

Leeds City Council

Standards Committee

Annual Report 2009 – 2010





Introduction

The Local Government Act 2000 requires councils to set up a standards committee. Standards committees have a proactive role in creating an ethical framework which governs the relationship between high standards of conduct and transparency and openness in decision making. As a result of the Local Government and Public Involvement in Health Act 2007 and the Standards Committee (England) Regulations 2008, the role of the Standards Committee also includes the local assessment of complaints made under the Member Code of Conduct.

This is the Committee's fifth Annual Report and it presents a summary of its work during the 2009-10 municipal year. The Committee's Annual Return to Standards for England is appended to the report. This report supports the corporate governance arrangements of the Council by promoting good conduct and cascading information.

Our Ambition

"To help develop and maintain a climate of mutual trust and respect in which Members, officers and partners work effectively together to deliver the Council's strategic and operational priorities and where the public can be assured that this is done in an honest, objective and accountable way."



Foreword from the Chair



Leeds City Council was announced as winner of the Standards and Ethics category at the Local Government Chronicle Awards 2010. The judging panel was impressed by the Leeds approach to ethical governance within the authority, and its commitment to promoting and maintaining high standards of Member conduct. Features of our work were also highlighted as a case study of notable practice in Standards for England's most recent Annual Review. I am delighted that the work undertaken by the Standards Committee has been recognised in this way.

This year the Standards Committee has continued to meet and address the challenges of adapting to its local assessment role, and has also taken on a new role in assessing Politically Restricted Posts. Having served eight years, I will be standing down as Chair and Independent Member of the Committee at the Council's Annual Meeting in May 2010. On behalf of the Committee, I would like to extend a warm welcome to my successor, Mr Gordon Tollefson, who I am sure will continue to drive forward the standards agenda in Leeds.

We hope you enjoy learning about the Standards Committee and its work throughout the 2009/10 municipal year.

M. Withis

Mike Wilkinson Chair of the Standards Committee



Members of the Committee

The Standards Committee is composed of four independent members (and one reserve independent member for the 2009/10 municipal year), seven City Councillors, and three Parish Councillors.

Independent Members

The purpose of independent members is to help increase public confidence in ethical standards and provide a clear signal that the Standards Committee is fair. Independent members also bring a wider perspective to the Standards Committee from outside experiences. Independent members are not Members or officers of the Council, and are not actively engaged in local party political activity. They are appointed by the Full Council for terms of four years, and can serve two terms overall. This is to prevent them losing their independence from the authority.

Mike Wilkinson

has been an independent member and Chair of the Committee since 2002. He is also the Chair of the Standards Committee at the West Yorkshire Fire and Rescue Authority. Until 2001 he was University Secretary and Clerk to the Board at Leeds Metropolitan University. He is a magistrate on the Leeds Bench, a Director of UNIPOL Student Homes, and a Trustee of Leeds Metropolitan University Students' Union. He will stand down at the Annual Meeting in 2010.



Rosemary Greaves

joined the Standards Committee in 2004 as a reserve independent member. Rosemary previously worked for BT as a Business Manager specialising in business development and strategy which includes developing significant new business propositions or identifying potential acquisition requirements. Rosemary became a full independent member in 2007 and her current term of office runs until the Annual Meeting in 2011.





Philip Turnpenny

joined the Standards Committee in April 2008. Philip is the retired Director of Human Resources at Moores Furniture Group in Wetherby, where he is now Chairman of the Trustees of the Pension and Life Assurance Scheme. Philip is a Magistrate sitting in both the Adult and Family Proceedings Courts in Bradford, Chair of the Governing Body at Tadcaster Grammar School and Chair and Member of the Interim Executive Boards of St Joseph's Catholic Primary School and Sherburn High School respectively. Philip also sits on the Board of Foundation Housing. Philip's current term of office runs until the Annual Meeting in 2012.

Joanne Austin

joined the Standards Committee in May 2009. Joanne worked at KPMG for 21 years in a variety of roles, and most recently as a Principal Advisor within the Financial Services Advisory Group. She has also recently completed a degree in Psychology from the Open University. Joanne's current term of office runs until the Annual Meeting in 2013.

Gordon Tollefson

joined the Standards Committee as a reserve independent member in May 2009. Gordon retired from the NHS in January 2006 where he worked as a Senior Ambulance Service Manager. He has served as a magistrate in Leeds since 1994 and chairs Courts on a regular basis. In 2008 he was appointed by the Ministry of Justice to the Lord Chancellor's Advisory Committee for Leeds, which is the body that handles all matters relating to standards, discipline and governance within the Leeds Magistrates' Courts. In February, Gordon was appointed as a full Independent Member of the Committee for a period of four years, commencing at the Annual Meeting in 2010, and as Chair of the Committee for the 2010/11 municipal year.











Leeds City Councillors

The Councillors on the Standards Committee are representatives of all five political groups within the Council. The Standards Committee is not politically balanced, this is because the standards committee should be above party politics and its members need to have the respect of the whole authority, regardless of their political party.

Councillor David Blackburn

is the Whip of the Green Group and represents the Farnley and Wortley ward on Leeds City Council. Councillor Blackburn is also a member of the Corporate Governance and Audit Committee and the City Centre Plans Panel.

Councillor Colin Campbell

is a member of the Liberal Democrat Group and represents the Otley and Yeadon ward on Leeds City Council. Councillor Campbell is also the Chair of Plans Panel (West), and a member of the Corporate Governance and Audit Committee.

Councillor Les Carter

is a member of the Conservative Group and has been a Leeds City Councillor since 1973. He represents the Adel and Wharfedale ward on Leeds City Council and is also an Executive Board Member with responsibility for Neighbourhoods and Housing. Councillor Carter's areas of responsibility include housing policy and strategy, community safety, regeneration, homelessness and environmental health.







