e.g. free drinks, tickets to shows or hotel accommodation to persons with whom they do business or with whom they hope to do business in the future. Such hospitality could convey the impression that members' judgment would be influenced. It would however be too rigid to say that no hospitality can be accepted. Members are reminded that any hospitality of one hundred pounds or more is required by the Code of Conduct to be registered.*

Some examples of hospitality which may be acceptable follow, but much may depend on the particular circumstances, for example who is providing the hospitality, why the member is there and the nature of the dealings between the Authority, the member and the provider of the hospitality:

- i. A working meal provided to allow parties to discuss or continue to discuss business.*
- ii. An invitation to attend a dinner or function of a Society, Institute or other non-commercial body with whom the GMCA has contact.*
- iii. Invitations to attend functions where the member represents the GMCA (opening ceremonies, public speaking events, conferences).*

Any hospitality accepted over the value of £100 should be formally declared via the GMCA website, however members are urged to err on the side of caution, and if speak to the Monitoring Officer should there be any concerns regarding the integrity of the invitation.

The GMCA Constitution currently provides the following examples of unacceptable hospitality:

- i. Holidays, including accommodation and travel arrangements
- ii. Offers of theatre tickets for the member and their family or free travel
- iii. Personal invitations for evenings out with representatives from a company or firm who have dealings with the GMCA or who are likely to have dealings in the future.

5. Proposed Changes

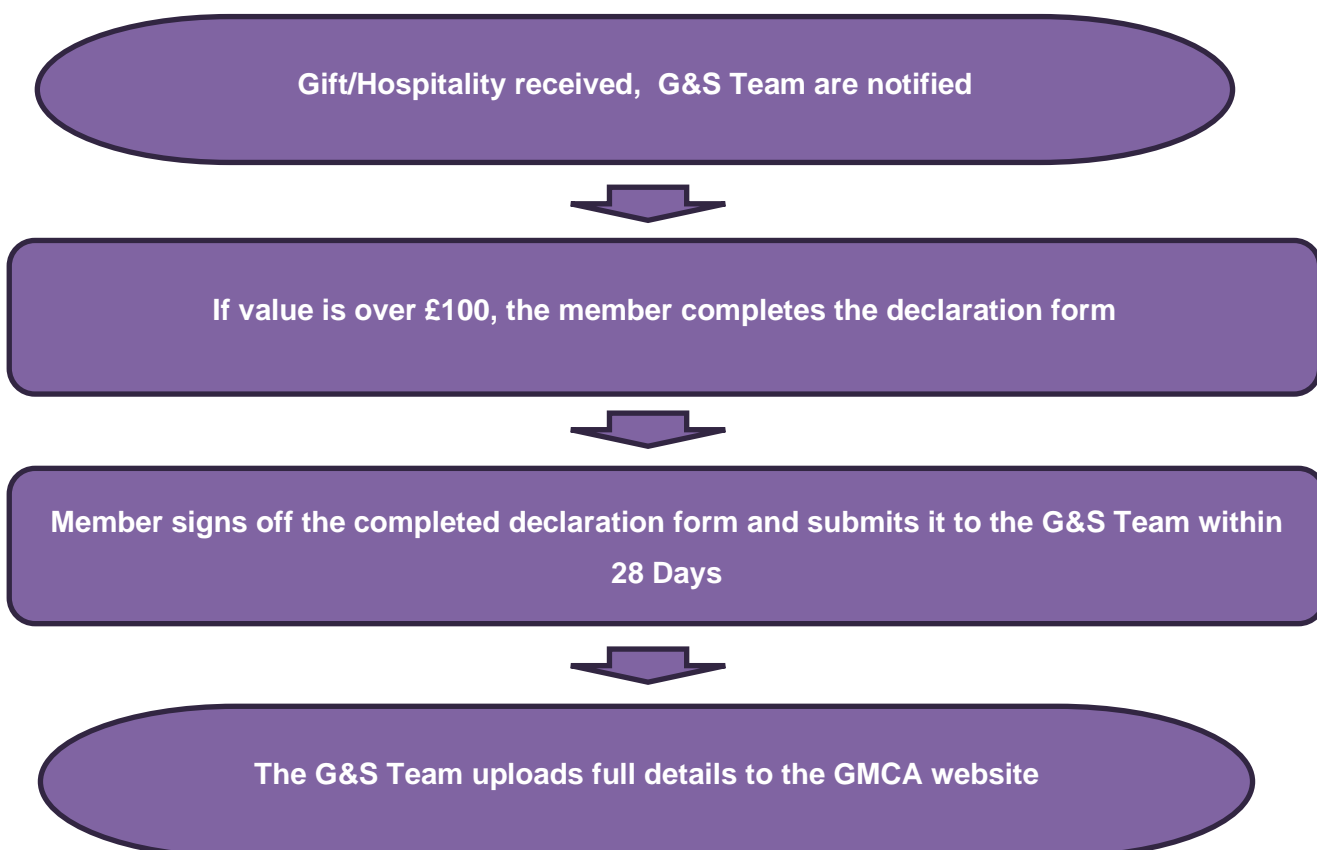
To ensure that offers of hospitality can be assessed appropriately on a case by case basis, it is proposed to remove paragraph 5.1 (see appendix 2 for the relevant extract).

