

**GMCA – Standards Committee**

Date: 17 March 2020

Subject: Arrangements for Dealing with Complaints under the Code of Conduct for Members

Report of: GMCA Monitoring Officer

---

**PURPOSE OF REPORT**

To provide the Standards Committee with details of the GMCA's Arrangements for Dealing with Complaints under the Code of Conduct for Members, as requested by the Committee at its meeting on 17 September 2019.

**RECOMMENDATIONS:**

1. That the Committee note the report.

**CONTACT OFFICERS:**

Name: Gwynne Williams  
Position: Deputy Monitoring Officer, GMCA  
Telephone: 0161 608 4007  
E-mail: [williamsg@manchesterfire.gov.uk](mailto:williamsg@manchesterfire.gov.uk)

Risk Management – none arising out of the report

Legal Considerations – Arrangements for Dealing with Complaints under the Code of Conduct for Members are required by the Localism Act 2011

Financial Consequences – Revenue – none arising out of the report

Financial Consequences – Capital – none arising out of the report

**BACKGROUND PAPERS:**

GMCA Constitution

<b>TRACKING/PROCESS</b>		
Does this report relate to a major strategic decision, as set out in the GMCA Constitution		No
<b>EXEMPTION FROM CALL IN</b>		
Are there any aspects in this report which means it should be considered to be exempt from call in by the relevant Scrutiny Committee on the grounds of urgency?		No
TfGMC	Overview & Scrutiny Committee	
N/A	N/A	

## **1. INTRODUCTION**

- 1.1. At its meeting on 17 September 2019 the Committee requested that a report be brought to a future meeting, on the GMCA's Arrangements for Dealing with Complaints under the Code of Conduct for Members.
- 1.2. The GMCA has delegated powers to the Monitoring Officer to deal with matters of conduct and ethical standards in accordance with the requirements of the Localism Act 2011.
- 1.3. The Standards Committee's functions include the role of 'hearing committee' for any complaints referred to it by the Monitoring Officer.

## **2. MONITORING OFFICER**

### **2.1. Receipt of Complaints**

The Monitoring Officer is the GMCA's Proper Officer for the purpose of receiving complaints that GMCA Members have failed to comply with the GMCA's Code of Conduct for Members.

### **2.2 Initial Handling of Complaints**

The Monitoring Officer will determine, after consultation with the Independent Person, whether to reject, informally resolve or investigate a complaint.

The Monitoring Officer will seek informal resolution of complaints that GMCA Members have failed to comply with the GMCA's Code of Conduct for Members wherever practicable.

The Monitoring Officer will refer decisions to deal with a complaint against a GMCA Member to the GMCA's Standards Committee in exceptional circumstances.

### **2.3 Investigation**

The Monitoring Officer will arrange for the appointment of an Investigating Officer to investigate a complaint where the Monitoring Officer (in consultation with the Independent Person) determines that a complaint merits formal investigation.

The Monitoring Officer will issue guidance to be followed by an Investigating Officer on the investigation of complaints.

### **2.4 Findings**

The Monitoring Officer will confirm, after consultation with the Independent Person, an Investigating Officer's finding of no failure to comply with the GMCA's Code of Conduct for Members.

Where an Investigating Officer's report finds that the Subject Member has failed to comply with the GMCA's Code of Conduct for Members, the Monitoring officer will determine, after consultation with the Independent Person, either to seek a local resolution or to send a matter for local hearing.

### **3. STANDARDS COMMITTEE OR A SUB-COMMITTEE OF THE STANDARDS COMMITTEE**

#### **3.1 Hearings**

If the Monitoring Officer refers a complaint for local hearing, the Standards Committee or a Sub-Committee of the Standards Committee will determine 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, determine what action (if any) to take.

#### **3.2 Actions**

The Standards Committee or a Sub-Committee of the Standards Committee may take the following actions in respect of a GMCA Member or voting co-opted member who is found on a hearing to have failed to comply with the GMCA's Code of Conduct for Members –

- a. publication of findings in respect of the Subject Member's conduct;
- b. reporting such findings to the GMCA for information;
- c. recommending to the GMCA that the Subject Member should be censured;
- d. instructing the GMCA's Monitoring Officer to arrange training for the Subject Member;
- e. 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;
- f. 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.

### **4. RECOMMENDATIONS**

4.1. Recommendations are set out at the beginning of this report.