Councillor Ronald Feldman

is a member of the Conservative Group and represents the Alwoodley ward on Leeds City Council. Councillor Feldman is also Chair of the Licensing and Regulatory Panel, and a member of the Licensing Committee and the Children's Services Scrutiny Board.

Councillor Bob Gettings

is a member of the Morley Borough Independent Group and represents the Morley North ward on Leeds City Council. Councillor Gettings is also a member of the Children's Services Scrutiny Board and a member of Morley Town Council, on which he represents the Scatcherd Ward.

Councillor Janet Harper

is a member of the Labour Group and represents the Armley Ward on Leeds City Council. Councillor Harper is also a member of Plans Panel (West).

Councillor Brian Selby

is a member of the Labour Group and represents the Killingbeck and Seacroft Ward on Leeds City Council. Councillor Selby is also a member of the Licensing Committee, the Children's Services Scrutiny Board and he Chairs the East (Inner) Area Committee.









Parish Councillors

The role of the Parish Councillors on the Standards Committee is to make sure that the parish and town councils in Leeds are represented throughout discussions. At least one of the Parish Councillors must sit on the Standards Committee at all times when parish matters are being discussed. As the Standards Committee also has responsibility for the Parish and Town Councillors in the Leeds area, the Parish Councillors on the Standards Committee demonstrate that parish issues are going to be dealt with fairly. They also bring an additional independent perspective to the Committee as they are not able to be members of Leeds City Council.

Councillor Mrs Pat Walker

is a member of Pool-in-Wharfedale Parish Council which she was elected to for the first time 7 years ago. She is lead member on conservation matters. Previously a Harrogate District Councillor, she has been involved in politics at local, national and European levels. A business manager in Leeds and Harrogate for 25 years, she is now an active member of the Ruskin Society and is presently a Foundation Governor of Prince Henry's Grammar School, Otley. Councillor Walker's current term of office runs until the Annual Meeting in 2013.

Councillor John C Priestley

joined the Committee in 2005 as a reserve parish member and became a full member in 2007. He is a retired (litigation) solicitor and was a senior partner of Booth & Co. Leeds. He retired in 2002 and is now the Chairman of East Keswick Parish Council. He is also a Trustee of the W.W. Spooner Charitable Trust. Councillor Priestley's current term of office runs until the Annual Meeting in 2011.





Councillor Paul Cook

joined the Committee in 2009 as a full parish member. He was elected to Morley Town Council in 2007, and is currently the Deputy Mayor. He was a police officer for 30 years and retired in 1999. Councillor Cook's current term of office runs until the Annual Meeting in 2013.



Nicolé Jackson – Assistant Chief Executive (Corporate Governance) and Monitoring Officer

After qualifying as a solicitor at Calderdale Council, Nicolé worked at Bradford and Kirklees Councils, prior to moving to Leeds in June 1990. Nicolé became Senior Assistant Director and subsequently Chief Legal Officer in 1994 and 1999 respectively, and was appointed to her current role of Assistant Chief Executive (Corporate Governance) in 2007. Nicolé is also a part time Chair of the Midland Rent Assessment Panel.





Introduction to the Standards Committee

The general functions of the Standards Committee are:

- Promoting and maintaining high standards of conduct by Members and co-opted members; and
- Assisting Members and co-opted members to observe the Code of Conduct.

The terms of reference for the Committee are:

- Promoting, monitoring and reviewing the rules controlling the behaviour of Councillors and Officers (Code of Conduct);
- To initially assess and review complaints against Leeds City Councillors and Parish and Town Councillors in Leeds and to decide what action (if any) to take;
- To consider the results of any investigation into the behaviour of Councillors and decide whether their behaviour has broken the rules described above. If the Councillor is found to have broken the rules, the Committee decides what sanction to impose;
- To make suggestions to and work with other agencies about standards issues and the different codes of conduct. This involves taking part in research projects and consultation exercises, as well as making suggestions for improvement and best practice to Standards for England;
- To provide advice and guidance to Members and officers and to make arrangements for training them on standards issues;
- To advise the Council about changes which need to be made to the code of conduct for Officers and to promote, monitor and review this code; and
- To consider applications to include or remove a post from the Council's list of Politically Restricted Posts.



The Work of the Committee 2009 – 2010

Promoting, monitoring and reviewing the Codes of Conduct

The Standards Committee exists to promote and maintain high standards of conduct within the Council, and has considered several important standards issues over the past year.

- Reviewing the Codes and Protocols The Standards Committee has responsibility for several codes and protocols in the Constitution. To ensure that these are operating effectively, are being complied with, and are fit for purpose the Standards Committee has added regular reports regarding these codes and protocols to its work programme. This year the Standards Committee has reviewed:
 - the Monitoring Officer Protocol; and
 - the Standards Committee Media Protocol.

The Council's Member Management Committee is currently undertaking a review of the Local Codes and Protocols that affect elected Members, therefore the consideration of these Protocols by the Standards Committee will be delayed until the next municipal year.

The Committee also reviewed its own Procedure Rules in October in order to make them more accessible to subject Members and complainants, and to more accurately reflect the distinct roles of the Standards Committee and its Sub-Committees throughout the complaints process.

Ethical Audit - Through the results of the ethical audits carried out in 2006 and 2007, the Standards Committee identified a general lack of awareness and understanding amongst officers of the ethical framework. As a result the Committee requested that work be carried out by Human Resources to create a new ethical framework training and awareness programme for officers. A progress report was presented to the Committee in July 2009, which detailed some of the activities undertaken such as including ethical governance questions in



the Staff Survey and the 360 degree appraisals for senior officers. A report detailing the results of these ethical governance questions was presented to the Committee in February 2010, and concerns were expressed as the results did not appear to have improved since the Ethical Audit was undertaken. The Committee is therefore overseeing an action plan that will be implemented in order to address the Staff Survey results.

