

STANDARDS AND CONDUCT COMMITTEE

MONDAY, 14TH MARCH, 2022

PRESENT: Councillor E Nash in the Chair

Councillors D Cohen, R Downes,
P Grahame, P Harrand, L Mulherin,
A Scopes and E Taylor

Independent Person – Mr G Tollefson

Co-opted Parish Council Member – Councillor D Potter

1 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents received.

2 Exempt Information - Possible exclusion of the press and public

There was no information designated as being exempt from publication for consideration at the meeting.

3 Late items

There were no formal late items of business submitted for consideration, however, Committee Members were in receipt of supplementary information in the form of Leeds' Procedure for Considering Complaints Alleging a Failure to Comply with a Members' Code of Conduct, which had been provided for the Committee's information.

4 Declaration of Interests

No declarations of interest were made at the meeting.

5 Apologies for Absence

Councillor J Taylor had submitted his apologies for absence from the meeting.

6 Minutes of Previous Meeting and Matters Arising

RESOLVED – That the minutes of the previous meeting held Friday, 5th February 2021, be approved as an accurate record.

Matters Arising

Minute No. 6 – 'Matters Arising' – Recommendation of the Committee on Standards in Public Life regarding Publication of Elected Member's Address as a Registerable Interest

Responding to an enquiry, the Committee received an update from the Head of Democratic Services regarding the recommendation of the Committee on Standards in Public Life that there should not be a requirement for an Elected Member to have their home address published as a registerable interest under the Disclosable Pecuniary Interest procedures, with it being noted that a Government response on this was still awaited.

7 Annual Report of the Monitoring Officer to the Standards and Conduct Committee

The City Solicitor submitted a report that presented an overview of the work carried out by the Monitoring Officer and her staff to support the Committee throughout the year.

The Head of Democratic Services introduced the report, highlighting the following key areas:-

- It was noted that following the tragic death of Sir David Amess MP, the Monitoring Officer had taken the decision to withhold details of Members' home addresses from the publicly accessible register of interests, under the 'sensitive interest' provisions, and as was their prerogative, some Members had requested that their addresses be made public again. It was also noted that Leeds had led the way with this action, with other Local Authorities mirroring this approach;
- That an additional dispensation had been granted during the course of the year arising from a Member's role as a Council appointed trustee of a local charity, with it being noted that at the request of the Leader, a subsequent review into this area of the Code had taken place, resulting in proposed amendments to the Code to avoid specific unintended consequences which had been identified, as detailed within the report of the City Solicitor found at agenda item 8 (Minute No. 8 refers);
- A brief summary was provided regarding the Leeds City Council Member complaints and Parish & Town Council Member complaints received over the course of the year;
- On behalf of the Monitoring Officer, thanks were extended to the Council's Independent Person, Mr. Gordon Tollefson, for his valued contributions throughout the year, which continued to help the Monitoring Officer and Deputy Monitoring Officers deal with the complaints submitted in a timely and effective way.

Members discussed a number of matters, including:-

- Responding to enquiries, the Committee received an update on the general trends regarding the volume of City Councillor and Parish and Town Councillor complaints which had been received when compared to the previous year;
- It was noted that although there was no formal timeframe by which complaints needed to be responded to, the aim was that each complaint was responded to within 4 weeks of being received, with it being noted this target was routinely met, although it was acknowledged that there had been exceptions when dealing with particularly complex cases.

RESOLVED – That the contents of the submitted report together with the comments arising from the Committee's discussion, be noted.

(During the consideration of this item Councillor D Cohen and Councillor L Mulherin joined the meeting)

8 Local Government Association Model Councillor Code of Conduct

The City Solicitor submitted a report that presented further amendments which had been made to the Local Government Association's (LGA) Model Councillor Code of Conduct for local Councillors, with a view to considering recommendations for adoption by the Authority.

The report also set out proposed amendments arising from a review undertaken at the request of the Leader which specifically related to the disapplication of the requirement to disclose both Other Registerable Interests and Non-Registerable interests where that interest was one relating to any body of which a Councillor was a member or in a position of general control or management and to which they had been nominated or appointed by the Council, in order to avoid specific unintended consequences of the Code which had been identified.

In presenting the report, the Head of Legal Services provided an overview of the proposed amendments to the Code and responded to Members' enquiries, with it being noted that all Group leaders had been consulted on the proposals and were supportive of them.

RESOLVED –

- a) That the contents of the submitted report; the proposed further LGA amendments to the adopted Councillor Code of Conduct as set out in Appendix 1; together with the proposed additional amendments to the adopted Councillor Code of Conduct, as set out in paragraphs 7 and 11 of Appendix 1, be noted;
- b) That agreement be given to refer the matter to the General Purposes Committee (GPC) for consideration with a recommendation that GPC refers the matter to full Council and recommends to full Council that the proposed amendments to the Councillor Code of Conduct, as detailed within the submitted report, be adopted.

9 Annual Review of Protocols

The City Solicitor submitted a report that presented the conclusions of the annual review of the Monitoring Officer Protocol and the review of the Member Officer Relations Protocol, with a recommendation that the minor amendments detailed within the report be approved.

In presenting the report, the Head of Legal Services confirmed that following the reviews which had been undertaken into the two protocols, both protocols remained fit for purpose, however, it was noted that both required minor amendments, as detailed in the report, to reflect current circumstances.

RESOLVED – That the proposed minor amendments to the Monitoring Officer Protocol and the Member Officer Relations Protocol, as set out within appendices 1 and 2 to the submitted report respectively, be approved.

10 Annual Report of the Standards and Conduct Committee

The City Solicitor submitted a report presenting for Members' consideration the Annual Report of the Standards and Conduct Committee which provided an overview of the key areas of activity which had been undertaken over the past year from within the Committee's terms of reference.

In presenting the report, the Head of Democratic Services highlighted that following consideration and approval by the Committee, the Annual Report would be submitted to full Council for consideration as required.

RESOLVED – That the draft Annual Report of the Standards and Conduct Committee, as presented at Appendix 1 to the submitted report, be approved.

11 The Independent Person

The City Solicitor submitted a report that sought the Standards and Conduct Committee's views on the extension of the term of office of the existing Independent Person and a proposal to recruit a new, additional Independent Person.

By way of introduction to the report, on behalf of the Committee the Chair extended her thanks to Mr Tollefson, Independent Person, for his continued commitment and support for the work of the Committee and the Monitoring Officer.

The Head of Democratic Services provided a summary of the key points detailed in the report, and set out the proposed next steps in terms of the proposal to extend Mr Tollefson's term of office, together with the proposed recruitment of a new, additional Independent Person, should the Committee be agreeable with the recommendations in the report.

RESOLVED – That the following be recommended to the General Purposes Committee for its consideration:-

- a) That Mr Gordon Tollefson's term of office be extended by two years to July 2024;
- b) That a recruitment process be progressed to appoint a new (additional) Independent Person via a cross party Member Panel (chaired by the Executive Member for Resources and with representation drawn from the Standards and Conduct Committee) – with that Working Group making recommendations to the General Purposes Committee for appointment on a new Independent Person by full Council;
- c) That during his extended term, Mr Tollefson supports the induction of the new Independent Person.

(Prior to the consideration of this agenda item, Mr Gordon Tollefson, Independent Person, left the meeting)

12 Any Other Business

The Chair invited any Member comments, which had not already been raised and which fell within the Committee's terms of reference:

Responding to a Member's enquiry, the Committee received information regarding the level of complaints Leeds received when compared to other Local Authorities, with it being noted that generally Leeds received fewer complaints than comparative Authorities, such as Core Cities.