Members are advised to seek the advice of the Monitoring Officer in cases where their position is unclear. It is suggested that the Constitution wording be amended in paragraph 5.2 (see appendix 2 for the relevant extract) to reflect this. Breaches of this guidance may result in a breach of the Code of Conduct for members.

In line with the protocol detailed in appendix 1, it is proposed to amend the wording in the Constitution in section 6 (see appendix 2 for the relevant extract) to identify the appropriate process for notifying the GMCA of any received gifts or hospitality.

Appendix 1 - Protocol for recording gifts & hospitality

1. Upon receipt of a gift or offer of hospitality the members of the GMCA should notify the Governance & Scrutiny Team.
2. If the value is over £100 (or cumulatively), members are to complete the declaration form detailing date, gift, amount, from whom and whether it was accepted/declined.
3. If the member has any concerns about the integrity of the gift or hospitality, they should seek advice from the Group Monitoring Officer.
4. The member is to sign off their completed declaration forms, which are to be formally submitted to the Governance & Scrutiny Team within 28 days of the gift or hospitality being received.
5. The Governance & Scrutiny Team are to upload details of these gifts or hospitality to the GMCA website for transparency.



Appendix 2 –

GMCA CONSITUTION

SECTION B: GIFTS AND HOSPITALITY GUIDANCE FOR MEMBERS

1 General Introduction

1.1 The Code of Conduct requires Members to notify the Monitoring Officer in writing of any gift or hospitality he/she receives which may be to the value of one hundred pounds or more. It is also a breach of the Code to act in such a way as to bring the GMCA into disrepute or for a member to use his/her position as a member of the` GMCA improperly to confer on or secure for him/herself or any other person advantage or disadvantage.

1.2 The following guidance aims to assist members in complying with the Code of Conduct for Members but it also goes beyond these basic provisions and seeks to provide wider guidance so members can avoid any situation where their integrity may be brought into question as a result of gifts and hospitality.

1.3 Standards Committee will review this guidance every two years, unless new legislation requires the guidance to be updated before the next scheduled review.

2 Legal Position

2.1 The Bribery Act 2010 provides that it is a criminal offence for a Member to request, agree to receive, promise, offer or give any gift, loan, fee, reward or advantage for doing anything or showing favour or disfavour to any person in their official capacity. It is for the Member to demonstrate that any such rewards have not been corruptly obtained.

3 Gifts and Hospitality

3.1 Members are advised to treat with extreme caution any offer or gift, favour or hospitality that is made personally to them. The person or organisation making the offer may be doing business or seeking to do business with the GMCA or may be applying to the GMCA for some sort of decision in respect of which it is imperative that

the member's independence should not be compromised.

3.2 The following rules should be applied: Other than the exceptions ~~listed in (b)~~ below a member should refuse any gift offered to them or to an immediate relative of the member, by any person who has or may seek to have dealings with the GMCA. It is recommended that members should notify the Monitoring Officer of all such refusals as soon as reasonably practicable regardless of the value of the offered gift (~~unless the gift falls within I or II below~~). The Monitoring Officer will maintain the register for this purpose.