- Register of Interests and Gifts and Hospitality The Standards Committee seeks to reassure itself that the Members' register of interests is being reviewed and updated by Members on a regular basis and that the rules surrounding the registration of gifts and hospitality are being observed. The Committee receives annual reports to this effect, the last report on this subject having been considered on 8th July 2009. The Standards Committee was satisfied that the review arrangements in place are fit for purpose.
- Officer Code of Conduct The Standards Committee received a report in October 2009 from Human Resources which proposed some amendments to the Council's Officer Code of Conduct, given the delay in the release of a national Code for officers. The proposed amendments, which were supported by the Committee, will bring the Code up-to-date, particularly in respect of organisational changes and technological advances.

Impact

By seeking assurance that the Codes and Protocols are fit-for-purpose and effectively promoted, the Committee has strengthened high standards of ethical governance throughout the authority, and ensured that any issues, for example the results of the Staff Survey, are addressed. This will assist in increasing public confidence in the accountability of elected Members and officers.



Local Assessment of Complaints

Since May 2008, the Standards Committee has had responsibility for initially assessing and reviewing complaints against Leeds City Councillors and Parish and Town Councillors in the Leeds area.

Assessment and Review Sub-Committees – The table below shows the number of complaints which have been made about Councillors in Leeds during this municipal year, and the number which have been referred for further investigation. The Assessment Sub-Committee has considered a total of 13 complaints. The Review Sub-Committee has considered 7 review requests, and the decision to take no further action was upheld in all cases.

| Authority | Number of | Number of Councillors | Number of | |
|-----------------------------|------------|----------------------------------|----------------------|--|
| | Complaints | referred for | Councillors referred | |
| | | investigation | for other action | |
| Leeds City Council | 12 | 5 (3 of which are ongoing) | 0 | |
| Parish and Town Councils | 1 | 0 | 0 | |

The Standards Committee aims to assess and review complaints within an average of 20 working days. During the 2009/10 municipal year, complaints were assessed in an average of 21 working days. This is due to two complaints which took 37 and 34 working days to be assessed, as further clarification had to be sought. Without these two complaints, the average is 19 working days.

Review requests were considered in an average of 39 working days. This was due to difficulties in some cases in achieving a quorum for the Review Sub-Committee. However, all review requests were considered within the statutory 3 month deadline.



Eight investigations have been completed during the municipal year, and were completed within an average of 10 months. As the Committee was concerned about the time taken to complete investigations, a Procedure for External Code of Conduct Investigations was introduced. In February, the Committee was informed that the time taken to complete investigations had considerably reduced as a result of the procedure.

Consideration and Hearings Sub-Committees – In July, the Committee agreed to set up a Hearings Sub-Committee to determine complaints made against Members, and in December a Consideration Sub-Committee was created to receive and consider final investigation reports. This year, six final investigation reports were received which contained a finding of no failure, and this finding was accepted by the Consideration Sub-Committee in four cases (one case was investigated by Standards for England so did not need to be considered by the Sub-Committee, and one case is due to be considered on 11th June 2010). Two reports were received which contained a finding of failure (one of which also contained a finding of no failure, which was accepted by the Consideration Sub-Committee), and were referred to the Hearings Sub-Committee for determination. Based on its findings of fact, the Hearings Sub-Committee resolved that the subject Member had not failed to comply with the Code of Conduct in both cases.

Review of Local Assessment Arrangements – The Standards Committee reviews the local assessment arrangements on an annual basis. In December, a questionnaire was sent to all City and Town and Parish Councillors seeking their comments on the local assessment process, including whether they wished to be notified that a complaint had been made against them prior to the meeting of the Assessment Sub-Committee. As the majority of respondents had indicated that they did wish to be informed as soon as possible, the Committee agreed that subject Members should be notified prior to the meeting of



the Assessment Sub-Committee, but that Members should be provided with the opportunity to opt-out of this process if they wish. Several other issues were raised during the review, however as most of these related to the content of the relevant legislation, it was agreed that the comments received should be forwarded to Standards for England and Communities and Local Government.

Training and Guidance for Members of the Sub-Committees – In February, the Committee reviewed its training plan, and further to a recommendation by Corporate Governance and Audit Committee, it was agreed that members should be required to attend the relevant training prior to sitting on the Assessment, Review, Consideration and Hearings Sub-Committees. This year the Committee has received training in relation to the Code of Conduct, local assessment of complaints, consideration of final investigation reports, investigations, and local hearings. The Independent and Parish Members of the Committee have also sought to increase their understanding of the role of a City Councillor by attending a range of Council meetings, and observing Councillors' ward surgeries. A West Yorkshire Regional Standards Conference was also held in July 2009, at which training on declarations of interest and local assessment was provided.

Impact

By reviewing its local assessment arrangements, the Committee has been able to make amendments where possible to take Members' views and any arising issues into account. The Committee has also satisfied itself that it is meeting its obligations under the Standards Committee (England) Regulations 2008 by receiving six monthly update reports on complaints received. This will ensure that anyone who wishes to complain about the conduct of a Councillor can be confident that their complaint will be dealt with appropriately.



Providing Guidance and Training

The Standards Committee has a special responsibility for ensuring that Members are trained in matters relating to the Code of Conduct and arranging for appropriate training to be provided. As there wasn't a local election in 2009, the Committee has not been provided with information in relation to the Code of Conduct training provided to Elected Members.

