

## STANDARDS AND CONDUCT COMMITTEE

FRIDAY, 29TH NOVEMBER, 2013

**PRESENT:** Councillor E Nash in the Chair

Councillors B Atha, C Campbell, Cook,  
B Gettings, J Hardy, P Harrand and  
Tollefson

**In attendance:** Councillor Paul Cook (Parish representative)  
Gordon Tollefson – Independent Person

**Apologies:** Councillor J Harper

### **9 Appeals against refusal of inspection of documents**

There were no appeals against the approval of inspection of documents.

### **10 Exempt Information - Possible exclusion of the press and public**

There were no resolutions to exclude the public.

### **11 Late items**

There were no late items.

### **12 Declaration of Disclosable Pecuniary and Other Interests**

No declarations were made.

### **13 Apologies for absence**

Apologies for absence were received from Councillor J Harper. Councillor J Hardy was in attendance as substitute.

### **14 Minutes 18th June 2013**

The minutes of the meeting held on 18th June 2013 were confirmed as a correct record.

### **15 Matters Arising**

#### Minute No. 8 – Update on recent Standards Issues

The Head of Governance Services confirmed that a letter had been sent to all Councillors which set out the Independent Persons role and contact details.

## 16 **Openness and Transparency on Personal Interests: A Guide for Councillors**

The City Solicitor submitted a report which considered the Members' Code of Conduct adopted by Leeds City Council in light of guidance released by DCLG in September 2013 and commentary available in relation to the same.

Members discussed guidance issued by the Secretary of State in relation to registration of trade union membership on Members' Registers of Interests. Members considered that being a Member of a trade union was no different to being a member of other organisations, such as the Institute of Directors or a local trades federation, and therefore, as the guidance was not statutory, the authority should not make it a mandatory requirement to register trades union membership. Further Members noted that the arrangements in Leeds do provide for such registrations to be made if Members wished to

Members also considered DCLG guidance relating to Members participation at budget meetings and whether, in light of the guidance, further dispensations would need to be sought. Members were satisfied that the guidance, which states that "Any payment of, or liability to pay, council tax does not create a disclosable pecuniary interest" provides sufficient comfort that no further dispensations on this matter are required.

The Committee agreed that Whips and Parish Councillors should be informed that a dispensation is no longer required to participate in setting the Council's budget.

**RESOLVED** – The Committee resolved to:

- (a) Agree that no amendments be made to the Members' Code of Conduct in relation to disclosing membership of trade unions;
- (b) Agree that Members should not seek a dispensations in relation to setting council tax in future years; and
- (c) Ask the Head of Governance Services to Whips and Parish Clerks informing them that that a dispensation is no longer required to participate in setting the Council's budget or the setting of a precept.

## 17 **Update Report**

The City Solicitor submitted a report which presented the Committee with a summary of the complaints submitted to the Council regarding potential breaches of the Members' Code of Conduct over the past municipal year. This included complaints against councillors and Parish and Town Councillors in the Leeds area.

It was confirmed that no complaints received had proceeded beyond past stage 1.

The Head of Governance Service summarised the nature of the complaints that had been received and the reasoning for not progressing past stage 1.

**RESOLVED** – The Committee resolved to note the information set out in the report.

## **18 Committee on Standards in Public Life: Annual Report 2012-13**

The City Solicitor submitted a report which presented the Committee with the Committee on standards in Public Life (CSPL) annual report for 2012/13.

Members discussed the conclusions of the CSPL relating to Local Government, particularly the view of the CSPL that sanctions available to local authorities if a Member is found in breach of the Council's Members Code of Conduct might be too limited. Members were of the view that Censure provided a powerful sanction and that when used in conjunction with internal group discipline arrangements, provided for arrangements that are proportionate.

Members discussed the arrangements for dealing with potential complaints concerning independent members. The Head of Governance Services provided assurance that existing complaints handling system is structured to enable those complaints to be dealt with.

Generally Members agreed that they were satisfied with the disciplinary procedures in Leeds and wished to convey this feeling to the Committee on Standards in Public Life.

**RESOLVED** – The Committee resolved to:

- (a) Note the information set out within the submitted report; and
- (b) Request that the Chair write to the Chair of the Committee on Standards in Public Life conveying the views expressed by the committee.