3.3 The exceptions where it may be appropriate to accept a gift are set out below. Members should note that the Code of Conduct for Members requires all gifts and hospitality of one hundred pounds or more to be notified to the Monitoring Officer, who will maintain a register for this purpose.

3.4 The gift is of purely token, advertising value given to a wide range of people, e.g. pens, key rings and other promotional items. As such promotional gifts will usually be less than one hundred pounds in value generally there will be no need to register but in cases of doubt members should err on the side of caution and register the gift.

3.5 A small gift where refusal would cause needless offence and the giver is not currently seeking a decision or business from the GMCA. Again because such gifts would be of a small value generally there will be no need to register but in cases of doubt members should err on the side of caution and register the gift.

3.6 Cash or monetary gifts should always be refused without exception and the refusal notified to the Monitoring Officer as set out above.

3.7 Gifts given as prizes at exhibitions, conferences, seminars etc. as part of a free raffle or draw may be accepted but they belong to the GMCA and should be registered with the Monitoring Officer as soon as reasonably practicable (notwithstanding that their value may be less than the one hundred pounds specified in the Code). The Monitoring Officer in consultation with the chair of the Standards Committee will determine whether it is appropriate to retain the gift in question.

3.8 Whilst it may be acceptable to accept a token or small gift on one occasion members should refuse repeated gifts, even if these are individually not of a significant value.

4 Hospitality

4.1 It is increasingly the case that private companies offer hospitality e.g. free drinks, tickets to shows or hotel accommodation to persons with whom they do business or with whom they hope to do business in the future. Such hospitality could convey the impression that members' judgment would be influenced. It would however be too rigid to say that no hospitality can be accepted. Members are reminded that any hospitality of one hundred pounds or more is required by the Code of Conduct to be registered. However, members may wish to notify the Monitoring Officer of hospitality offered but refused and hospitality which is less than the one hundred pounds limit specified in the Code.

4.2 Some examples of hospitality which may be acceptable follow, but much may depend on the particular circumstances, for example who is providing the hospitality, why the member is there and the nature of the dealings between the Authority, the member and the provider of the hospitality:

- i. A working meal provided to allow parties to discuss or continue to discuss business.
- ii. An invitation to attend a dinner or function of a Society, Institute or other non-commercial body with whom the GMCA has contact.
- iii. Invitations to attend functions where the member represents the GMCA (opening ceremonies, public speaking events, conferences).

5 Unacceptable Hospitality

~~5.1 The following are examples of unacceptable hospitality:~~

- ~~i. Holidays, including accommodation and travel arrangements~~
- ~~ii. Offers of theatre tickets for the member and their family or free travel~~
- ~~iii. Personal invitations for evenings out with representatives from a company or firm who have dealings with the GMCA or who are likely to have dealings in the future.~~

5.21 Members are again urged to err on the side of caution and if in any doubt as to the integrity of the offer / invite the member should ~~consult~~ seek advice of the Monitoring Officer or refuse.

6 Notifications

6.1 Notifications of gifts and hospitality should be sent to the [Head of Paid Service Governance & Scrutiny Team](#) who will administer the register on behalf of the Monitoring Officer.

6.2 A form for this purpose is available from the [Head of Paid Service Governance & Scrutiny Team](#).

7 The Register

7.1 The Register referred to in this protocol will be subject to scrutiny by the Standards Committee and regular inspection by the Monitoring Officer, the Deputy Director of Internal Audit. The Register of Gifts and Hospitality of one hundred pounds or more should be available for public inspection. For consistency registrations as regards gifts & hospitality offered and refused, or gifts and hospitality of a value less than one hundred pounds will also be available for public inspection.

8 Gifts Which Cannot Be Retained

8.1 Where the Monitoring Officer in consultation with the Chair of the Standards Committee determines that it would not be appropriate for a member to retain a gift, that gift will be returned, utilised by the GMCA or otherwise donated to an appropriate charitable organisation as determined appropriate by the Monitoring Officer and Chair of the Standards Committee.

9 Advice and Sanctions

9.1 Members are advised to seek the advice of the Monitoring Officer in cases where

their position is unclear. Breaches of this guidance may result in a breach of the Code of Conduct for members.

9.2 Breaches of this guidance which do not result in a breach of the Code of Conduct will be reported by the Monitoring Officer to the Standards Committee.