- Governance Matters The Standards Committee features heavily in the regular bulletin 'Governance Matters' which is distributed to all Members of the Council, Directors, Chief Officers and all officers within Legal, Licensing and Registration, Procurement and Democratic Services. This bulletin contains a 'spotlight on' section which provides advice on specific standards or governance issues, front page news and feedback from the Council's governance committees. Past issues are available to download from the Council's website¹.
- First-Tier Tribunal (Local Government Standards in England): Decisions of Case Tribunals – The Committee receives regular reports summarising the decisions of case and appeals tribunals made by the First-Tier Tribunal (Local Government Standards in England) in its role of determining allegations of misconduct. The Committee assesses whether there are any lessons to be learned from the decisions in relation to the training and guidance provided to Members in Leeds.

Impact

By training Members and officers on standards issues, the Committee is adhering to the Council's Code of Corporate Governance by helping to foster a culture of behaviour based on ethical principles and good conduct. In turn, this will help to increase public confidence in the integrity of Councillors and officers, and the decisions they make.

1

http://www.leeds.gov.uk/Council and democracy/Councillors_democracy_and_elections /Council_documents/Governance_Matters_Newsletter.aspx_



Relationship with Parish and Town Councils

The Standards Committee has sought to develop its relationship with the Parish and Town Councils in the Leeds area during this municipal year.

- Addressing the results of the Annual Audit A questionnaire was sent to Parish Clerks at the end of October 2007 to assess the ethical arrangements in place at their Parish or Town Council, the results of which were presented to the Committee on 16th October 2008. The Monitoring Officer, Chair and Parish Members of the Committee then met to discuss the results in detail and agree on the actions to be taken. The results of this meeting were reported to the Committee on 8th July 2009.
- Parish and Town Council Liaison Forum A report was submitted to the meeting of the Parish and Town Council Liaison Forum which took place in October, which provided an update on ethical governance.

Impact

The Committee has assisted the Town and Parish Councils in meeting the requirements of the Code of Conduct, and is therefore helping to reduce the number of complaints received against Town and Parish Councillors and in turn the negative impact that this can have on the public's perception of ethical standards within Councils.



Politically Restricted Posts

The Local Government and Public Involvement in Health Act 2007 amended the Local Government and Housing Act 1989, transferring powers in relation to politically restricted posts from an Independent Adjudicator to Standards Committees.

- Procedure for Politically Restricted Posts In August 2009, the Committee considered a proposed procedure for the consideration of politically restricted posts. The Committee raised several queries in relation to the procedure. A further report was therefore submitted to the Committee in October to address these issues. Under the Local Democracy, Economic Development and Construction Act 2009, the rate of remuneration is no longer a determinant of politically restricted posts. Therefore, the Committee will receive a further report in the new municipal year outlining an amended procedure and list of restricted posts.
- Applications for exemption from Political Restriction The Committee has received one application for exemption from the list of politically restricted posts. Following consideration, the Committee resolved to remove the post from the list of restricted posts.

Impact

The Committee has ensured that it is meeting its obligations under the Local Government and Housing Act 1989, and has ensured that its procedure for considering applications for exemptions from or additions to the list of restricted posts is fit for purpose. This provides assurance to the Council's stakeholders that the Committee is able to make appropriate decisions in relation to political restriction.



Working with Other Agencies

During the year, the Standards Committee has continued to take part in research and policy development on a national scale through various consultation exercises.

- Local Government Chronicle Awards 2010 –Leeds City Council was announced as the winner of the 'Standards and Ethics' category of the Local Government Chronicle Awards 2010. The judging panel was impressed by the Council's commitment to high standards, and the innovation and hard work put into areas such as communicating standards and engaging leadership.
- The Centre for Local & Regional Government Research In March 2008, Standards for England commissioned Cardiff University to assess the impact and effectiveness of the ethical framework in local government. The research is being carried out over five years using indepth case studies of nine local authorities. Leeds City Council was selected to take part and accepted. It focuses on the impacts of standards frameworks on processes, systems, cultures and values within local government. The project also uses public surveys and focus groups to explore any impacts of local standards frameworks on levels of public trust in local government.

Case study work is being conducted with Councils at two-yearly intervals, the first round of which took place in September 2008. This included interviews being conducted with Members, key officers, local stakeholders and public focus groups. The second round of interviews will take place in Summer 2010.

Standards for England - The Chair and a Parish Member of the Committee attended the Eighth Annual Assembly of Standards Committees held by Standards for England on 12th and 13th October 2009, which provided an opportunity for training and guidance and also feedback to Standards for England on their work. The Chair of the Standards Committee was also a member of the steering committee



for this year's conference, and was a speaker on the features of highly effective standards committees. He also featured as a panel member in a session on 'sharing good practice'. The Monitoring Officer copresented a workshop on managing investigations with confidence.

The Standards Committee is kept up to date on national conduct issues by receiving regular Standards for England Bulletins and issues of the Town and Parish Standard. The Standards Committee also received and considered Standards for England's Annual Review at its meeting in December 2009.

In 2009, Standards for England introduced the Annual Return, which all standards committees are required to complete. It asks questions on topics such as the role of the standards committee, what the committee does to promote standards, and Member/officer relations. The Annual Return for 2010 is attached at **Appendix 1** for information.

Association of Independent Members of Standards Committees in England (AIMSce) - The Chair of the Standards Committee is a Director of AIMSce. The Association provides support and guidance to independent members in carrying out their statutory responsibilities, and also acts as a forum for exchanging views and ideas with other organisations and stakeholders.

Impact

The Committee has ensured that it is kept up-to-date on national developments within the standards regime, and that the views of Members and officers in Leeds are taken into account through correspondence with Standards for England and Communities and Local Government, and are shared with the wider ethical standards community.



Issues for 2010 - 2011

The Standards Committee will have many important issues to address in the coming the year, including the following:

- Member and Officer Codes of Conduct Communities and Local Government have advised that a new Member Code of Conduct will not be released prior to the general election. The Committee is therefore anticipating the release of a new Code of Conduct in the coming municipal year, as well as the release of a further consultation document in relation to the Officer Code.
- Induction of the new Chair The current Chair of the Standards Committee, Mike Wilkinson, ends his final term of office at the Annual Meeting in 2010. The Council has appointed Mr Gordon Tollefson (who is currently a reserve Independent Member) as Chair for the 2010/11 municipal year. Mr Tollefson has already spent some time shadowing the current Chair to prepare for the role.
- Recruitment Process The Committee will consider proposals for amending its process for recruiting the Chair of the Committee, and Independent Members.
- Increasing understanding of local assessment Through the review of its local assessment procedures, the Committee has become aware that there are some concerns and misunderstanding amongst elected Members in relation to the complaints process. Action will therefore be taken to address this, for example by creating a list of Frequently Asked Questions, and the Monitoring Officer will also offer to attend political group meetings to discuss the process.



Useful Links

If you would like to find out more about standards issues and the work of the Committee, as well as keep up to date with national issues, you may find the following links useful:

- Standards for England (for guidance on standards issues, standards committees and outcomes of recent cases)
 www.standardsforengland.gov.uk
- The First-Tier Tribunal (Local Government Standards in England) – <u>http://www.adjudicationpanel.tribunals.gov.uk/</u>
- ► The Audit Commission <u>www.audit-commission.gov.uk</u>
- Department for Communities and Local Government <u>http://www.communities.gov.uk/corporate/</u>
- Leeds City Council <u>www.leeds.gov.uk</u>
- National Association of Local Councils <u>www.nalc.gov.uk</u>
- Yorkshire Local Council Association www.visionwebsites.co.uk/Contents/Text/Index.asp?SiteId=490&SiteE xtra=13134021&TopNavId=459&NavSideId=5536
- Chartered Institute of Public Finance and Accountancy www.ipf.co.uk
- Association of Independent Members of Standards Committees in England – <u>www.aimsce.org.uk</u>



Parish Councils

The Standards Committee has a special responsibility to the Parish and Town Councils in Leeds. The Standards Committee is responsible for ensuring high standards of conduct are met within the parishes and that every Member is aware of their responsibilities under the code of conduct.

The Parish and Town Councils in the Authority's area are:

| Aberford & District | Collingham with Linton | Morley | | |
|-----------------------------|------------------------------|--------------------|--|--|
| Allerton Bywater | Drighlington | Otley | | |
| Alwoodley | East Keswick | Pool-in-Wharfedale | | |
| Arthington | Gildersome | Pudsey | | |
| Austhorpe | Great and Little Preston | Scarcroft | | |
| Bardsey Cum Rigton | Harewood | Shadwell | | |
| Barwick in Elmet & Scholes | Horsforth | Swillington | | |
| Boston Spa | Кіррах | Thorner | | |
| Bramham cum Oglethorpe | Ledsham | Thorp Arch | | |
| Bramhope and Carlton | Ledston with Ledston Luck | Walton | | |
| Clifford | Micklefield | Wetherby | | |
| Wothersome (Parish Meeting) | | | | |



Appendix 1



Annual Return form - 2010

Authority nameLeeds City CouncilPrimary contactNicole JacksonPrimary contactnicole.jackson@leeds.gov.ukemail

PART 1: COMMUNICATION

Annual Report

| Does the standards committee produce an annual report? Yes | | | |
|--|--|---|---|
| Wh | at does the report contain? | | |
| 1 | A personal statement by the standards committee chairman | 1 | Information about the members of the standards committee |
| 1 | The role of the standards committee | 1 | The standards committee terms of reference |
| | Information about the Code of Conduct | 1 | Statistical information about complaints that have been received |
| | Information about the length of time taken dealing with complaints | | A summary of complaints which have led to investigation, sanction or other action |
| 1 | Details about training/events provided | 1 | The forward work plan of the standards committee |

Other

~

Please describe what "Other" contents are in the report.

Key achievements of the Standards Committee throughout the year and what they perceive to be their challenges for the year ahead.

A list of the Parish and Town Councils in Leeds and web addresses where relevant. A list of places to find further information.

Details about the role of the monitoring officer, and brief details of the officers who support the Standards Committee.

This year (Annual Report 2009 – 2010) we will also include information about the length of time taken in dealing with complaints, including the average time taken to complete initial assessment and the average length of investigations, and a summary of complaints which have resulted in a hearing.

How is the standards committee annual report circulated?

| | Sent to all senior officers | ~ | Sent to all members |
|---|---|---|--|
| ✓ | Sent to parish/town councils | 1 | Available on the authority intranet |
| ✓ | Available as a specific item on the authority website | 1 | Available in the standards committee papers published on the authority website |
| 1 | Included as a full authority meeting agenda item | | Publicised in local press |
| | Distributed to households | 1 | Available at authority offices |
| | Not circulated outside of the standards committee | 1 | Other |

The report is "Available as a specific item on the authority website", please provide the web address.

http://democracy.leeds.gov.uk/ecSDDisplay.aspx?

NAME=SD249&ID=248&RPID=692403&sch=doc&cat=519&path=467,519

The report is "Available in the standards committee papers published on the authority website", please provide the web address.

http://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=104&MId=3446&Ver=4 **Please describe the "Other" circulation methods.**

This year (Annual Report 2009-2010) we will also be sending the Annual Report to

Publicising Complaints

| How can the public access information abo member? | out how to make a complaint against a |
|---|---|
| Through a 'compliments and complaints' type section of the council website | e Through the standards committee section of the website |
| Complaints leaflets available from the authority | Included as part of a council newsletter |
| Advertised through parish councils | Information is not available to the public |
| ✔ Other | |
| | nts and complaints' type section of the |
| council website", please provide the http://www.leeds.gov.uk/Council_and_c | democracy/Councillors_democracy_and_electio |
| The information is on "standards com provide the web address. | mittee section of the website", please |
| http://democracy.leeds.gov.uk/mgCom | |
| | e public can access this information.* ureaux in Leeds and are displayed in all entres and libraries. |
| | re are trained to forward complaints to the |
| How can the public access information abo | ut the outcome of initial assessment |
| decisions? Written summary available for public inspection | All initial assessment decisions are publicised in the local press |
| Publicised in the local press only if the subject member agrees | Assessment decisions published on the authority website |
| Articles published in the authority newsletter | Other |
| as well as a case summary which is kep inspection. The minutes are published of Standards Committee agenda, and the anonymised and do not contain any de | nittees produce minutes of their meetings, ot in Civic Hall and made available for public on the Council's website and as part of the full Council agenda. The minutes are tails about the allegations. |
| How can the public access information abo | All investigation outcomes are publicised in the local press |
| Publicised in the local press only if the subject member agrees | Published on the authority website |
| Decision notices are available for public inspection | Articles in the authority newsletter |
| Other | |
| Please describe the "Other" ways inv | estigation outcomes are available. |
| by the Monitoring Officer (which details the names of the parties) are published Committee decide it is in the public int be published. If the Member has not br placed in the Yorkshire Evening Post if t pre-hearing process the parties can req in private. Such requests would be cons decisions made on a case by case basis Committee would be published on the C | erest the full investigation report would also eached the Code the notice would only be they agreed (as per Reg 17(4)). During the juest that all or some of the hearing is held sidered by the Hearings Sub-Committee and s. The written decision of the Hearings Sub- Council's website, with the minutes, and a ning Post. If the Member did not breach the |

Do you have a mechanism in place for measuring the satisfaction of all those involved

in allegations of misconduct? For example the member, complainant and witnesses. Yes

If yes, please can you describe the process?

We carry out an annual survey of all Councillors and Parish and Town Councillors asking what they think to each stage of the complaints process and what improvements they would like to see. At the end of each complaint we also ask the subject Member and the complainant for feedback on the process. Both sets of results are reported to the Standards Committee on an annual basis alongside recommendations for how the process could be improved. This year's review led to the Council changing its approach to notifying Members that a complaint has been made about them before the Assessment Sub-Committee has met to consider the matter. The Standards Committee resolved that Members should have a choice about whether they are notified prior to the Assessment Sub-Committee meeting or whether they wish to wait until they can be given a summary of the complaint alongside the decision in the form of a decision notice. This was in response to concerns from some Members that the previous procedure had caused them particular worry or concern, which was later found to be unnecessary. At the end of each hearing the Standards Committee is also required to review the relevant sections of the Standards Committee Procedure Rules in light of any issues that have arisen during the case.

Finally, the Assessment and Review Sub-Committees consider whether there are any lessons to learn from the cases they have considered at the end of each meeting. Any recommendations would be considered by the Monitoring Officer and appropriate changes made. For example, suggestions have been made regarding the amount of readily obtainable information provided with the complaint, and the format of the agenda itself.

Communicating the role and work of the standards committee and standards generally

What does the authority do to promote the work of the standards committee and standards generally to the rest of the authority (i.e. internally)?

| ✓ | Dedicated standards committee pages on intranet | 1 | Standards committee has its own newsletter / bulletin |
|---|--|---|--|
| | Standards committee issues briefing notes | | Articles in employee newsletter / bulletin / newspaper |
| 1 | Standards committee independent members observe other authority meetings | 1 | Standards committee independent members contribute to other authority meetings |
| 4 | Other | | |

Please give further details of the contributions made to other authority meetings.

The Chair of the Standards Committee is a co-opted non-voting Member of the Corporate Governance and Audit Committee. This arrangement is set out in Article 9 of the Constitution.

Please describe the "Other" methods used.

1

Independent and Parish Standards Committee Members shadow elected Members of Leeds City Council by attending ward surgeries. This is part of the Standards Committee's Training Plan to help the external Members understand the role of a City Councillor.

The Chair of the Standards Committee meets with the Leaders of all the Political Groups and the Chief Executive on a quarterly basis with the Monitoring Officer. The minutes of Standards Committee meetings are received by the Corporate Governance and Audit Committee and Full Council. The Standards Committee also provide a six monthly update on their work to the Corporate Governance and Audit Committee (one of these reports is the Annual Report).

How can the public access information about your standards committee?

| 1 | Dedicated standards committee section on the authority website | 1 | Within 'council and democracy' type section of website |
|---|--|---|---|
| | Ethical standards issues have been included in the local press / media | 1 | Standards committee minutes, agendas, and reports are available to the public |
| 1 | Leaflets and/or posters are placed in public buildings | 1 | Places articles in the authority newsletter / bulletin / other publication |
| 1 | Standards committee meetings are observed by members of the public | | Information is not available to the public |
| | Other | | |

Please provide the web address for the standards committee section on the authority website.

http://democracy.leeds.gov.uk/mgCommitteeDetails.aspx?ID=104 Please provide the web address for information within the council and democracy section of your website.

http://democracy.leeds.gov.uk/ieListMeetings.aspx?CId=104&Year=2010

What else does the authority do to promote the work of the standards committee and standards generally to the public and other partners?

We publish our own bi-monthly newsletter called "Governance Matters" which highlights front page news and the regular work of the governance committees, as well as providing guidance on one key governance area per issue. This is available to the general public through the Council's website.

Our Chair is the Chair of the West Yorkshire Fire Authority's Standards Committee, a Director without Portfolio in the Association of Independent Members of Standards Committees in England, a member of the SfE's Annual Assembly Steering Group, and the Chair of the Yorkshire and the Humber Independent Members' Forum, raising the profile of the Standards Committee.

We work with other West Yorkshire authorities, particularly through our Monitoring Officer who has monthly meetings with her counterparts to discuss any ethical governance issues. Our Monitoring Officer led a session on "Managing Investigations" at the Annual Assembly which shared our experience in this area. The Chair and the Monitoring Officer also arranged the West Yorkshire Regional Standards Conference with their counterparts to share best practice.

Our Toolkit for Partnership Governance supports the Council's Framework for Significant Partnerships, and provides advice for partnerships on how to put in place codes of conduct and procedures for dealing with conflicts of interest. The Standards Committee have reviewed the toolkit.

We work with Parishes in Leeds through our Parish and Town Council Charter, Liaison Forum, and annual Spring Conference. This year our presentation at the Conference focused on local assessment and what a Member could expect if a complaint was made about them, reducing fears surrounding the process. We also send each Clerk a letter regarding every Standards Committee agenda highlighting matters of interest to Parish Councils.

The Committee has a communications plan which is keeps under regular review to ensure it is communicating effectively with these different audiences.

PART 2: INFLUENCE

| How does the standards committee commutivity within your authority (for example the Chi | |
|---|---|
| Party Leaders)? Formal meetings between standards committee members and senior figures specifically set up to discuss standards | Informal discussion on particular standards issues |
| Senior figure attendance at standards committee meetings | Monitoring Officer is a member of or attends Corporate Management Team (or equivalent) meetings |
| Executive or senior member has portfolio responsibility for standards | Chair (or other standards committee member) addresses full authority meeting(s) |
| Other | |
| How do the senior figures in your authority | y demonstrate strong ethical values? |
| Through a strongly promoted whistle-blowing policy | By ensuring there are references to ethics in the authority vision / objectives |
| Demonstrating appropriate behaviours | Senior figure(s) makes personal commitment to standards in statements to public/employees |
| Through any other method | |
| them align their thoughts towards a cor messages. These messages included gr | gether the Council's leaders and helping mmon purpose by embedding key leadership eat governance, behaviours and values. This across the Council, with standards and element. |
| Does your authority have a protocol for pa standards of behaviour expected of all tho Yes | |
| What mechanisms does the authority use member/member disputes? | for dealing with member/officer and/or |
| Informal discussion/mediation | Monitoring Officer mediation |
| Chair of standards committee mediation | Senior figure mediation (e.g. Chief Executive) |
| Advice from Human Resources department | Solicitor / legal adviser consulted |
| Informal hearing | No mechanisms other than normal complaints process |
| Other | |
| Describe the "Other" mechanisms us The procedure for Members and officers relations is outlined in the Protocol for | |

told they can raise the issue with the officer is appropriate, otherwise they should raise the matter with the relevant Director. The Monitoring Officer would report any such behaviour by Members to the relevant Group Whip or Leader for them to take appropriate action. If an officer was found to have breached the Member / officer Protocol they may face disciplinary action.

PART 3: TRAINING AND SUPPORT

| Between 1 April 2009 and 31 March 2010, has the authority assessed the training and development needs of authority members in relation to their responsibilities on standards of conduct? Yes | | |
|--|---|--|
| If yes, what needs were identified? Introduction to the Code of Conduct The role and responsibilities of the standards committee None | Elements of the Code of Conduct Ethical governance/behaviour Other | |
| What training/support was provided durin 2010? Introduction to the Code of Conduct | g the period 1 April 2009 to 31 March Elements of the Code of Conduct | |
| Role and responsibilities of the standards committee | Ethical governance/behaviour Other | |
| Describe the "Other" training/suppor Training has been provided to certain M issues surrounding Planning and Licens provided for Standards Committee Merr was also specific training provided on ce | embers on the governance and conduct ing decisions, and training has been bers on how to assess complaints. There | |
| Who received training/support? Standards committee chair Other standards committee members | All authority members | |
| Specific authority members with particular needs (e.g. new members, planning committee members) | Other | |
| What methods were employed to give train Internal training (presentations/seminars/workshops) One on one training Online learning | ing/support? External trainer/speaker Joint/regional training event Guidance notes/briefing materials | |
| Standards for England materials Other | Ethical governance toolkit | |
| Planning and Licensing Training which fails also predetermination and bias issues. | ch have been created specifically for the ocus on areas of the Code of Conduct and We have also created case studies to be se Members on the Local assessment of | |
| In which areas of the Code of Conduct has Respect | training/support been provided? | |
| Use of resources Disrepute | Bullying Predisposition, Pre-determination and bias | |
| Equality | Confidentiality | |
| Other Describe the "Other" areas covered. | | |
| Describe the other areas covered. | | |

| What other training/support has been provided on areas of an authority member's role or activities they may engage in? | | | |
|--|---|---|---|
| 1 | Chairing skills | 1 | Lobbying |
| 1 | Predetermination, Predisposition and bias | | Blogging and/or the use of social media |
| | Electioneering | 1 | Freedom of Information (FOI) |
| | None | 1 | Other |
| Describe the "Other" training/support provided. Dealing with the media, public speaking, finance, ICT, equality and diversity, scrutiny, planning and licensing, corporate parenting, and risk management. | | | |
| _ | | | |

In general, how well attended was the training provided?

75% or more of those invited

Please give a brief overview of how standards issues are covered in your induction process for new members of the authority?

Members are provided with the copy of the Code of Conduct within their induction pack and guidance on how to complete their register of interests. Members then have a face to face training session on the Code, usually split into two sessions, one on general obligations and another on interests. These sessions are generally attended by the Monitoring Officer. Members are also provided with guidance from Standards for England and our own e-learning module on the Code. Election candidates are provided with a copy of the induction programme (including dates) in April so they can prepare to attend. **In which areas of the role and responsibilities of the standards committee has training/support been provided for standards committee members? Please tick all that apply.**

| Initial assessments | Other action/mediation |
|---------------------|------------------------|
| Reviews | Investigations |
| Hearings | Sanctions |
| Other | |

Describe what "Other" areas were covered.

Training has also been provided to the Standards Committee on how to consider final investigation reports.

PART 4: INVESTIGATIONS

Have any investigations been completed Yes during the period 1 April 2009 - 31 March 2010? How many investigations have been completed during this period? 6

Have any of the investigations used Yes external investigators? Of the investigations completed during the period, for how many have external investigators been used? 6

Overall, what was your principle reason for out-sourcing the investigation(s)? To complete the investigation sooner

What type of external investigator(s) did you use?



For the period 1 April 2009 to 31 March 2010, what was the approximate total cost of fees paid to the external investigator(s) for completed cases? $\pounds 19000.00$

Please provide a brief overview of the processes you have in place to ensure the quality of local investigations.

We have created and adopted a Procedure for external Code of Conduct investigations which places strict requirements on the investigator keep the authority informed on the progress of the investigation. This includes regular updates with one point of contact within the authority, and the requirement to produce detailed investigation plans and reviews (including details of interviews to be conducted). The procedure makes the terms of the delegation clear and gives points of contact for queries during the investigation. The draft report is also forwarded to the Monitoring Officer before being sent to the parties for comments, so that any areas of disagreement can be dealt with. We also provide templates for reports and letters etc. so that the information presented to the Standards Committee is all of the same quality.

PART 5: RELATIONSHIPS WITH PARISH AND TOWN COUNCILS

| Has your authority provided training for parish councillors during the period 1 April 2009 to 31 March 2010? Yes | | | | | | |
|---|--------------------------|--|--|--|--|--|
| Freedom of Information Planning Dual-hatted members Personal and prejudicia | | | Confidential information Lobbying The Code of Conduct generally Bullying | | | |
| Other What "Other" topics did the training cover? Training on the local assessment process and the role of the Standards Committee Access to Planning Information New Regional Working Arrangements Customer Services - What We Do The Power to Promote Well-being The Future of Development Sustainable Communities Rights of Way | | | | | | |
| | e employed to give train | | g/support? External speakers Joint/regional event Standards for England's materials Part of wider parish liaison meeting | | | |

In general, how well attended was the training for parish councillors? $0\mathchar`25\%$

| Has your authority provided training for parish clerks during the period 1 April 3 31 March 2010? | 2009 – |
|--|--------|
| | |
| | |

Yes

What topics did the training for parish clerks cover?

| Freedom of Information (FOI) | Working with confidential information |
|------------------------------------|---------------------------------------|
| Planning | Lobbying |
| Dual-hatted members | The Code of Conduct generally |
| Personal and prejudicial interests | Bullying |
| Other | |

What "Other" topics did parish clerks training cover?

Training on the local assessment process and the role of the Standards Committee Access to Planning Information New Regional Working Arrangements Customer Services - What We Do The Power to Promote Well-being The Future of Development Sustainable Communities Rights of Way

| What methods were employed to give training/support to parish clerks? | | | | | |
|---|--|--|--|--|--|
| One on one training | Internal training (presentations/seminars/workshops) | | | | |
| External speakers | Guidance notes/briefing materials | | | | |
| Standards for England's materials | Joint authority/regional event | | | | |
| Other | | | | | |

In general, how well attended was the training for parish clerks? $0\mathchar`25\%$

Does your council have a COMPACT (a formal agreement with your county Association of Local Councils about supporting standards for parish and town councils in the area)?

Yes

Describe the relationship between your authority and your County Association of Local Councils in relation to standards. For example, how regularly do you interact with them? Are you involved in delivering joint training?

We have interacted with them in relation to the appointment of Parish Members of Standards Committee (roughly once a year), and in relation to training available to Parish Councils. We do not deliver joint training, but we do make Parishes aware that they can access training from the YLCA.

Standards for England and Teesside University are currently researching the role of the Parish Liaison Officer. Teesside University have created a brief questionnaire to assess the organisational background, functions and skills needed to carry out the Parish Liaison role. Does your authority have a Parish Liaison Officer? Yes

Does the Parish Liaison Officer (or the person who fulfils the same functions) consent for the University of Teesside to contact them to complete a brief questionnaire about their role?

Yes

If yes, please provide contact details (where there are multiple Parish Liaison Officers, just provide one contact): Name Mr Ian Cornick, Resources and Projects Manager, Democratic Services Contact address 4th Floor West, Civic Hall, Calverley Street, Leeds, LS1 1UR Contact phone 0113 2243206 Email address ian.cornick@leeds.gov.uk

What steps have you taken when dealing with parishes which have had problems with standards issues? For example, what preventative or capacity building work have you done with parishes?

Our Parishes have not generally experienced problems with Standards issues. As a result of the Annual Audit we are providing specific advice to Parish and Town Councils in standards issues, such as the registration of interests and recording of declarations of interests in meetings. We are considering working with one of our Parishes to assist them with improving their corporate governance arrangements, including having clear lines of accountability and publicising information.

Which of the following areas would you like Standards for England to produce additional guidance on to support your work with parishes?

| 1 | I |
|---|---|
| 1 | I |

Planning and interests

Predetermination and bias
Dual-hatted members

Other